HOUSE OF COMMONS DEBATES

OFFICIAL REPORT

SECOND SESSION—THIRTY-THIRD PARLIAMENT

36 Elizabeth II

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TO THE TWENTY-SIXTH DAY OF OCTOBER, 1987

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HOUSE OF COMMONS

Tuesday, September 22, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table in both official languages the Government's response to petitions Nos. 332-2953, 332-2954, 332-2956 to 332-2958 inclusive, 332-2960 to 332-2963 inclusive and 332-2965.

[*English*]

OPPOSITION TO BILL C-55

Mr. Sergio Marchi (York West): Mr. Speaker, I have the honour this morning, perhaps quite appropriately since we are debating Bill C-55 at report stage, to present a number of petitions which come basically from across the country. I have petitions from London, Ontario, and Medicine Hat, Alberta. I have another one from the City of North York. The next are from the Vancouver and Edmonton areas. I have a petition signed by over 100 people from the City of Victoria, British Columbia, and the last petition originates from my own riding of York West.

Essentially, the petitioners call upon the Government to delete the prescreening stage of Bill C-55, together with the deletion of the safe third country provision. The petitioners feel that these two mechanisms should be deleted, and they are petitioning for a stronger mechanism for appeal so that Bill C-55 will be in line with the Canadian law and justice system. In fairness to the refugees who are deserving of our protection, the petitioners humbly pray that this House of Commons delete the pre-screening, safe third country provisions and beef up the appeal system.

• (1110)

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Mr. Speaker, I have the honour to present a petition signed by over 100 residents of Canada who oppose Bill C-55. They urge Parliament and the Government to withdraw it on the grounds that it will in fact keep away or send away many real refugees because of the defects in it.

Although the petition was written prior to the Bill being presented, it is still relevant after the amendment process. The petitioners point out the error of the safe third country concept and the lack of an appeal process. They state that there was a better system proposed two years ago by the Standing Committee on Labour, Employment and Immigration.

They therefore request withdrawal of the Bill and replacement of it by a Bill that would provide fair, quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such a hearing and the right to appeal on the basis of fact.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my privilege to present a petition pursuant to Standing Order 106 with regard to a matter which is before the House of Commons today. The petitioners are from eastern Canada, western Canada and central Canada.

They remind the House of Commons that the standing committee of Parliament dealing with immigration has proposed a new procedure for refugees. They suggest that if it is adopted it would fairly and effectively solve the problems of back-logs and the unsubstantiated claims. They indicate that it has the support of a variety of groups, including the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and a whole set of other groups, as well as individuals who are knowledgeable on the matter of refugees.

Therefore they are asking the House of Commons to withdraw Bill C-55 from discussion and substitute it with legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board that is independent of the Immigration Commission, universal access to such hearings for every applicant in Canada and, of course, the right to appeal on the basis of fact.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the following questions will be answered today: 172, 173, 177 and 179.

[*Text*]

INCOME TAX OWED BY CORPORATIONS

Question No. 172—**Mr. de Jong:**

1. In (*a*) 1984 (*b*) 1985 (*c*) 1986, how many corporations in Canada failed to remit taxes owing and in what amounts?

2. For the 1986 taxation year, what amount of taxes are owed?

3. What is the breakdown of the taxes owed by the size of the (*a*) corporation (*b*) debt?

4. How many of the outstanding corporate accounts fall above and below the "over 2 years category"?

5. For the same years, what was the amount of taxes in dispute?

Hon. Elmer M. MacKay (Minister of National Revenue):

Income Tax Owed — Corporations

as of March/84		as of March/85		as of March/86	
# Number of Corporations	$(000)	# Number of Corporations	$(000)	# Number of Corporations	$(000)
81,457	1,054,898	87,713	1,243,068	94,502	895,983

See 1. for 1986

(a) The Department has no data based on size of corporations.

(b)

Size of Debt	as of March/84		as of March/85		as of March/86	
	#	$(000)	#	$(000)	#	$(000)
$ 1 to 99,999	80,451	315,736	86,757	325,305	93,602	312,035
$ 100,000 to 499,999	766	158,446	756	157,303	721	150,683
$ 500,000 to 999,999	137	92,573	108	75,325	91	60,380
$1,000,000 & OVER	103	488,143	92	685,135	88	372,885

Aging	as of March/84		as of March/85		as of March/86	
	#	$(000)	#	$(000)	#	$(000)
Over 2 yrs	17,682	285,222	18,490	332,491	21,026	320,963
Under 2 yrs	63,775	769,676	69,223	910,577	73,476	575,020

Taxes in Dispute	as of March/84	as of March/85	as of March/86
	$(000)	$(000)	$(000)
	67,193	365,231	391,355

INCOME TAX OWED BY INDIVIDUALS

Question No. 173—**Mr. de Jong:**

In (*a*) 1984 (*b*) 1985 (*c*) 1986, what was the amount of tax owed by individual tax filers and what is a breakdown for income groups (i) $100,000 to $499,999 (ii) $500,000 to $999,999 (iii) $1,000,000 and over?

Hon. Elmer M. MacKay (Minister of National Revenue):

1.

Income Tax Owed — Individuals

as of March/84		as of March/85	
# Number of Individuals	$(000)	# Number of Individuals	$(000)
876,329	1,680,462	862,947	1,700,836

as of March/86	
# Number of Individuals	$(000)
914,223	1,698,183

The Department has no data based on income groups.

DND MODERN DEFLATOR

Question No. 177—**Mr. McKinnon:**

1. Has the Department of National Defence kept a DND model deflator for several years for use in computing real increases or decreases in defence spending and, if so, for each of the years 1970-71 to date, what percentage did the deflator show?

2. Did the departmental estimates switch from the DND deflator rate to the GNE deflator rate and, if so, in what year?

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence):

1. Yes. Percentage increases in brackets indicate years of negative real growth.

DND Deflator

Year	Deflator Rate		Percentage Increase	
1971-72	7.3		(1.5)	
1972-73	10.5		(5.3)	
1973-74	8.2		2.6	
1974-75	17.4		(4.3)	
1975-76	14.0		4.0	
1976-77	10.4		2.5	
1977-78	8.8		3.0	
1978-79	6.3		2.5	
1979-80	7.1		(0.2)	
1980-81	12.1		3.2	
1981-82	15.2		3.1	
1982-83	10.1		5.3	
1983-84	6.5		7.1	
1984-85	6.0		5.6	
1985-86	5.6		(2.8)	
1986-87	4.7	(forecast)	2.6	(forecast
1987-88	4.7	(forecast)	0.3	(forecast)

GNE Deflator

Year	Deflator Rate		Percentage Increase	
1971-72	3.6		2.0	
1972-73	5.4		(0.7)	
1973-74	10.9		0.1	
1974-75	15.1		(2.4)	
1975-76	10.1		7.7	
1976-77	9.2		3.6	
1977-78	7.0		4.7	
1978-79	6.9		1.9	
1979-80	11.4		(4.1)	
1980-81	11.2		4.0	
1981-82	10.4		7.5	
1982-83	9.4		6.0	
1983-84	9.2		4.4	
1984-85	2.8		8.9	
1985-86	3.4		(0.7)	
1986-87	2.9	(forecast)	4.4	(forecast)
1987-88	3.9	(forecast)	1.1	(forecast)

2. Yes, in 1985-86.

USE OF PATENTED INVENTIONS BY GOVERNMENT

Question No. 179—**Mr. Young:**

1. For (*a*) 1977 (*b*) 1978 (*c*) 1979 (*d*) 1980 (*e*) 1981 (*f*) 1982 (*g*) 1983 (*h*) 1984 (*i*) 1985 (*j*) 1986 (*k*) 1987, did the Government exercise its right under Section 19 of the Patent Act and use patented inventions and, if so (i) on how many occasions (ii) what was the amount of moneys paid to patent holders as compensation for use of those patents (iii) how many patent holders appealed the level of compensation (iv) how many appeals were successful (v) what was the amount of moneys awarded to successful appellants?

2. Is it the government's intention to repeal Section 19 of the Act?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs):

Point of Order—Mr. McKinnon

1.	(i) Number of occasions	(ii) Amount of moneys paid to patent holders as compensation for use of those patents	(iii) Number of patents who appealed the level of compensation	(iv) Number of successful appeals	(v) Amount of moneys awarded to successful appellants
(a) 1977	—				
(b) 1978	—				
(c) 1979	1	None	None	None	None
(d) 1980	2	$0.65 (per garment) $5,820.63	None	None	None
(e) 1981	1	None	None	None	None
(f) 1982	—				
(g) 1983	—				
(h) 1984	1	None	None	None	None
(i) 1985	1	None	None	None	None
(j) 1986	1	None	None	None	None
(k) 1987	1	None	None	None	None

2. No.

[*Translation*]

Mr. Lewis: Mr. Speaker, I ask that the remaining questions be allowed to stand.

Mr. Speaker: The questions as enumerated by the Hon. Parliamentary Secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

[*English*]

POINT OF ORDER

PETITIONS—ALLEGED MISREPRESENTATION BY MEMBERS

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, I rise on a point of order. I have raised a similar point of order on numerous occasions when members of the Opposition in spurious attempts to whip up some enthusiasm for their position table petitions that are incorrectly addressed. I refer in particular to one that has just been tabled by the Hon. Member for York West (Mr. Marchi) who said in his remarks that there were over 100 signatures on a petition from Victoria. In fact, there are only 27 names on the petition.

Some Hon. Members: Shame, shame.

Mr. McKinnon: I might also ask about the peculiarity of a petition dated August 18 not being tabled until over one month later. That certainly does not seem to be urgent action on the part of the Member to look after the interests of some constituents of mine.

I most particularly wish that these Members would quit exaggerating the number of names on petitions. It is misleading to the House, if anyone were to believe them.

Mr. Sergio Marchi (York West): Mr. Speaker, I rise on the same point of order. I have received over 100 petitions, and a number of them came from the riding of the hon. gentleman. Specifically, there is one petition from Victoria that has over 100 signatures on it. The hon. gentleman may be right when he says that the petition tabled this morning has only 27 signatures. However, there is one petition that I will table in the House that shows clearly that there are over 100 signatures on it of people from the riding of the hon. gentleman.

The reason I tabled the petition today is that it is more appropriate to table it now rather than in the month of August when we were discussing Bill C-84. I thought it more appropriate to table the petition when the House is deliberating on Bill C-55. In August, Bill C-55 was still at committee stage and we did not have an opportunity to deliberate on it in the House. I thought it would be appropriate for the aspirations of his constituents in terms of their sentiments and wishes that the petition be tabled when the attention of the House was specifically and squarely on Bill C-55.

I believe that I have not done a disservice to the riding of the hon. gentleman. What I did is perhaps something that he has not done, that is, bring to the floor of the House of Commons the sentiments and concerns that are very real for the constituents of Victoria. I make no apology for presenting the petition this morning.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, my colleague, the Hon. Member for Victoria (Mr. McKinnon) has made a very good point. I would like to draw the attention of my friend, the Hon. Member for York West (Mr. Marchi) to the fact that a

petition is presented to the House and the appropriate Ministry is required under Standing Order 106(8) to respond to every petition referred to it within 45 days.

Surely, if we have written the rules as we have to require that the Government and the Ministry involved prepare a response and respond to the petitioners, that has nothing to do with when the House debates a particular law. It is a petitioner, a citizen of Canada, who has decided to sign a petition and to ask the Government for its reasoning with respect to certain matters. The Standing Orders require the Government to respond, which we have done.

I submit that it is an abuse of the process to infer that there are hundreds of names when there are not, and to suggest that there is any relationship between the petition and the debating of a certain law. That argument does not follow. If the reason for a petition is to beg the Government not to proceed with something, then surely that should take place in advance of discussing a particular Bill in the House. I think, with respect to my colleague's argument, that it does not hold water on that basis.

Mr. McKinnon: Mr. Speaker, I rise again on the same point of order. I wish to apologize to the House if I in any way misled it when I said that there were something in the order of 27 names of people from Victoria on the petition. Only two of them have their addresses down as Victoria. I do not think that accurately represents those petitioners. If the Hon. Member is not going to take the time to read petitions and to see from where they come and learn to differentiate between Vancouver and Victoria, then he ought to ask someone else to table the petition on his behalf.

• (1120)

Mr. Marchi: Mr. Speaker, I understand the embarrassment of the Member of Parliament for Victoria (Mr. McKinnon) in not bringing some of those aspirations to the floor. I appreciate and know what the Hon. Member is feeling. I would ask him to look at those seven petitions, count up the number of petitioners from his constituency, together with those that I will be presenting this week. We will then see who is correct and what the numbers total. Perhaps the Hon. Member will have some meetings in his constituency office when he returns this weekend.

With respect to the arguments of the Minister of State (Mr. Lewis), he is quite correct when he states that the Government has 45 days to respond. That does not mean that the Government has to take 45 days; it has up to 45 days to respond.

However, if the Government was responsive and wished to react genuinely to some of the concerns and aspirations that we are tabling through the petitions of Canadians, obviously it would be appropriate for those responses to be tabled during the parliamentary debate at report stage on Bill C-55. We have heard from the Parliamentary Secretary to the Minister of Immigration (Mr. Friesen), and the Minister of State for Immigration (Mr. Weiner). If they are in the Chamber and look at the hundreds of people who have signed petitions, then I do not think it would be very responsible for the Minister of State to take the full 45 days.

Certainly, put together—an emotional debate during report stage and third reading, complemented with the aspirations of the petitioners—there is no reason why the Government would want to take 45 days. Obviously the Government must look at the petitions and say, "Look, Mr. Minister, there seems to be some widely-held concerns of Canadians from Victoria to Newfoundland".

Presenting petitions at the same time that we are debating is the fruition of democracy at work. If the Government is guided by a spirit of democracy then it would take those petitions very seriously, make the necessary changes in the legislation, and then we would have participatory democracy rather than ramming and jamming something through a committee on Bill C-84.

The organizations mentioned by the Hon. Member for Victoria had no possible chance of participating in Ottawa. That is why today the Senate is holding hearings. Some of the regional groups from Victoria and eastern Canada will now be able to attend at committee and participate rather than having a committee hearing witnesses from Toronto, Ottawa, and Montreal. Canada is much larger than that. We are giving that opportunity in the Senate to the organizations from Victoria.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, the Hon. Member for York West (Mr. Marchi) has a helpful suggestion. Perhaps Mr. Speaker should rule that petitions be submitted only at the time the subject of those petitions is being debated in the House, and at no other time. That may help us.

Mr. Gauthier: Tell that to the petitioners.

Mr. Speaker: Perhaps the Chair can comment that there are times when helpful suggestions are given that may have another purpose.

The Hon. Member for Kamloops—Shuswap.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I was not planning to enter this interchange, but the latest interjection by the Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen) concerned me. There is a long list of ways that the present Government has muzzled Parliament. There is a long list of ways the Government has not enabled the people of Canada to be heard where it has cut off debate prematurely. I am concerned with the suggestion of the Hon. Member that we now muzzle petitioners. Canadians have the right to present their views before Parliament and before the Government.

I would ask, Mr. Speaker, that you do not give any consideration to the suggestion by the Hon. Member for Surrey—

White Rock—North Delta when he suggests that we do not allow Canadians to petition the House of Commons. That is a most inappropriate suggestion which has no place in a free democratic society.

Mr. Speaker: The Chair has heard the interventions of all Hon. Members. This is not the first time that this matter has been raised. Briefly, the issue is, is it appropriate for a Member to receive a petition and then delay for some period of time before presenting it to the House.

The reason that question is posed is that under the Standing Orders, as the Hon. Minister has pointed out, when the petition is presented to the House, the Government is then under a very severe stricture in terms of the number of days allowed to the Government within which it must answer the petition. Of course, that is a matter of considerable interest to the Chair. I must point out that the Standing Orders do not require any particular time within which that petition must be presented by the Member who receives the petition. In fact, there is no procedural rule demanding that an Hon. Member present the petition.

It is common sense in the general suggestion that it is probably in the interests of the petitioners that, in view of the fact that they are expecting a response from the Government, petitions be filed with the House within a reasonable period of time. That is not an order.

The Chair finds some concern in the other point made by the Hon. Member for Victoria (Mr. McKinnon). His suggestion is that sometimes when an Hon. Member is presenting a petition and rises to describe the contents or, in this case, the number of petitioners who signed the petition, and the place from which those people came, there may sometimes be inaccuracies in the representations made in the House.

I am sure that the Hon. Member for York West (Mr. Marchi) did not intend in any way to deliberately mislead the House. He has spoken on the matter. However, all Hon. Members presenting petitions might take note of today's intervention by the Hon. Member for Victoria and try to ensure that, as much as is possible, the representations made when petitions are presented hew closely to the factual situation. I know that all Hon. Members would wish to do so.

The Hon. Member for York Centre.

* * *

MOTION TO ADJOURN UNDER S. O. 29

NATIONAL SECURITY

Hon. Bob Kaplan (York Centre): Mr. Speaker, I rise with fresh evidence of mismanagement and incompetence within the Department of the Solicitor General. Last week I mentioned one situation, and today I rise to speak on another, namely, the revelation this morning that has shaken public confidence in the RCMP for mishandling national security informer evidence which may have averted two tragedies.

In light of the submissions that I made last week which have been resolved or settled in the public mind in no way at all, compounded by this morning's revelations which suggest mismanagement and bad direction of the RCMP, I ask again for an emergency debate.

Mr. Speaker: The Hon. Member for York Centre (Mr. Kaplan) is clearly a Member of this House who has had experience as a Minister in this area, and who has been following it very carefully. I wonder if I could ask the Hon. Member to clarify the revelation to which he refers. What is the nature of the incident, and when did it take place?

Mr. Kaplan: This morning on the national radio edition of the CBC it was revealed that an informer identified as Paul Besso claims to have told his handler in the RCMP both of the assassination plot against the Punjabi Minister who visited Canada and was nearly murdered, and the downing of the Air India jet, and the possibility of planting bombs on that jet plane.

• (1130)

These revelations are extremely important coming as they do on the heels of revelations last week about information being given to the Canadian Security Intelligence Service which was unheeded. The emergency arises because the public is entitled to be confident that the national security of the country is being protected by the Government. The clear evidence is that in two of the key agencies responsible for Canada's national security there is considerable disorder.

Mr. Speaker: I listened very carefully to the Hon. Member for whom the Chair has great respect, especially on these matters. I am very conscious of the fact that a few days ago a similar motion was made and at that time the Chair did not accede to it.

The reform committee, in dealing with matters of emergency debates, was very clear in the fact that in its wisdom it was not appropriate for the Speaker to give reasons for either allowing an emergency debate or rejecting one. The wisdom of that committee lay in the fact that any reasons the Speaker gives from time to time builds up a kind of jurisprudence of its own and becomes the subject of debate in the Chamber. As a consequence, tempted though I may be to give reasons, I will follow the wisdom of the reform committee and not do so.

However, I draw to the attention of all Hon. Members the following words in the rule.

> The right to move the adjournment of the House for the above purpose is subject to the following conditions:
>
> (a) the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;

I have commented at another time on what is an urgent consideration.

The Hon. Member certainly proposes a matter of extreme importance, but I am not satisfied today that it is a matter of urgency. As I said to the Hon. Member when he rose and put forward a very precise and cogent request a few days ago, in deciding that it is not appropriate at this time does not mean that the door is closed. This is a matter of ongoing importance to the entire country. Most certainly there may be circumstances under which it would be appropriate for the Hon. Member or other Hon. Members to raise the matter again.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Monday, September 21, consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee, and Motions Nos. 18 and 21 (Mr. Marchi, p.9156).

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, just to close off the comments, yesterday in debate the Hon. Member for York West (Mr. Marchi) was pointing out under the provisions of these motions that the Bill did not fulfil the requirements of the Convention and that in fact it contravened the Convention. I would point out again that the UNHCR representative here in Ottawa testified before the committee that the Bill did not contravene the Convention. Given an opportunity to choose between taking the word of the Hon. Member for York West or that of the UNHCR representative, I think I will take the UNHCR. The fact is that the Hon. Member for York West seems to be operating under the notion that if he repeats an error often enough it will become true.

Mr. Deputy Speaker: Is the House ready for the question on Motion No. 18?

Some Hon. Members: Question.

Mr. Deputy Speaker: Mr. Marchi moved:

Motion No. 18

That Bill C-55, be amended in Clause 14 by striking out lines 19 to 29 at page 14.

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion, and on Motion No. 21, stand deferred.

The next grouping will include Motions Nos. 22, 23, 24, and 30, which will be debated together but voted upon separately.

Mr. Dan Heap (Spadina) moved:

Motion No. 22

That Bill C-55, be amended in Clause 14 by striking out line 25 at page 14 and substituting the following therefor:

"country that complies with".

Motion No. 23

That Bill C-55, be amended in Clause 14 by striking out line 29 at page 14 and substituting the following therefor:

"a member, and would be allowed to return to that country, if removed from Canada, and has the right to have the claim determined therein;".

Motion No. 24

That Bill C-55, be amended in Clause 14 by striking out lines 29 to 41 at page 14 and substituting the following therefor:

"a member, and the adjudicator and member of the Refugee Division are satisfied that the person,

(i) has a right to have the claim determined on the merits in that country;

(ii) would be protected from refoulement to the country where persecution is feared if found to be a Convention refugee by that country;

(iii) would be granted adequate protection and firm resettlement by that country, if found to be a Convention refugee by that country; and

(iv) has no significant ties to Canada, based on duration of time in Canada or close family or friendship ties, such that the choice of Canada as the country of refuge is not logical nor justifiable."

Motion No. 30

That Bill C-55, be amended in Clause 14 by adding immediately after line 5 at page 16 the following:

"The adjudicator and member of the Refugee Division who determines a claimant to be ineligible under paragraph 48.01 (1)(b) shall also during that same inquiry specify the prescribed country to which the claimant may be removed."

He said: Mr. Speaker, these four amendments concern the question of what has been called "safe third country", although that wording does not appear in the present clause as amended by the Government.

What I am concerned about in general is that a person might be sent back to a so-called safe third country and might not be safe. He might not be safe because that country might not accept him and might send him on to somewhere else. If the country sends him back to Canada, there may be provisions for dealing with his situation justly under the revised laws. However, if a country does not send him back to Canada, but sends him on to still another country, we do not know what will happen.

There is no guarantee in the clause as it is written that the person will be accepted by that country either allowing him to stay as a permanent resident, which would have an effect similar to being accepted as a refugee, or allowing him to make a refugee claim.

I have tried several ways of dealing with this question, and two of them are reflected in Motions Nos. 23 and 24, and there is a slightly different way reflected in Motion No. 30.

• (1140)

Before going to that, I wish to deal with the fact that the Government appears to want to reduce its obligation under the United Nations Convention regarding the protection of refugees. At the beginning of the committee clause by clause debate the Government introduced something like the present clause on page 14 of the Bill, Section 48.01(1)(b). It said that the claimant would be returned to a country:

> —that has been prescribed as a country that complies with Article 33 of the Convention—

Later in the day the Government changed that and only wanted to concern itself with whether the country complies with Article 33 of the Convention. I have explained this point previously in another connection but the point is important. Allowing a person protection means essentially and basically not forcing him to go back to the country in which he is being persecuted in the case of a refugee, and not doing so to a person who claims to be a refugee unless the claimant is allowed to state his claim and is found to be not a refugee. In the case of a refugee or a possible refugee, the rule is not to send him back to his country.

The most obvious way of sending him back to his country is to handcuff him, put him under guard and compel him to depart or in some way legally compel him to depart. A less obvious way of sending a claimant back to his country is to make sure that he lives in such miserable conditions in the country in which he has sought protection that he is indirectly forced to return; for instance, if he is not allowed to earn a living, if he is not allowed liberty and kept in detention for no reason other than that he claimed refugee status or for other trivial reasons. In other words, if a person is not allowed to live something like a normal life—he does not have to live like a prince—then he is not really receiving the protection of the country.

I have already listed Articles of the Convention which ensure a person protection under the law, liberty of movement, the right to earn a living and other normal rights of residence in such a country that are also supposed by the same Convention to be assured. But our Government has very carefully said, "We don't care whether the person can really live in that country so long as we can dump his body back inside those other borders and we can wash our hands of him". That is why in Motion No. 22 I proposed that we change line 25 so that it reads,"a country" that has been prescribed as "a country that complies with the Convention"—the whole Convention, not just one Article of it.

Clause 23 and Clause 24 attempt more positively to get at the same point. In Clause 23 I propose that a person "would be allowed to return to that country, if removed from Canada, and has the right to have the claim determined therein".

I do not think we should send a person back. I know all of the witnesses who spoke to our committee were concerned with this. We should not send a person back to a country unless we know positively that he will be accepted and either allowed to remain or allowed to have his claim determined there, preferably allowed to return and have his claim determined. That is what I asked for in Clause 23.

In other words, if somebody comes from the United States to Canada and says, "I am a refugee from El Salvador", we will be sending him back to the United States. The Government has never assured us that it will not, but the Government ought to be responsible for knowing that the United States will either let him live in the U.S. or have his claim determined there. We know that the Americans' way of determining a Salvadran's claim is very different from determining a claim of someone from say a country like Poland. At least our Government should be held responsible for making sure that the person has that minimal right even in the United States. There has been some legal amelioration of that practice in the United States. I hope the Americans will give more just treatment to Salvadoran claimants in the future, although that remains to be seen.

I wish to speak about Clause 30 in particular, Mr. Speaker. This would amend the matter, I think, adequately. I still do not think the safe third country system is a workable one in the way it is being used. When the adjudicator and the refugee division member have examined a person and decided that he should be returned, say to the country from which he came, which may not be the country of his persecution, they should make sure, as it says here, that they send him to that country and not leave it up to some immigration officer or enforcement officer to figure out what country they might send that person to. Motion No. 30 reads:

> The adjudicator and member of the Refugee Division who determines a claimant to be ineligible under paragraph 48.01(1)(b) shall also during that same inquiry specify the prescribed country to which the claimant may be removed.

There is a small typographical error in line 2. The word determines should be the word "determined" since it applies to the adjudicator and member of the refugee division collectively. Their decision that a person is ineligible would have to be made by the two of them together. It could not be made by either of them without concurrence of the other, according to the Bill. That is quite agreeable to this side of the House.

They should also then have this responsibility so that if a person is returned to a country where he is not safe, at least it is the adjudicator and the member of the refugee division who have taken that responsibility. Better still, if when they announce that a person is to be returned to country *x*, the claimant and the claimant's lawyer, if he has one present,

should have an opportunity to object in that hearing, in that decision-making body, where it is on the public record.

In other words, this decision is one that should be made at the same level of responsibility as the decision to send a person away. The decision to choose which country a person may be sent to should be part of that decision. Those people who may be more qualified to make them, than say an enforcement officer, should be held responsible on the record for at least what happens in the sending away of a person, even if we do not know what will happen when that person arrives in the other country.

I would support, since I can speak only once about the four motions, any and all of these motions. I would ask the House to do so. Although they will be voted on in sequence, I think the last one perhaps would mend the problem in a minimal way if the other three are not acceptable.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, in the last few comments of the Hon. Member for Spadina (Mr. Heap), I think he was dealing with Motion No. 30 which has to do with the need to specify the country of return for someone who is determined to be ineligible to enter Canada on the basis of having prior protection.

I would direct the Member's attention to government Motion No. 53, and I think we are in accord. What the Member is trying to achieve through Motion No. 30 is part of what the Government is trying to achieve through Motion No. 53. It certainly was an item that we discussed at great length in committee. We had some difficulty in arriving at the kind of draft we thought would fit. I do not believe the Member's drafting of Motion No. 30 is quite as solid as the Government's drafting of Motion No. 53, which is a little broader and covers all the situations that I think need to be covered. However, I believe we are in accord on the basic thrust of the motions.

• (1150)

In Motion No. 22, the Member is attempting to remove the phrase which we inserted during committee hearings after a great deal of thought and on the basis of a great deal of testimony.

The issue of prior protection hinges on the notion of *refoulement* and the notion of protection. Many of us expressed concern about this. In my initial speech at second reading I expressed my concern about the work of Cabinet and the need for Cabinet to determine the list. The committee deliberately specified that Cabinet must attend to Article 33. The statutory power and regulatory authority relates to Article 33, which is the obligation under the Convention to *non-refoulement* in a direct or indirect way.

While I respect my colleague from Spadina, I think it is a mistake for the House to accept Motion No. 22 and remove those words "Article 33". I think it is very important that Cabinet be conscious that the countries they put on the list must have an unblemished record in terms of meeting their Convention obligations related to *non-refoulement*.

Motion No. 23 is essentially designed to achieve something very similar to what the Member is trying to achieve in Motion No. 30 and which I believe will be achieved if the House supports Motion No. 53. There is no basic quarrel with that.

Motion No. 24, however, is the most disturbing of his amendments. The first line of his amendment would remove some lines of the Bill and thereby obliterate the notion of safe third country and the whole notion of eligibility and credibility. I do not understand how one can argue in committee for the need for speed, then attempt to move an amendment that would make speed impossible. We either believe or do not believe that 75 per cent to 80 per cent of the claimants who came to our shores in the last 18 months have no need for the protection of Canada. If we believe that 75 per cent to 80 per cent of those claimants in the last 18 months have no need for the protection of Canada, then we must have a speedy and cost efficient system to deter future abuses like that. Speed is the deterrent and if the House were to accept Motion No. 24 that speed would be lost.

While the additions the Member is trying to make look attractive on paper, they would essentially eliminate the possibility of putting any country on the list and allowing that list to function. It is essentially a redefinition of the Member's view of the obligations of all the countries that signed the Accord. Surely the United Nations system allows sovereign countries to remain sovereign and to meet their obligations within their own systems. I do not think it is appropriate that this House pass a piece of legislation that would require those sovereign countries in Europe and other places to redesign their total domestic law to conform to something the Member would like to see happen. If this is an issue about which we feel strong, perhaps it should be raised with the UNHCR and in committee meetings around the world. Surely, however, it would be premature and inappropriate to include a provision in the Bill which would make it inoperable in terms of one of its major principles.

I urge the House to vote favourably for Motion No. 53 when it comes up for discussion later because I believe it accomplishes what the Member is seeking in at least part of his assertions. I urge the House to reject Motions Nos. 22, 23, 24 and 30 on the grounds that I have outlined.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I must say that I am surprised, to put it mildly, at the comments of the Hon. Member for Calgary West (Mr. Hawkes). For some time he was a member of the Standing Committee on Labour, Employment and Immigration and knows of the report that was tabled. Surely he knows that there is very little relationship between what is contained in this Bill and what the Standing Committee recommended.

The Standing Committee was comprised of an overwhelming majority of government Members. It considered in great depth the whole question of immigration and made some very

excellent recommendations. Now we see the recommendations and proposals of the standing committee virtually rejected.

The Member for Calgary West, rather than urging the Government to at least consider with some sympathy the recommendations of the standing committee, is saying that the House should reject these amendments which I believe try to amend the Bill to include some of those recommendations.

Let us consider some of the recommendations made by the committee in its report which was tabled in November, 1985, and was based on a study asked for by the then Minister of State for Immigration. This report contains a proposal for a swift, fair system of refugee status determination. The committee proposed that a refugee claimant be sent directly to the refugee board first, without a lot of immigration procedures. The board could decide on that status, being trained and authorized to do so, and the Immigration Department could take over from there and either admit the person on refugee grounds or, if there were no other humanitarian grounds, expel the person from the country. The Government would have been required to reply in four months.

The Government has never dealt with this report. Instead, it introduced this Bill last May. According to this legislation, a refugee claimant is first sent to an immigration inquiry to determine whether there is any reason not to remove him or her. The immigration adjudicator, a member of the refugee division, may only examine the eligibility and credibility of the claimant. This means that they do not judge the merits of his or her claim, only whether he or she could have been safe in another country through which they passed and should be removed to that country, or whether the country from which the claimant is fleeing is in fact one that does not produce refugees. On either of these grounds, they may prohibit him or her from going to the Refugee Division to state their whole claim.

We oppose this Bill and these provisions because it will prevent most claimants from having access to an otherwise good refugee determination system.

We also oppose the harsh restrictions on time to find a lawyer, except for ones paid for and provided by the Minister, and the severe restrictions on the right of appeal to court.

I have another reason for opposing this Bill. I am somewhat hesitant to say it publicly, but I think it needs to be said. We have a long record in this country which is documented so vividly in the book: "None Is Too Many", written by Irving Abella. That book demonstrated conclusively that, unfortunately, there were and are officials with a great deal of power in the Immigration Department who were and are prejudiced against certain types of people, such as non-whites.

• (1200)

We have a perfect example of that in this new committee which has been given some prominence because of the membership of former Justice Clyne of British Columbia. That committee was organized by a former senior official in the department and it is saying our immigration policy has to be changed so that we permit only people who are acceptable to those whose views are such that anyone to the left of Genghis Khan is a communist and therefore undesirable. They want this country to adopt the immigration policy it had for many years until, I suppose, the late 1950s or early 1960s. That policy was that the only people acceptable to this country as immigrants or refugees were white people.

It is time not only that we have a good law but that the Minister of State for Immigration (Mr. Weiner) exercise his authority and take steps to see that we get rid of those kinds of people in our Immigration Department. There is no place there for people with those kinds of views, and I am satisfied there are still too many of them.

Mr. Sergio Marchi (York West): Mr. Speaker, I rise to support the cumulative effect of Motions Nos. 22, 23, 24 and 30 with respect to the safe country concept. The Hon. Member for Spadina (Mr. Heap) made reference to the fact that the Government made amendments to this legislation to try to better define the safe third country concept and then suggested we would be able to deport, as it were, individuals to countries which subscribe to Article 33 of the UN Convention.

For the benefit of my colleagues and for those who may be watching this debate, Article 33(1) says that "No contracting state shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group, or political opinion."

It is very curious, however, that the Government of Canada was not prepared to say that we would not deport individuals to countries who do not subscribe to the entire Convention. There are some 46 Articles in the Convention and the Government of Canada very conveniently sought to limit it to those countries who subscribe to Article 33. Article 32 talks about expulsion. Other Articles talk about the rights of individuals not to be returned indirectly or directly to a place of torture. Article 33 is quite limited because it does not suggest that a safe country, on paper at least, may not be safe by the end of an individual's journey.

I think we can best look at the concern involved by looking at the country to the south of us. Some time ago I received a letter from an individual connected with the Anglican Church and its efforts to help refugees. I was told a story which shows the faults of the safe third country concept advocated by the Conservative Government. Essentially it was a story of a mother with three children whose husband was murdered in El Salvador because he was involved in the labour movement there. After he was murdered the mother and three children were told by officials that if they did not leave El Salvador they would face the same fate. The mother wasted very little time and escaped. Many of her fellow villagers who unfortunately did not escape faced that very same fate.

The mother and her children went to the U.S. where, because of that country's policy on Central America, they had to hide in the basement of an Anglican Church for fear they would be deported to El Salvador and certain death. The U.S. Anglican Church contacted the Canadian Anglican Church and asked if they could help this mother and three children. The church here co-operated, brought those people to the Canadian border, and they are now living safely in Canada.

What would have happened to that family if Bill C-55 was the law of the land? They would have been asked at our border where they were coming from. They would have had to answer that they were coming from the United States. Our officials would then have gone through their little directory of safe third countries and noted that the U.S. is on that list. They would then have said, "we are sorry, the U.S. is on our safe third country list, and with all due respect we suggest you go back there". Keep in mind that she was hiding in the basement of an Anglican Church in the U.S.

I am sure that according to the provisions of Article 33 of the UN Convention the U.S. would not have tortured that woman, probably not have imprisoned her, would not have treated her in a brutal physical manner. What they might have done was say, "we are sorry, but for us El Salvador is safe. You do not face any problems there. It is not our problem and therefore we will provide you with a ticket on the first airplane back to your country". That is what would have happened and the statistics bear that out.

The vast majority, some 95 per cent, of refugee applicants from Central America are deported from the U.S. Why? Because of that country's foreign policy and not because of its refugee policy. Ronald Reagan has a vision of Central America such that it dictates who is and who is not a bona fide refugee.

In this case Canada would have said we have satisfied ourselves. We did not send them back to El Salvador, we just sent them back to the U.S. That is the Pontius Pilate routine of washing your hands of the problem.

Why can the Government of Canada not take it one step further and include the other 45 Articles which deal with protection of refugees? If it did, we would have to ask ourselves with respect to this mother and three children whether the U.S. is going to keep them in that country. Are we sure they will not be put on a plane to El Salvador? Are we sure, based on all the statistics, that we can guarantee the safety of this mother and her children and sleep easy at night? If those answers are unclear, how can the Government espouse its morality of offering individuals protection in the United States when it knows that we would indirectly be guilty if that mother and her three children ended up in the same town from which officials told her to escape? This one example illustrates the mistake of this policy.

• (1210)

I have advocated personally to the Minister, and through my motion yesterday, that if the Government cannot accept deletion of the safe third country concept, it should allow the refugee division to draft the list of safe third countries. In that way Parliament and Canadians can at least be assured that the most knowledgeable, apolitical, and concerned people would be drafting the safe third country list rather than the Cabinet which would be under international and domestic political and diplomatic pressures.

I call upon the Government again today to support the principles of these four amendments with regard to the safe third country concept. We are not saying that everyone who comes here is legitimate, but let us not make a mistake in judgment on individuals who legitimately need our protection.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, the Member for Spadina (Mr. Heap) has done excellent work in committee. He stayed to the very end and never missed a meeting, unless for debate in the House. No one can fault him for not having shown genuine interest in the welfare of refugees. That goes without contradiction. He is the one member of the opposition Parties who has shown that consistent interest. His motion has been clinically analyzed and dissected by my friend, the Member for Calgary West (Mr. Hawkes).

Prior to committee stage the Bill did contain the term "safe third country". As a result of committee stage hearings that term was dropped and a more definite term was adopted which incorporated Article 33 of the Convention. As a result of what we heard from witnesses in committee we changed the terminology in order to assure the people working with refugees that the people they are concerned about would be protected under this provision and to assure the refugee claimant that this provision would protect them.

Some of the things which the Hon. Member for Spadina asks are impossible to provide. They would make the system unworkable because they, in effect, give the claimant a choice in where he would be sent. How could we ask any government official to give a claimant a choice of destination?

The Member has said frequently that this Bill could return genuine refugees. I think that in a few very rare cases that is true. The question is to where. We and the U.N. High Commission are satisfied that if they are returned they will not be returned to a place where they would be persecuted. They will be protected. That is the point which must be emphasized.

While I respect the desire of the Member for Spadina to expand the provisions and give unlimited protection to refugee claimants, I hope he will accept that it is not Canada's obligation to ensure that every other country in the world fulfils the Convention provisions in the same way as does Canada in order for it to be a safe third country. I think that is an unreasonable request to make. In order to make the

determination system work it is mandatory to reject these provisions.

A few minutes ago we heard the Member for Winnipeg North (Mr. Orlikow) casting aspersions on the Immigration Department and officers within it with regard to racism. That is intolerable. Members of his Party always trumpet themselves as being the civil libertarians of the world who believe that everyone has a right to dignity and fair trial and the right not to be castigated by such wild accusations. My friend, the Member for Spadina, did much the same yesterday when he made references to colour. This Party wants to present itself as the enlightened group, but almost at the first opportunity it makes remarks which reflect on the character and motivation of others. That is really not becoming to them.

We must reject these provisions because they are unworkable. I think the country and the refugees will understand that when they see this Bill working very well.

Mr. Orlikow: Mr. Speaker, I rise on a point of order. Since the Member has criticized some of the comments I made I would like to ask him a question.

Mr. Deputy Speaker: That is possible, as the Hon. Member knows, only if there is unanimous consent to that effect. Is there unanimous consent to allow the Member for Winnipeg North (Mr. Orlikow) to ask a question?

Some Hon. Members: No.

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, I appreciate the opportunity to join in debate on these motions put forward by my good friend the Member for Spadina (Mr. Heap). These motions accept a determination of the Government to have persons who may very well have genuine claims for refugee status shunted off to safe third countries. The Hon. Member for Spadina is endeavouring to ensure that if the Government is determined to establish that sort of procedure there be safeguards.

I want to speak very strongly in support of these attempts to strengthen the Bill to ensure that there are safeguards which the Government did not accept in committee and which, in spite of the protestations of the Member for Calgary West (Mr. Hawkes), are not in the Bill. Particularly for those persons who are watching this debate elsewhere and do not have the text of the motions before them, to have an Hon. Member suggest that the Government's Motion No. 53 provides for matters the Hon. Member for Spadina has put forward may sound very convincing, but it does not take a lengthy consideration of the motion to see that it is not so.

• (1220)

Perhaps, since I am endeavouring to provide what other persons in other parts of the country may not have, I will read part of Motion No. 53:

> That Bill C-55, be amended in Clause 17.
>
> (b) by striking out line 3 at page 26 and substituting the following therefor:
>
> "public in Canada.
>
> (2) Notwithstanding subsections 54(2) and (3), no person who has been determined not to be eligible to have a claim to be a Convention refugee determined by the Refugee Division on the basis that the person is a person described in paragraph 48.01(1)(b) shall be removed from Canada to any country other than the country from which the person came to Canada as determined for the purposes of that paragraph unless
>
> (a) the person is determined not to have a credible basis for the claim on a hearing under section 48.03;or
>
> (b) the person, following a reference of the claim to the Refugee Division pursuant to subsection 48.03(5), is finally determined under this Act not to be a Convention refugee."

That motion standing in the name of the Minister of State for Immigration (Mr. Weiner) says absolutely nothing about the safeguards which my friend, the Hon. Member for Spadina, is trying to include in the Bill. There is no safeguard that the country that has been singled out as a safe third country, to which this person is to be sent, will in fact provide properly for that person.

Surely, it is a little less than proper debate for the Hon. Member for Calgary West to put forward that the Government has in fact responded to this concern. What he suggested was that the proposals the Hon. Member for Spadina is putting forward would interfere with the speedy administration of claims, or the desire to put forward claims, by possible refugees. This only strengthens the concern I expressed yesterday about the freighting of human beings which the Government seems ready to establish. We are going to be air freighting people back to one country or another, and the Member suggests that a proposal that we have some sort of assurance that persons who want to put forward a claim within our borders are going to be all right somewhere else is going to get in the way of the speedy process the Government wants. But the people of Canada, who are concerned about the provision for refugees would not necessarily want that air freighting done. The suggestion by the Parliamentary Secretary in his argument that this assurance would make the whole process unworkable only underscores this fact. He, of course, supports the Government's efforts to create a process to get people out of Canada by this process of freighting human beings as fast as we can, and suggests that any proposal put forward to be provide for humanity is going to make the thing inhumane.

There is a real danger of sort of a sleight of hand in this debate that may well strike some viewers as verging towards the dishonourable. I want to note in that particular regard, the suggestion made yesterday in debate that the Bill was not in violation of the Convention of the United Nations. I use for that purpose testimony within the committee by a Canadian authority on these matters, Professor James Hathaway, who was asked about this very specific point and responded at page 38 of the *Minutes of Proceedings and Evidence* of the Legislative Committee on Bill C-55:

As regards Mr. Van der Veen's remarks, I think you mis-characterized them. I have discussed the evidence with Mr. Van der Veen.

That is Mr. Van der Veen of the United Nations Human Rights Commission.

He did not say that the legislation complied with international law. He made the statement that the UNHCR had not taken the position that it was contrary to international law. Those are two very different things.

He made some observations on the dependence of the United Nations on the funding of member countries, including Canada. He then goes on to say:

The *aide-mémoire*, with which all of you are familiar, is an incredibly strong statement.

I have spent the last six years of my life ploughing through tens of thousands of pages of UNHCR documents and I have yet to see the language of a critique addressed to a western country that even comes close to this degree of specificity. While it may not say that the bill violates international law, that *aide-mémoire* makes very specific recommendations for changes in order to bring this bill into compliance with the international standards set out by the executive committee.

On that point, I think it is imperative to note, since we are referring to primary sources in the convention, that Article 35 of the convention obliges us to co-operate with the UNHCR. That is a very unusual provision in an international convention, extremely unusual.

We have set up the executive committee to facilitate that collaboration. Canada has been a long and devoted member of that committee. Canada, along with the others, unanimously developed certain standards, which we are now not respecting.

He concludes with some observations on the practice of states being important to the development of international law. There is surely the truest observation, the truest appreciation of what the United Nations really thinks about this matter of how Canada is treating refugees, and to quote two lines from the official's testimony is quite unfair. It is, therefore, essential that we take very seriously the kinds of proposals the Hon. Member for Spadina has put forward.

As the Parliamentary Secretary has recognized, the Hon. Member was there from beginning to end, other than his having to speak in the House at some point. He was there early and he was there late. He was there listening carefully and gathering those impressions that are necessary in deciding how we should regard this particular Bill. When the Hon. Member puts motions forward, even if government Members regard them as making speedy operation of the new system unworkable, and even if it is going to make it unworkable as a whole, those it seems to me are words of praise for procedures that are designed to ensure that Canada will live up to the United Nations Convention, a Convention to which we are signatories and with which we have worked over the years.

Surely, with legislation of this sort, with procedures of this sort in effect, we deserve to be booted off the committee to wait for a new government to establish proper standards for this country, standards of humanity for refugees, to ensure that this country really lives up to our traditions.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: Motions Nos. 22, 23, 24, and 30 have been grouped for debate but will be voted on separately.

The first question is on Motion No. 22 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it. Shall the recorded division stand deferred?

Mr. Friesen: There are only three Members standing.

Mr. Deputy Speaker: There are only three Members standing. I declare the motion lost.

Motion No. 22 (Mr. Heap) negatived.

Mr. Deputy Speaker: The next question is on Motion No. 23 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt this motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it. I declare the motion lost.

Motion No. 23 (Mr. Heap) negatived.

Mr. Deputy Speaker: The next question is on Motion No. 24 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt this motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it. I declare the motion lost.

Motion No. 24 (Mr. Heap) negatived.

Mr. Deputy Speaker: The next question is on Motion No. 30 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt this motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it. I declare the motion lost.

Motion No. 30 (Mr. Heap) negatived.

• (1230)

Mr. Deputy Speaker: The next grouping includes Motions Nos. 25, 31, 32 and 33. They are grouped for debate but will be voted on separately.

Mr. Fernand Jourdenais (La Prairie) moved:

Motion No. 25

That Bill C-55, be amended in Clause 14 by striking out lines 37 to 41 at page 14 and substituting the following therefor:

"(ii) by an adjudicator and a member of the Refugee Division as not being eligible to have the claim determined by that Division, other than a claimant declared ineligible pursuant to paragraph (a) who has been returned to Canada by the country which has issued the valid and subsisting travel document by that country pursuant to Article 28 of the Convention or a claimant declared ineligible pursuant to paragraph (b) who has been returned to Canada by the prescribed country, or as not having a credible basis for the claim."

Mr. Dan Heap (Spadina) moved:

Motion No. 31

That Bill C-55, be amended in Clause 14 by adding immediately after line 5 at page 16 the following:

"(6) Notwithstanding paragraphs (1)(c), (1)(e) and (3), a person is eligible to have a claim determined by the Refugee Division if the claim is based on facts that arose since the claimant's most recent departure from Canada, and in the opinion of the adjudicator and the member of the Refugee Division considering the claim, the claim is not manifestly unfounded."

Motion No. 32

That Bill C-55, be amended in Clause 14 by striking out lines 6 to 26 at page 16 and substituting the following therefor:

"(6) In determining whether a claim to be a Convention refugee is manifestly unfounded, the adjudicator and the member of the Refugee Division shall consider whether the claim is:

(a) clearly fraudulent; or

(b) not related to the criteria for granting refugee status in the Convention."

Motion No. 33

That Bill C-55, be amended in Clause 14 by striking out lines 6 to 26 at page 16 and substituting the following therefor:

"(6) In determining whether a claimant has a credible basis for the claim to be a Convention refugee, the adjudicator and the member of the Refugee Division shall consider any evidence adduced by the claimant at the inquiry or hearing and may consider any other evidence, including;

(a) the factual basis of the claim, and

(b) the record with respect to human rights of the country that the claimant left, or outside of which the claimant remains, by reason of fear of persecution."

[*Translation*]

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, once again I am pleased to take part in the debate, particularly because for some time now I have been able to express my views on Bill C-55. I repeat that as far as I am concerned we should not even be debating Bill C-55 as it is now drafted.

[*English*]

Mr. Speaker, I think I have to clarify many things before I mention something about the motion that I want to be accepted. I was elected very democratically in the riding of La Prairie, Quebec. I came to the House of Commons to find out that there are a great many committees here. There was one committee in particular in which I was very interested. I refer to the McGrath Committee.

The McGrath Committee was convened so that back-benchers would have the right to participate more in the workings of the Government in terms of the legislative work that the Government has to do while in power instead of twiddling their thumbs on the back benches.

When I came to this place I joined the Standing Committee on Labour, Employment and Immigration. Within two months I was elected Vice-Chairman of that committee. I participated very strongly in the workings of the committee since over one-third of the population of my riding does not speak French or English. They are of ethnic origin. As far as I am concerned Bill C-55 is definitely not what we should have in order to define the status of refugees.

If one reads the comments of many experts in the field of refugees one will find a comment that I myself read three or four times before I got up to speak on this matter. I refer to a comment of Mr. Pierre Duquette, a well-known Montreal lawyer in the field of refugee matters.

[*Translation*]

And unless I am mistaken I believe Mr. Duquette once worked for the Minister of State for Immigration. Surely if he had been hired it was because he was highly qualified indeed.

Mr. Duquette states:

[*English*]

"In comparison with the current situation, Bill C-55 will put peoples' lives in danger". He suggests that all decisions should

be published. He also stated that if the Government wants to leave the Convention, then it should say so openly.

I have been saying that if we are to accept refugees then we should have a fast, fair and just process. Do we have a fast, fair and just process when the refugee to be is screened before he has the right to express himself? Do we have a fair process when a person can be refused by an adjudicator and a member of the division without really explaining himself because he has status in another country? That person can then be deported by the Government back to this country and that country does not want him. He is told, "Go back to Canada". When he comes into Canada he again faces another clause read by the adjudicator who says:

[*Translation*]

claim already rejected in Canada.

[*English*]

What are we to do with a person who was rejected once because he comes from a safe country and this safe country does not want him? Will we keep sending people back and forth between countries? I really do not understand the true meaning of the word "fair".

I could give ample examples of specialists who do not agree with this Bill. For instance, the Coalition for a Just Immigration and Refugee Policy stated that the approach in Bill C-55 is incorrect because it is not workable and puts genuine refugees in danger and will not survive challenge in the courts.

Rabbi Plaut is a well-known expert on refugee matters. He was asked to conduct a royal commission on refugee matters, which he did. He has said that Bill C-55 has the wrong focus because its aim is deportation instead of status determination. He also states that the process will not be shorter but longer and more complex. Rabbi Plaut is against Bill C-55 on the grounds that a determination system should be fair for genuine refugees. These are the comments of a man who has been involved for over 35 years, if I recall correctly, with refugee matters. He is a man who is recognized by all Canadians as the best expert, and he is against Bill C-55. Yet there are still some people who want to pass Bill C-55 the way it is.

The Bill has to have a great many changes made to it. As a matter of fact, 77 amendments have been proposed to it at report stage. I have not been in the House of Commons for too long but I am told that there have not been very many Bills to which 77 amendments have been proposed at report stage. So there must be something wrong with Bill C-55. I think that whoever will vote for Bill C-55 should make an *examen de conscience*.

In June the House of Commons voted on capital punishment. We were told that it was to be a vote according to our conscience. Some Members voted yes for the return of capital punishment, while others voted no. After the vote on Bill C-55 is taken I am anxious to see if some of the people who voted against capital punishment will have voted in favour of this Bill. Capital punishment was used to punish people who were against society, people such as murderers and those who did not want to follow what society asked of them. But Members voted against the return of capital punishment so that we would not have to kill these people. They will now vote and cause thousands and thousands of people to be sent back to their home country where they will be killed or tortured. But it does not matter because they are not people from our country; they are people from other countries.

• (1240)

I hope that whoever votes in favour of Bill C-55 will *examen de conscience* and think twice before making the decision to vote yes.

[*Translation*]

Mr. Speaker, Motion No. 25 states: That Bill C-55, be amended in Clause 14 by striking out lines 37 to 41 at page 14 and substituting the following therefor: . . . I hope my colleague in the House will vote in favour of adding this subclause:

> "(ii) by an adjudicator and a member of the Refugee Division as not being eligible to have the claim determined by that Division, other than a claimant declared ineligible pursuant to paragraph (*a*) who has been returned to Canada by the country which has issued the valid and subsisting travel document by that country pursuant to Article 28 of the Convention or a claimant declared ineligible pursuant to paragraph (*b*) who has been returned to Canada by the prescribed country, or as not having a credible basis for the claim."

I hope my colleagues will support this amendment. We are in some sort of a bind because Bill C-55 is before the House. But the main amendment which should have been made and considered would have been to refer this measure back to the House just so we could have made sure it would be fair, fast and efficient.

[*English*]

Mr. Dan Heap (Spadina): Mr. Speaker, in debating Motions Nos. 25, 31, 32, and 33, we are mainly concerned with the question of the applicant's credibility, but not exclusively.

Although I support Motion No. 25, on which the Hon. Member for La Prairie (Mr. Jourdenais) has spoken, I wish to use what time I have on the other three motions.

Unfortunately, Motion No. 31 has a misprint which probably came from my office. It arises from the confusion between the two versions of the Bill that were printed as of September 15. Therefore, I must seek unanimous consent of the House to amend my motion to read:

> "(6) Notwithstanding paragraphs 1(c), 1(f), and (5), . . . "

There were changes made between the two printings which require this change.

Mr. Deputy Speaker: Does the Hon. Member have unanimous consent to amend his motion?

Some Hon. Members: Agreed.

Mr. Heap: I thank you, Mr. Speaker, and I thank all Hon. Members for their assistance.

On this motion, I am attempting to protect a claimant who came to Canada, left, and returned. Under categories 1(c), 1(f), and (5), the claimant would be excluded from consideration. I am not arguing against those categories as such, I am arguing that if the claimant offers evidence that something has happened since he was last in Canada, for example, perhaps he returned to his own country and got it in the neck from whoever it was that he thought may persecute him, and who Canada did not think would persecute him, but he returned and it did happen. If the claimant can present any such evidence he should be considered.

Notwithstanding those exclusionary clauses 1(c), 1(f) and (5), a person is eligible to have a claim determined by the refugee division if the claim is based on facts that arose since the claimant's most recent departure from Canada and, in the opinion of the adjudicator or the member of the refugee division considering the claim, the claim is not manifestly unfounded.

It is a simple matter, it speaks for itself, and I believe it is generally in keeping with the clause as it stands. It does not ask for a major departure. It asks that there be the opportunity, probably in a very few cases, to take account of events that may have happened to that person since he was previously in Canada.

In Motion No. 32, I wish to suggest a fairer test of credibility than the Government has offered in order that a claimant would not be rejected merely by having the merits of his claim examined by people who are not, as a body, competent to do that, or officially asked to examine the merits of his claim. I have proposed what is well known in international law, and frequently used in Canadian discussion, although I do not think that it appears in Canadian law, as the manifestly unfounded claim.

There are two grounds on which the United Nations High Commission for Refugees, and many other countries, agree that a claim is not worthy of further consideration if it is found to be manifestly unfounded. First, it may be manifestly unfounded because all the facts stated by the claimant, even if they are true, have nothing to do with refugee status. To get into the ball park, a claimant must show that he has reason to fear persecution for one of five reasons: nationality, race, religion, political orientation, or membership in a certain group. That could be a class or any type of group.

If the claimant states that he came here because he cannot stand his in-laws at home, or because there is no work at home, we may be sympathetic, but he is not a refugee under the UN Convention. He is not a refugee from persecution as defined therein.

The other ground would be if the statements were clearly fraudulent. In Canada, and elsewhere, the manner in which that is often expressed is that if any reasonable person listening to the facts does not believe them—two and two do not make six; if the claimant came from Amsterdam, he did not come from Calcutta; the story does not hang together—and it is plain that the essential facts presented on his persecution would not be believed by any reasonable person, that is a semi-subjective judgment, but it is one that has strong support internationally.

Mr. Girard, the head of the Refugee Status Task Force has stated that that is a very weak test and that they wished a stronger one. He did not explain why they wished a stronger one, he just stated that they wished a stronger one. I believe that there is no good reason that Canada should wish a stronger test, that is, a more restrictive test than has been found workable by our colleagues in the United Nations, and our colleagues who support the United Nations High Commission and is strongly recommended by the UNHCR.

A while ago the Hon. Parliamentary Secretary commented on whether the UNHCR found Canada in contravention of the Convention. Of course, it is quite true that they did not. They do find that we need to make improvements in this Bill. This is their diplomatic way of putting it. We need to make improvements in the Bill in order to fully comply with the Convention. According to their *aide-mémoire* of some months ago, this would be one of the tests which needs improvement. They are a body that can only work by eliciting co-operation. They are not in a position to act like policemen or judges and state, "You have contravened it, you go to jail". They have no enforcement powers. They rely upon persuasion, and they have asked us to bring the test more into line with the standards that they recommend.

• (1250)

To put the question "are we in contravention" is to put an irrelevant and, by its nature, misleading question to the UNHCR representative. They had already made their position very plain, that the law needs improvement in this respect.

Finally, in Motion No. 33 I have made a further attempt or an alternative attempt, in case it better suited Hon. Members opposite, to amend the same procedure by asking the officers to consider any evidence, including that in subsection (a) or that in subsection (b), but not to rely upon the record of other people who came from the same country where the person fears persecution. That is not a test which is respected internationally. That is not a test which can be seriously applied when things change as fast as they do now.

If there is a blow-up in country *x*, and a change of government with violence, and that country is on our safe country list, it will not be changed that fast by the Cabinet. What I am asking is that consideration be given to not relying on the record of the country from which the person is fleeing or the record of acceptance by Canada of refugee applicants from that country.

The United Nations has made headway in international law in the 1948 UN declaration for human rights by establishing

that individuals have rights over and against those of states. That is new in international law. Until then it was only the rights of states. The UN Convention on refugees enlarges on that point and says that a refugee claimant as an individual who has rights which very slightly limit the rights of sovereign states.

What they are saying on this point is that we should examine the person's case individually and not treat him collectively by saying, "Well, you come from country *x* so we know you are not a refugee".

Sometimes Hon. Members opposite undertake to defend the rights of individual human beings and suggest that democratic socialists do not respect the rights of individuals. It is very ironic that it is Hon. Members opposite, government Members, who in this passage wish to deny the right of the individual to state his claim and to submerge him in some collectivity by identifying him only by the country from which he has fled.

I hope that Motion No. 33 will be supported by the House.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, Motion No. 25 was moved by the Hon. Member for La Prairie (Mr. Jourdenais) and seconded by the Hon. Member for Edmonton—Strathcona (Mr. Kilgour). I want to assure both Hon. Members that the issue which they raised in Motion No. 25 was carefully considered and discussed in committee, and that the amended Bill reported back to the House takes care of their concern. However, since the two of them suggest that they might find disposition, at least on the government side, for unanimous consent to withdraw the motion if they chose to do so—and I do not see either of them in the House at the moment—at a later stage, it really is not relevant because the amended Bill has taken care of the "refugee in orbit" phenomenon to which their amendment was addressed.

Motion No. 31 brought forward by the Hon. Member for Spadina (Mr. Heap) provides an opportunity system for bogus claimants once again. I think everyone who is knowledgeable about this matter is concerned about changing circumstances. In terms of true refugees, those will occur rarely.

The humanitarian and compassionate provision under the Act provides a mechanism for taking care of unique situations. I believe that our history shows that we have taken care of them in the past and that we will take care of them in the future.

We must be careful in the scheme of this Act not to provide another legal opportunity for bogus claimants to delay their removal from the country. What Motion No. 31 would really do is enable another legal process to occur, which would be used by bogus claimants almost as a matter of habit and would not occur in terms of legitimate claimants very often at all.

In committee we discussed the intent of Motion No. 32. Certainly we heard a lot of testimony which wanted us to use the concept of "manifestly unfounded". The committee listened carefully to all the testimony and indicated that the basic problem with the original drafting was that perhaps it was not assertive enough in terms of the rights of legitimate claimants.

The redrafted version brought back to the House has that characteristic. If there is anything in the evidence or testimony which might lead the refugee division to conclude that the person was a legitimate refugee, then we want that case to go forward.

In both Motions Nos. 32 and 33 the Hon. Member is removing the obligation to provide evidence of refugee board hearings about similar cases in similar countries. If we look at it from a barrier point of view, surely the Hon. Member's arguments have some cogence. If we look at it from the point of view of how the clause is now worded to protect better our rights and obligations under the Charter, the removal of the principle wherein the Crown must provide evidence would take protection away from legitimate refugees. It is there so that the rights to a hearing of a refugee claimant, that frightened individual who comes from another country and meets a stranger who becomes his duty counsel, are protected by the evidentiary requirement that the Crown must provide evidence on prior determination hearings and their consequences.

I think the Hon. Member will find that that particular evidentiary requirement will be the mechanism which enables people to go forward quickly to a refugee board hearing, the kind which the Hon. Member indicated that he would value.

It would be a sad mistake for the House to take that obligation away from the Crown. It is perhaps one of the most solid pieces of this legislation in terms of providing protection for legitimate refugees. On that basis I urge the House to vote against Motions No. 32 and 33.

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, again I appreciate the opportunity to join in debate on these motions, particularly Motions Nos. 31, 32, and 33 in which the Hon. Member for Spadina (Mr. Heap) is trying to ensure protection for persons who have been sent out of the country, returned to a supposed safe third country and returned again to Canada. Each of these motions deal with very precise matters. They open possibilities in the law and are very important.

If, for example, a claimant has some experience, having left Canada, which could create a new situation and wishes to present it to immigration officers, it is most important that the law include provisions which will ensure that the officers consider the particular information.

The Hon. Member for Calgary West (Mr. Hawkes) has been trying to assure us that the evidentiary provisions, the rules which prevail in the country, should provide that protection. However, I suspect that these officers are less trained in judicial proceedings and more urged on to deportation action and so on these days than we might well like. In those circumstances, it seems to me very important to have these possibilities provided.

I say quite explicitly that the Hon. Member has offered assurances on other items before. He indicated to the Hon. Member for La Prairie (Mr. Jourdenais) that Motion No. 25 might be withdrawn and so on. These proposals do not impress me very much.

I want to say about these matters and the others that I think there is a very jealous regard for humanity, for the lives and safety of these potential claimants or quite possible refugees. We want to be absolutely certain that nothing will go awry.

May I call it one o'clock.

Mr. Deputy Speaker: It being one o'clock, I do now leave the chair until two o'clock later this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

IMMIGRATION

STATEMENT ATTRIBUTED TO FORMER B.C. SUPREME COURT JUDGE CONDEMNED

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the statement attributed to J. V. Clyne in the *Vancouver Sun* of September 19 that he would like to see Canada remain white to safeguard the country's heritage must be vigorously rejected and condemned from the floor of this House. Explicit in that notion is that Canada's interest is best served by the white race. If that were not offensive enough, what is implicit in former Judge Clyne's statement is that one race, white in this case, is superior to others.

As we take pride in the Charter of Human Rights and Freedoms adopted in 1982, we know we have an obligation to respect and practise the principles contained in that Charter. What is disturbing about Mr. Clyne's statement is that it comes from a former Supreme Court Judge and Chancellor of the University of British Columbia who should know the spirit, if not the letter, of the Charter.

We do not want in the Canada of today and of our children to be trapped by a distinction between white and non-white Canadians. If the future of Canada is to be a great one, it will be because we will look at ourselves not in racial terms but as a cohesive, varied society drawing strength from diversity and not from domination of one race over another.

MOTOR SAFETY

MOTOR VEHICLE SAFETY ACT—APPLICATION TO ALL-TERRAIN VEHICLES URGED

Mr. Don Ravis (Saskatoon East): Mr. Speaker, in Canada between January, 1982, and September, 1986, there were roughly 2,000 injuries and 109 fatalities resulting from accidents involving off-road vehicles. Many of these accidents involved young Canadians in their early teens. In Saskatchewan last week an unfortunate incident occurred in which a 14-year-old boy died in an accident involving an all-terrain vehicle.

These alarming statistics give rise to the need for federal and provincial legislation dealing with motor vehicle safety policies. It is my understanding that Transport Canada has submitted a proposal to amend the Motor Vehicle Safety Act to include within it legislation dealing with all-terrain vehicles. This proposal is intended to make the use of protective equipment mandatory, and increase public awareness of the dangers involved in using these off-road vehicles on public roads where, incidentally, a high number of accidents occur.

I urge the Minister of Transport (Mr. Crosbie) to proceed expeditiously in regard to these matters and to work in concert with regional transport officials, giving priority to the concerns of minimum age requirements and the provision of public awareness programs focusing on driver responsibility and the safe use of off-road vehicles.

* * *

HAZARDOUS SUBSTANCES

PRESENCE OF PCBS IN WATER PUMPS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it has been recently brought to our attention that certain domestic submersible well pumps manufactured between 1964 and 1980 with oil-filtered motors contain dangerous PCBs. The PCBs which have been found in certain pumps' capacitors or cooling oil pose a serious threat to drinking water because of their toxicity and tendency to accumulate in organisms.

Where wells have been abandoned, where pumps have stood idle for long periods of time or where pumps have malfunctioned there exists a serious threat that PCBs will enter the groundwater thereby spreading the threat of contamination.

Considering that many of the pumps containing PCBs are imports, the federal Government should take immediate action to evaluate these imported products and launch an immediate initiative to provide testing of groundwater for PCBs. At the moment in parts of Canada the only way to check for PCBs in groundwater is for an individual to remove his submersible pump, have it destroyed and then examined for PCBs. This is costly and mitigates against people volunteering to have their pumps destroyed in order to be tested. Surely the threat of

PCBs to our groundwater is serious enough to warrant a government sponsored and funded initiative.

* * *

THE DISABLED AND THE HANDICAPPED

GOVERNMENT MEASURES TO ASSIST

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, "Persons with disabilities have the right to participate in all aspects of the economic, social and cultural life of Canada". Following the Prime Minister's "Declaration on the Decade of Disabled Persons" in 1985 was the announcement of the federal-provincial-territorial meeting of responsible Ministers earlier this year.

Considerable progress has been achieved by the Government toward this objective. This includes housing and transportation measures, improvements in employment opportunities, and economic incentives, such as increases in Canada Pension Plan disability benefits and greater deductions for income tax purposes. We still have a long way to go but our Government has certainly started off on the right track.

* * *

• (1405)

ABORIGINAL PEOPLES

HEALTH ISSUES AFFECTING NATIVE CANADIANS

Mr. David Orlikow (Winnipeg North): Mr. Speaker, Canadians were touched by the moving sincerity of the visit of Pope John Paul II to Fort Simpson in the Northwest Territories.

The Pope championed the cause of our native peoples in seeking self-government and a just land claims settlement.

Unfortunately, these goals are still some way off from attainment. In the meantime, natives of Canada continue to suffer social, economic and health problems which most other Canadians would find unacceptable, according to the Canadian Public Health Association.

In the Association's most recent journal, they also point out that only 50 per cent of native on-reserve houses have running water and sewage disposal, that 10 per cent to 15 per cent of natives suffer from diabetes compared to a rate of 2.2 per cent for the rest of Canadians, and that infectious and parasitic diseases remain as significant risks to the northern Canadian population.

Clearly, in the spirit of Pope John Paul's visit the federal Government must do significantly more to address these public health issues which are affecting our native Canadians.

Yet too often the outcome is simply the movement of natives from reserves to central cities where the federal Government refuses to accept responsibility.

Perhaps the Pope's visit will remind the Government how much still needs to be done with our native population right now.

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POLITICAL PARTIES

NEW DEMOCRATIC PARTY'S POSITION ON FLOW THROUGH SHARES

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, the three words "flow through shares" themselves generate visions of economic development in the northern regions of our country. The same three words send shivers down the spines of the socialist Members opposite.

Last December the finance critic for the New Democratic Party rose in the House and stated that no one but the rich benefit from flow through shares. I challenged his statement during that debate on Bill C-23 and I challenged his ignorance of the North again in January.

Now I understand that this same critic has stated that the NDP actually endorses flow through shares. What has caused this 180-degree change in direction?

Could it be that the NDP saw the screaming headlines and negative editorials from across the North? Could the NDP have been talking with the United Steelworkers whose employers depend so dearly on continued exploration and development? Could that Member and his Party be attempting to mend the damage done by their policy against flow through shares?

They were against flow through shares nine months ago, and for them today. Where will the NDP be tomorrow? Can the NDP finance critic tell the House?

* * *

COMMUNICATIONS

MINISTER'S RESPONSE TO COMMITTEE REPORTS

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, five months after the Standing Committee on Communications and Culture submitted to the House its extensive fifth and sixth reports on specialty services and broadcasting legislation, the Minister of Communications (Miss MacDonald) chose this morning to elaborate on her four and one-half page meagre response.

In her original non-comprehensive report she raised four questions, while supplying negligible responses. This morning

was an elaboration of her abdication of ministerial responsibility and lack of vision, when she read a 28-page report containing 27 new questions.

Among them she posed the earth-shattering question: "What is a television program?" while asking for further guidance on the impact of technology, and how to find incentives for Canadian programming content. These are all interesting but not germane to the major concerns of this $8 billion industry.

The Minister's fascination with technology has prompted her to forget that it is only a means to an end and not an end in itself.

The Minister seems to expect that time, the CRTC, and 25 applications for specialty service licences will stand still while she makes up her mind about the kind of broad general policy she believes should guide us and viewers and what they see on our TV screen. At this critical juncture in the broadcast industry's history, we need more answers from the Minister, not more questions.

* * *

INDIAN AFFAIRS

WHYCOCOMAGH INDIAN BAND—SETTLEMENT OF LAND CLAIM ADVOCATED

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, I rise today to urge the Department of Indian Affairs and Northern Development to conclude negotiations with the Whycocomagh Indian Band Council.

The claim itself was admitted in 1984. There is no dispute as to the liability of the Government of Canada to these native people for land that was wrongly taken. A lengthy and detailed appraisal process has been agreed to and settled. It is now time for the Government to make an offer.

This band has strong leadership. Chief Googoo and his council want to invest the proceeds from the settlement in developments that will benefit their membership. This will also benefit the entire region.

These people have been patient. It is now time for real action. To date, successive changes by the Department of Justice as to which lawyer will handle the file have frustrated efforts to conclude the matter. Internal bureaucratic transfers and promotions do not justify these delays.

I look forward to news from the Department that bona fide negotiations have been resumed and that a bona fide offer has been made to my constituents.

• (1410)

NATURAL RESOURCES

NECHAKO RIVER—CRITICISM OF AGREEMENT ON WATER FLOW LEVELS

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, while the out-of-court settlement between Alcan and the Minister of Fisheries and Oceans (Mr. Siddon) preserves the Nanika River which flows into the Morice and Skeena systems, it does so at a very high cost to the Nechako, one of the main tributaries of the Fraser River. The agreement will reduce water flow on the Nechako to 58 per cent of the minimum flow required for Chinook salmon.

Alcan has made vague promises about industrial development in northern British Columbia but it has no plans to develop a new smelter in the area, and the agreement has absolutely no job guarantee. At the same time the agreement ignores the present or potential needs of downstream users such as irrigation farmers. The Water Control Board does not have a representative on it of the commercial fishing industry.

At the very least the Minister should ask the Standing Committee on Fisheries and Oceans to travel to northern British Columbia and hold hearings on the agreement. We must make sure that vital public questions about fishing runs on the Nechako, job guarantees, and downstream users have adequate answers.

* * *

[*Translation*]

HOUSING

SAGUENAY—LAC-SAINT-JEAN REGION—WAITING LISTS—GOVERNMENT'S PERFORMANCE

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, last Friday 80-odd representatives of the Saguenay—Lac-Saint-Jean housing municipal offices gathered for a regional conference in Alma in my riding.

The representatives took this opportunity to emphasize the problem of waiting lists. Like them I consider that the shortage of low-priced housing units is very serious, and I would suggest it is particularly important to raise the issue in this year of the homeless.

Still it is interesting to note that our Government has made a tremendous effort since 1984, so much so that in the riding I represent we have invested in excess of $6 million to build or manage this kind of housing units for families and elderly people. I intend to continue to defend the rights of these people so that additional funds be earmarked for my riding.

[*English*]

IMMIGRATION

STATEMENT ATTRIBUTED TO FORMER B.C. SUPREME COURT JUDGE CONDEMNED

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, this Party, and I certainly hope all members of the other two Parties do likewise, feels ashamed and degraded that a former judge of the B.C. Supreme Court should advocate in this day and age that our immigration policy should cater to non-coloured immigrants. What arrogance to suggest that a country, which originally belonged to the native Indian people, and which has been developed by people from many races, should cater only to Caucasian immigrants.

We in British Columbia are proud of the contribution of all our citizens. We oppose discrimination, both subtle and, as in this unfortunate case, obvious. Chinese Canadians built our railways and then their families were excluded by legislation at the beginning of the century. Japanese Canadians also contributed greatly to our culture and economy, yet we discriminated against them as well. Indo Canadians built our forest industry. It is time that we recognized all our citizens and chastized such persons as Mr. J. V. Clyne.

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CORPORATE AFFAIRS

CORPORATE CONCENTRATION—PRINCIPAL GROUP BANKRUPTCY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I rise today on a matter which will significantly affect Canada in coming years, that is, corporate concentration. That results when a firm or conglomerate dominates the market in which it operates. The causes of this domination range from relative efficiency to collusion among a small number.

The recent collapse of the Principal Group clearly illustrates that corporate paper games are severely damaging to the individual, to the credibility of financial institutions, and to government. These corporate actions do not create economic growth or jobs, they just make the whole economic pie smaller as specific interests gain control over a greater piece.

I call upon the Government of Canada to take specific action with regard to the collapse of the Principal Group, and also to curb these corporate concentration games being played by a select few.

• (1415)

ORAL QUESTION PERIOD

[*English*]

ROYAL CANADIAN MOUNTED POLICE

AIR-INDIA CRASH—ALLEGED ADVANCE WARNING

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Prime Minister and is with regard to the destruction of Air-India Flight 182 off the coast of Ireland over two years ago. According to an ex-RCMP informer the RCMP and the Security Intelligence Service had advance warning with regard to the bombing of Air-India Flight 182 which claimed the lives of 329 individuals.

Mr. Paul Besso, a former member of the Canadian Armed Forces, claims that he was personally present and carried a listening device given to him by the RCMP when several individuals discussed bombing the Air-India plane.

In view of these most serious allegations by an ex-RCMP informer, will the Prime Minister of Canada immediately initiate a Royal Commission inquiry into the bombing of Air-India Flight 182 and also into the behaviour and conduct of officials of the Government of Canada in advance of June 23, 1985?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I have on a number of earlier occasions in this House, I would like to refer to the response of the Minister of Transport at that time as reported in *Hansard* of June 25, 1985. He said:

> Mr. Speaker, from time to time there were requests for additional security by Air-India authorities. There were extra RCMP deployed both at Toronto and at Mirabel, as there has been for some time. I should point out to the House that there was no indication that there was a specific threat to Flight 182—

I fully reinvestigated the matter this morning. That statement stands. It was true then and is still true right now.

STATEMENT ATTRIBUTED TO INFORMER

Mr. John Nunziata (York South—Weston): Mr. Speaker, Canadians are wondering why the Government of Canada has refused to initiate a Royal Commission inquiry into this particular tragedy. There was a Royal Commission inquiry into the Hinton rail disaster, there was a Royal Commission inquiry investigating the *Ocean Ranger* tragedy, and there was a Royal Commission inquiry costing Canadian taxpayers close to $5 million into the conduct of a former Minister of the Crown.

Yet, with regard to the most serious, most gruesome, and most hideous crime in Canadian history, the murder of 329 individuals, the Canadian Government is refusing to come clean and have a full and complete investigation. Canadians are wondering whether the Government is hiding something.

Mr. Besso—

Some Hon. Members: Question!

Mr. Nunziata: —also indicated to me that while a paid informer of the Royal Canadian Mounted Police he handled explosives. He said:

> Between a week and three days before Air-India flight went down, I was told by two Sikhs that—

Some Hon. Members: Oh, oh!

Some Hon. Members: Question.

Mr. Speaker: It is not the place of the Speaker to comment upon the substance of a question except to say that all Hon. Members know that this is a matter of considerable concern to all Members in this House and to the Canadian public. I would expect that as the Member is the lead Member for the Official Opposition he would be given a courteous hearing. The Hon. Member will put his question.

• (1420)

Mr. Nunziata: Is the Prime Minister aware of Mr. Besso's statement, and I quote:

> Between a week and three days before Air-India flight went down, I was told by two Sikhs that Air-India was a definite target of theirs, that they wanted to do in a plane, an Air-India plane.

Is the Prime Minister aware of that particular statement by Mr. Besso?

Mr. Mazankowski: Why don't you finish the quote?

Mr. Nunziata: And can he comment on whether or not he was made aware of Mr. Besso's statement?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, again we have another example of selective reading by the Hon. Member. Why does he not go on and finish the statement where it is alleged Mr. Besso said:

> Now I wasn't told a specific flight or day or anything like that—?

Again, I repeat the statement made by the then Minister of Transport who said: "I should point out to the House that there was no indication that there was a specific threat to Flight 182".

I re-examined the matter fully this morning. The Commissioner of the RCMP was also involved. I can tell the Hon. Member that this statement stands. It was true then and it is true now.

EXAMINATION OF LUGGAGE

Mr. John Nunziata (York South—Weston): The Solicitor General knows and the Prime Minister knows that in June of 1985 there was one Air-India flight a week.

Mr. Gauthier: One!

Mr. Nunziata: The Government admits it received advance warning. Air-India, in its statement of claim, is alleging negligence on behalf of the Government of Canada. It says it gave written notice. Mr. Besso says he was a paid informer and that in fact there are tapes showing there was advance warning to the Government of Canada.

Some Hon. Members: Sit down!

Mr. Nunziata: If in fact—

Mr. Speaker: Order. The Hon. Member, with good reason, has been given considerable latitude on preamble. Perhaps he could put his final question.

Mr. Nunziata: Again my question is addressed to the Prime Minister. If in fact there was warning in advance of something happening, or something about to happen, to an Air-India flight, would the Prime Minister of Canada tell us why each and every piece of luggage was not hand-searched? Why was it that 75 per cent of the luggage went through an X-ray scanner and the remaining 25 per cent was simply X-rayed by a hand-held wand? If in fact there was advance warning—

Some Hon. Members: Question!

Mr. Nunziata: —why did the Government not insist that each and every piece of luggage be hand-searched?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, again I would like to quote from a statement, this time from the Royal Commission conducted in India. At page 154 of his judgment, the judge stated:

> Air-India had also requested and had received and arranged for extra security for the month of June, 1985.

As the Hon. Member well knows, not only is there an ongoing civil action, which is *sub judice*, but there is an extremely active criminal investigation into this heinous crime. I am sure the Hon. Member would not want to do anything that would in any way impede the successful completion of this investigation.

Some Hon. Members: Resign!

[*Translation*]

POLITICAL RESPONSIBILITY—MINISTER'S POSITION

Hon. Bob Kaplan (York Centre): Mr. Speaker, I wish to direct a question to the Solicitor General concerning another aspect of the problem.

This informer, Paul Besso, revealed his identity as a police informer because the RCMP failed to keep their promise to provide him with new identification papers and protection as witness after he infiltrated a terrorist group. The Government had been aware of problems related to this program since last December when a Nova Scotia informer, Leonard Mitchell, was denied the protection of a false identity as an informer.

The Minister should have corrected the problem last December. Is he now prepared to accept his political responsibility in this case? Does he now intend—as he did in the case

of the Canadian Security Intelligence Service, when he shifted blame on the shoulders of Ted Finn—to shift the blame on to the RCMP Commissioner?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, this Minister has at all times shouldered his responsibility.

Some Hon. Members: Hear, hear!

• (1425)

Mr. Kelleher: I have stood here day after day, as is expected of me, and I have answered fully and frankly every proper and sensible question put to me.

With respect to Mr. Besso, as I am sure the Hon. Member well knows, he has commenced a civil action against the RCMP for services rendered. That is presently pending and is now before the courts. He has his remedies which may be available to him in that action.

RESPONSIBILITY FOR ACTIONS OF RCMP

Hon. Bob Kaplan (York Centre): Mr. Speaker, the Minister wants the House to accept that the only political responsibility of a Minister is to answer questions and never to resign. In the case of the security service it was the director who had to resign. Who will take the responsibility in connection with the Royal Canadian Mounted Police for this serious failing that has been revealed?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I will be the first to admit that a Minister's responsibility is to do more than to stand here and to answer questions fully and frankly in the House. I have also been doing the other bit. Each and every time that a problem has arisen within the Force, immediately upon it coming to my attention I have taken prompt and efficient action to remedy any problems.

If the Hon. Member has some specific allegations to make, then why does he not come forward and give them to me and I will see that they are looked into fully?

Mr. Kaplan: I just did!

STATEMENT ATTRIBUTED TO INFORMER

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister said that he is prepared to take all the actions appropriate to his sense of responsibility. I want to follow up on what he said earlier.

Mr. Besso's accusation, as everyone knows, is extremely serious. He has said that he provided information which in his judgment, presumably, was sufficient to have headed off the destruction of this Air-India aircraft and saved, presumably, all those lives. He has further added that there is documentary proof of his allegation to be found in RCMP files. The Minister categorically said just a few minutes ago that he checked this out, that he has come back and is satisfied that there was no wrong-doing or incompetence.

Can the Minister tell us if he checked with Mr. Besso or did he simply check with the RCMP, about whom Mr. Besso was making those charges?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I have made it quite clear that the then Minister of Transport made a statement in 1985, and again I quote: "I should point out to the House that there was no indication that there was a specific threat to Flight 182".

I fully reinvestigated this matter this morning with the assistance of the Commissioner of the RCMP with respect to this particular story. What I am saying quite clearly and plainly to the House is that that statement still stands. It was true then and it is true now as I stand here. I do not see how I can be more clear than that.

Some Hon. Members: Hear, hear!

MINISTER'S RESPONSIBILITY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, with respect, the question is not one of clarity, the question is one of competence. That is what is at stake here.

Since the accusation was made about the incompetence of the RCMP and since the person making the accusation said that documentary evidence exists that supports his case, does the Minister not feel in terms of his obligation to the House that he has an obligation to check for the evidence that Mr. Besso says is available, and not just ask the RCMP?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am answering the accusation. I went to the Royal Canadian Mounted Police. I went to the Commissioner. We fully discussed it. We looked into the allegations. The RCMP reviewed their files. They were in touch with their officers on the West Coast. I am telling the Hon. Member that I accept the evidence, the integrity and honesty of the Royal Canadian Mounted Police—

Some Hon. Members: Hear, hear!

Mr. Kelleher: —over a person who is an alleged informer and who was looking to receive services for something he told us. That is not true or accurate.

• (1430)

AVAILABILITY OF EVIDENCE

Hon. Edward Broadbent (Oshawa): With respect, I think that the Minister has just proven beyond any question that he is totally incompetent in terms of getting to the bottom of the problem.

In fairness to the integrity and reputation of the RCMP, and all the RCMP people who wish to do a good job—

Some Hon. Members: Oh, oh!

Mr. Mazankowski: What arrogance.

Mr. Broadbent: I remind the Conservatives that there was incompetence in the RCMP in the past, and they know it very well. I wish to ask the Minister—

Mr. Siddon: Are you questioning the Commissioner's—

Mr. Blackburn (Brant): Did you never hear of the McDonald report?

Mr. Broadbent: Read the McDonald report some time.

Mr. Hees: You would have never said those things!

Mr. Speaker: The Hon. Member will put his question.

Mr. Broadbent: In view of the seriousness of the allegations, does the Minister think it appropriate to request the Commissioner of the RCMP to bring to his attention the evidence that Mr. Besso stated is available?

Mr. Hees: That is what he said.

Mr. Broadbent: No, he did not.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, of course it is a serious allegation. I am not suggesting for a moment it is not. Perhaps the Hon. Member is not, but I am very concerned about the integrity of the Royal Canadian Mounted Police and their reputation.

Mr. Riis: Why the cover-up?

Mr. Kelleher: That is why, immediately, I went to the Commissioner, bright and early this morning—

Mr. Broadbent: You are so thick.

Mr. Kelleher: This is why he has spoken—

Mr. Mazankowski: You don't trust the RCMP?

Mr. Kelleher: —to his officers. They have fully reviewed the file in question, and they have come back, and I told you that the statement that was made in 1985 was true then, and it is still true now as a result of their reinvestigation.

Some Hon. Members: Hear, hear!

An Hon. Member: Get Bob White to investigate.

Mr. Broadbent: He will do it about 10 times as fast.

Mr. Mazankowski: Self-appointed guardian of the RCMP? You have come a long way.

INDIAN AFFAIRS

CONSULTANTS' REPORT ON MANAGEMENT OF MANITOBA REGION

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is directed to the Minister of Indian Affairs.

The Coopers & Lybrand Consulting Group has now confirmed in its report that indeed there was serious mismanagement in the Manitoba region of the Department of Indian and Northern Affairs.

We wish to know from the Minister how he intends to clean up this disgraceful mess in Manitoba. When will the Minister show some interest in his job and meet with the bands in Manitoba and work with them to develop a financial regime that is more appropriate to the goals of self-government?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I am a bit disappointed. I thought a Member with his concern and time in the House would have read the report.

Mr. Penner: I read it in detail.

Mr. McKnight: A Member with the time and concern that the Hon. Member has would have read the report and the allegations that were made. I as Minister asked the Office of the Comptroller General to investigate those allegations, and I as Minister asked the Royal Canadian Mounted Police to investigate accusations of criminal activity. The report that has been put forward does not, as the Hon. Member states, talk about gross negligence within the region.

Mr. Penner: Serious mismanagement.

Mr. McKnight: I have received the report. I will be working with the Office of the Comptroller General on those recommendations. Hopefully, by working together we will be able to rectify any and all financial problems that may be associated with the Department, and Indian bands and tribal councils in Manitoba.

Mr. de Corneille: Your time has come.

DEPARTMENT'S SERVICE TO INDIAN PEOPLE

Mr. Keith Penner (Cochrane—Superior): The Minister knows that the phrase I used was "serious mismanagement". The Minister ought to know by now that both he and his Department are more part of the problem than they are the solution.

Some Hon. Members: Hear, hear!

Mr. Penner: I wish to quote from *Hansard* what his predecessor stated in June, 1986, when he was talking about departmental mismanagement, "—it is a matter that obviously needs to be investigated in all regions of the country—"

I wish to know what the Minister plans to do in order to ensure that his Department, where it is still needed, begins to serve Indian people instead of always looking after itself?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I wish to read briefly from the report, "although the region satisfactorily complies with most parliamentary and government policies and requirements where it—" meaning the Department, "delivers services directly to Indians, it fails to fully comply with these policies and requirements where administrative responsibilities have been devolved to Indian bands, tribal councils or their representatives".

We are being criticized for transferring resources and funds to Indian Governments to allow them to administer those funds. The Hon. Member is suggesting that the Department should be more rigid, more paternalistic—

Mr. Penner: You know better than that.

Mr. McKnight: —more demanding of Indian Governments. We will comply, but we will not stifle the ability of Indian people to govern themselves with the funds provided.

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ROYAL CANADIAN MOUNTED POLICE

AIR-INDIA CRASH—INFORMER'S ALLEGATIONS

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Solicitor General.

Last week we learned in the House that CSIS negligence and failure to inform their political masters may well have led to the possible death of a visiting cabinet Minister.

Today we learned that the RCMP may have been negligent in failing to inform those who were responsible for the possible attack on Air-India which led to the deaths of 329 people.

Does the Minister agree that Paul Besso did alert the RCMP to the possibility, in general terms, of an attack on Air-India, several days before that attack? I am not talking here about the specific flight or date, but if the Minister accepts that, how can he possibly explain the failure of those responsible to ensure the safety of those 329 passengers?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, naturally I will attempt to answer the question. Again let me repeat what was stated by the Hon. Minister of Transport in June of 1985: "I should point out to the House that there was no indication that there was a specific threat to Flight 182".

I am aware of the story to which the Hon. Member refers.

Mr. de Corneille: Resign!

Mr. Kelleher: I am aware of the statements he is alleged to have made. I have fully reinvestigated the matter—

Mr. Broadbent: Have you looked at the evidence? You haven't even looked at the evidence.

Mr. de Corneille: Resign!

Mr. Kelleher: I have fully reinvestigated the matter this morning.

Mr. Rodriguez: Thanks, Sherlock.

Mr. Kelleher: I have fully investigated the matter again this morning. I have fully discussed it with the Commissioner of the RCMP who has gone through the files again, and discussed it with his people.

Mr. Riis: Sounds like a cover-up, Jim.

Mr. Kelleher: The statement that was made in June of 1985 was true then, and it's still true now notwithstanding the story that has appeared.

Mr. Robinson: Mr. Speaker, this Minister has to be the most appalling example of incompetence that this House has seen.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. Speaker: I know the Hon. Member has strong views, but I know that the Hon. Member would wish to use a preamble to set the facts upon which he bases his question. The Hon. Member will put his question.

REQUEST THAT MINISTER EXAMINE DOCUMENTATION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I want to ask the Minister a very straightforward question.

In view of the serious allegations by Paul Besso suggesting that he informed the RCMP several days ahead of time of the possibility, in general terms, of an attack on an Air-India flight, I wish to ask the Minister why has he not personally reviewed the documentation which Besso turned over to the RCMP? Why has the Minister not personally reviewed that documentation, listened to the wire-taps himself, and examined this very serious allegation? Why is the Minister failing to accept his responsibility, and in the process casting a shadow over the RCMP? Why will the Minister not act?

Mr. Jelinek: Don't you trust the RCMP?

Hon. James Kelleher (Solicitor General of Canada): I don't think it should be the obligation of the Solicitor General to start involving himself personally in investigations and reading all of the evidence, because the first thing that I would then hear from the Hon. Member is of the political interference by the Solicitor General.

Some Hon. Members: Oh, oh!

• (1440)

Mr. Kelleher: The Hon. Member tries to have it both ways. He wants to be in a position to charge me either with political interference or not involving myself.

* * *

[*Translation*]

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MR. KASDI MERBAH

Mr. Speaker: Order, please. I want to draw Hon. Members' attention to the presence in the gallery of Mr. Kasdi Merbah, Minister of Agriculture and Fisheries and member of the Political Bureau of Algeria.

Some Hon. Members: Hear, hear!

* * *

[*English*]

SPECIAL CANADIAN GRAINS PROGRAM

PAY-OUT FORMULA

Mr. Jack Scowen (Mackenzie): Mr. Speaker, my question is directed to the Minister of Agriculture. Is it true if there is a future pay-out to farmers under the Special Canadian Grains Program, the formula will be based upon actual production for eastern farmers and upon an area average production for western farmers? If so, why?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I appreciate the Hon. Member's continuing interest in the economic well-being of Canadian farmers. No doubt his question is prompted by the third meeting of series two which we held in Winnipeg on August 27. It was attended by about 50 farm leaders.

A suggestion was put forth by the Canadian Federation of Agriculture after a great deal of consultation with other farm groups. It met with overwhelming approval. I believe there were one or two dissenting associations. I told them that if it met the test of fairness and equity, we would give it very serious consideration. That is exactly the process we are going through at the moment.

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CANADA POST CORPORATION

HIRING OF STRIKE-BREAKERS

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is for the Minister responsible for Canada Post. Yesterday the Minister certainly clarified the position of the Government with regard to the use of strike-breakers in the coming mail strike.

Now we know that Canada Post is allowed to advertise for strike-breakers and to train them, and that it is planning to use them to deliver mail during a strike, with the agreement of the Government, despite the dismal failure of the previous attempt to use strike-breakers which led to violence on the picket lines and an embitterment of the climate around the negotiating table.

Will the Minister not order Canada Post immediately to cease hiring strike-breakers—

Some Hon. Members: Why?

Mr. Guilbault (Saint-Jacques): Scabs, that is what they are. If the Minister will not ask Canada Post to stop hiring scabs and, rather, to negotiate honestly without confrontation, are Canada Post and the Government really serious about delivering the mail?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, again we have the Liberal Party giving contrary advice. The former Postmaster General, the Hon. Member for Papineau, says that what the Government should do is cut the umbilical cord, stop directing Canada Post in its operations, and let Canada Post operate.

That is what we are endeavouring to do in the circumstance. They must obey the law. The law provides that they can have strikes and that the employer can continue to operate if possible, within the law. Canada Post will obey the law.

If members of the Liberal Party are suggesting that there has been bad faith at the negotiating table with respect to Canada Post, let them provide me with that evidence and I will raise it with management, but there is no such evidence to imply that.

If members of the Liberal Party are suggesting that Canada Post should acquiesce to the union totally or shut down the Post Office in view of a strike, let them take that position publicly and defend it to the public that has to go without postal service.

Mr. Guilbault (Saint-Jacques): If government Members feel content to follow suit with the management of Gainers by hiring strike-breakers and scabs, let them do it. Now we know that they want to do it.

[*Translation*]

REQUEST THAT CANADA POST BE ORDERED TO NEGOTIATE IN GOOD FAITH

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, in fact the Minister is acting as though he did not fullly grasp the implications, and that is what is likely to happen when scabs are hired. Yet the Minister did see that it led to violence the last time. The Minister knows the climate at the bargaining

table has grown worse. This is why I want to convey to the Minister the message of thousands of Canadians who feel that the Government is taking the wrong approach. What I want to tell the Minister is this: Wait a minute, you are taking chances! And I want to ask the Minister to direct Canada Post forthwith to negotiate in good faith, not under the sword of Damocles of scabs, but to negotiate in good faith, without confrontation so as to reach a negotiated settlement. It is the only way to ensure mail delivery.

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, it goes without saying that of course Canada Post should negotiate in good faith; so should CUPW. Both parties should be negotiating, trying to seek a solution to the dispute without resorting to a strike.

Nobody wants a strike. It is absurd to suggest that anybody wants a strike. It is also absurd to suggest that one should acquiesce in the face of violence. It is absurd to suggest that something went wrong with the system in terms of the previous LCUC negotiations, because a negotiated settlement resulted which was satisfactory to both sides. Those who engaged in violence are facing charges before the courts, and properly so.

I think we would be doing the public a favour if we counselled non-violence to everybody—obey the law—and in the meantime tried to reach a negotiated settlement without a strike.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—AUTO PACT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is for the Prime Minister. Southam Press reports government officials as ready to change the Auto Pact, despite the Industry Minister telling Canadian auto workers and producers just a week and a half ago that the pact was not even on the table.

This looks to me like a desperate last minute effort to pull out a free trade deal which will save the Prime Minister's face—

Mr. Speaker: I ask Hon. Members to be careful in their preambles to be setting the fact pattern for a question, not just making an announcement, no matter how interesting that announcement might be. The Hon. Member will put his question.

Mr. Langdon: I thank you, Mr. Speaker, for your interest.

Why is the Prime Minister prepared to trade away this pact which has benefited so many workers across the country?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, it is not at all the intention of the Government to trade away the Auto Pact. It was the Government of Canada which negotiated the Auto Pact itself—the federal Government, 22 years ago—and the NDP was quite strongly opposed to the Auto Pact at that time.

Had we followed the protectionist advice of the NDP and the United Auto Workers at that time, there would have been no Auto Pact which has brought such benefits to Canada and to Ontario.

Some Hon. Members: Hear, hear!

Mr. Mulroney: The premise of the Hon. Member's question is quite false and totally misleading. I have already responded to the Leader of the Opposition with regard to automotive issues as raised at the First Ministers' Conference.

[*Translation*]

INQUIRY WHY GOVERNMENT IS WILLING TO DESTROY AUTO PACT

Mr. Steven W. Langdon (Essex—Windsor): I have a supplementary, Mr. Speaker. Why is the Prime Minister willing to destroy the Auto Pact, which has created jobs in so many communities? Why is he willing to do so?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the premise of the question was false in English and it is also false in French.

[*English*]

MARKETING OF POTASH—INTRODUCTION OF LEGISLATION IN SASKATCHEWAN

Hon. Alvin Hamilton (Qu'Appelle—Moose Mountain): Mr. Speaker, in the absence of the Minister for International Trade I should like to direct my question to the Parliamentary Secretary.

In view of the legislation being enacted in the Province of Saskatchewan on control of potash marketing, has the federal Government given consideration to the constitutional and legal implications of this legislation, particularly in respect of trade?

If so, would the Parliamentary Secretary be willing to make a statement in the House?

• (1450)

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I can tell the Hon. Member that the federal Government supports Saskatchewan's right to act in the interests within its own jurisdiction. As we know in Canada, the Saskatchewan Government is responsible for the natural resources of the province.

The people of Saskatchewan are being hammered right now, not only on potash but on uranium and subsidized wheat. We share their outrage at the unwarranted attacks by the Americans on trade. Our Government will continue to support their fight in any way we can.

AUTO PACT—GOVERNMENT POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to raise a supplementary question with the Prime Minister on the matter of the present negotiations being conducted with the United States on the trade package.

It is clear the Government is backtracking on a number of previous commitments it made to protect Canadian interests. Statements were made in the past that the Auto Pact would not even be talked about but we know it is on the table today being negotiated.

Has the Prime Minister given clear instructions to our chief negotiator that, as the Americans bring this pact forward for negotiation, we will not in any way allow the safeguard provisions of the Auto Pact to be negotiated away considering that it is the primary provision which guarantees jobs for Canadian workers in the auto industry?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the statement in regard to backtracking is quite misleading. There has been no change whatever in the position of the Government of Canada from the very beginning. The principles that the Minister for International Trade and I have laid out on behalf of the Government of Canada have been consistently followed by Ambassador Simon Reisman and his very excellent and worthy group of officials who are, at this very moment, conducting very delicate and complex negotiations on behalf of the people of Canada. I know my hon. friend would want to do nothing that would undermine their efforts.

AUTO PACT SAFEGUARDS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in defence of those interests and in defence against the undermining that appears to be taking place, did the chief negotiator have clear instructions from the Government of Canada? As we are now negotiating the Auto Pact, which the Prime Minister said we would not do, is it clear that the Government will not negotiate away the safeguard provision which is the guarantee in the Auto Pact that jobs will be protected in Canada? Why doesn't the Prime Minister simply say that those safeguards will be safeguarded?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the statement is inaccurate and misleading. We are not now negotiating the Auto Pact.

Mr. Axworthy: It is on the table today.

Mr. Mulroney: Now the Member says it is on the table. The Member just said "We are now negotiating the Auto Pact".

Mr. Axworthy: Yes, today. Right now.

Mr. Mulroney: I am—

Mr. Axworthy: Right now.

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry put a question, and while I know other Hon. Members would like to put questions as well, perhaps there could be a proper turn for them to ask their questions. In the meantime perhaps the Right Hon. Prime Minister can be given a chance to answer.

Mr. Mulroney: Mr. Speaker, the statement of my hon. friend is inaccurate and completely misleading. This Government in the area of automotive products and the Auto Pact has defended consistently and, I think, well, the interests of Canada and the Province of Ontario in regard to the importance of that very critical trading instrument. It is indeed a model for other sectors of the growth economy.

Mr. Blackburn (Brant): It is not free trade.

Mr. Mulroney: We have indicated many times that the Americans are quite satisfied with the Auto Pact and very pleased with the way it has developed. If, however, they have some ideas that can contribute to jobs, greater wealth, greater prosperity for both sides, then, of course, we will listen. Surely my hon. friend would not want us to turn away an opportunity for greater jobs and prosperity. That matter has not yet been broached by the Americans at the table. If indeed it is, I will be happy to confirm it. But I can tell my hon. friend that the statement he made some moments ago is false and misleading, no doubt inadvertently.

Some Hon. Members: Oh, oh!

Mr. Speaker: I want to advise the House that I am immensely relieved.

Some Hon. Members: Oh, oh!

* * *

CONSTITUTION

MEECH LAKE ACCORD—WOMEN'S EQUALITY RIGHTS

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, my question is for the Prime Minister. The Prime Minister and all the provincial Premiers have said that in drafting the Constitutional Accord they had no intention whatever of putting in question women's hard fought for, hard-won equality rights. Why then should there be any difficulty at all for First Ministers making explicit in the Accord what they say they intended?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, may I say respectfully to my hon. friend, who exemplifies the very best of the fight over the years for equality, that at all times that important concept has been protected and defended during the Meech Lake Accord discussions. My understanding is that the weight of the evidence fully supports that view.

I think my hon. friend can be fully satisfied, and I think my hon. friend has indicated her satisfaction in the past, with the value of this approach and the fact that it in no way erodes or diminishes those rights.

Ms. Jewett: Mr. Speaker, I am sorry that the First Ministers will not clarify in the Accord what they say they intended to put there on women's equality rights.

REQUEST FOR MEETING OF CONSTITUTIONAL EXPERTS

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, representatives of national women's organizations have requested a meeting of their constitutional experts with the Government's constitutional advisers to discuss the potential effect of the Accord on women's equality rights.

Will the Prime Minister facilitate such a meeting between the constitutional experts in the national women's organizations and the Government's experts, and will he do so this week?

Mr. Broadbent: Say yes.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, there have been a number of meetings in this regard. As I say, the weight of the evidence clearly supports the view subscribed to by the majority in the Meech Lake Accord report.

Ms. Jewett: I am asking for a meeting.

Mr. Mulroney: It is indicated here that the New Democratic Party members of the joint committee do not believe that the linguistic duality of the distinct society interpretation clause abrogates, supersedes or overrides—

Ms. Jewett: I am asking about a meeting.

Mr. Mulroney: —sexual equality rights or any other rights guaranteed by the Charter. I share that view.

Ms. Jewett: Why don't you answer the question?

Mr. Mulroney: In the process of completing the Constitutional Accord which brings Quebec in, it also allows us to have many meetings dealing with some fundamental issues. I will be happy to meet with my hon. friend or to follow up on any suggestion that is made at that time. But I think first things first. I think we must proceed with the Accord and take some important decisions in regard to the nationhood of Canada.

Ms. Jewett: You didn't listen to the question.

Mr. Broadbent: He didn't get the question.

PROTECTION OF WOMEN'S RIGHTS

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, yesterday when discussing the Meech Lake Accord the Prime Minister stated in the House with respect to rights provided in the Canadian Charter:

> —fundamental assurances can be given as to the protection of those rights without any changes being made in the wording of the distinct society clause.

What fundamental assurance is the Prime Minister referring to? Assurances of politicians are not binding in a court so why won't the Prime Minister commit them to writing in the Accord itself for the judges and the courts to follow, to ensure that individual rights and freedoms guaranteed to all Canadians, including women, are not affected by the Meech Lake Accord?

Right Hon. Brian Mulroney (Prime Minister): That matter has been frequently and appropriately responded to by me and others in this House.

Mr. Speaker: The Member for Mount Royal on a short supplemental.

CHARTER OF RIGHTS

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I would suggest that that is not the view of everyone in Canada and I will proceed to ask a supplementary question.

The Prime Minister knows that by including multicultural and aboriginal rights in Section 16 of the Meech Lake Accord he may be excluding or diminishing other rights. Why will the Prime Minister not clarify that the Accord does not take away rights granted to Canadians in the Charter? Why will he not include a brief statement that the Meech Lake Accord does not weaken the Charter of Rights? Why don't you answer the concerns of Canadians in that regard?

• (1500)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend says that the Meech Lake Accord does not reflect the views of everyone in Canada. I am aware of that.

Mrs. Finestone: I asked about the Charter of Rights.

Mr. Mulroney: Perhaps my hon. friend should keep Party disputes off the floor of the House of Commons.

Some Hon. Members: Oh, oh!

An Hon. Member: Cheap shot.

Mr. Penner: Tell us about Pat Nowlan.

An Hon. Member: What are the assurances you were talking about yesterday?

Mr. Speaker: I am sure Hon. Members would want to extend the appropriate courtesies. I would ask the Right Hon. Prime Minister to answer the question and ask Hon. Members to give the Prime Minister a chance to answer.

Mr. Mulroney: Mr. Speaker, I say with respect that we do not accept in any way the legal opinion of my hon. friend. That opinion has not been accepted by the majority of members of the Meech Lake Accord report which is submitted here.

Mr. Gray (Windsor West): Who are they?

Mr. Mulroney: My hon. friend, the Opposition House Leader, says: "Who are they?". They are right here, where it is signed under "those for" and signed under "those against", but the Liberals are listed under "abstentions".

Some Hon. Members: Hear, hear!

* * *

ROYAL CANADIAN MOUNTED POLICE

AIR-INDIA CRASH—INFORMER'S ALLEGATIONS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Solicitor General. Earlier today he said something deeply disturbing about his responsibility as a Minister. It concerns the allegation by Mr. Besso, who claims that he will submit to a lie detector test to support his claims that the RCMP had relevant information before the Air-India crash that we were discussing earlier, and that will support his claim that the RCMP has documentary evidence that he provided. He is willing to do this.

The Minister said earlier that for him to pursue it further would be to indulge in some kind of political interference. I have a copy of the Act. Section 5 of the Act, dealing with his responsibilities, states that: "The Governor in Council may appoint an officer to be known as the Commissioner of the Royal Canadian Mounted Police who, under the direction of the Minister, has the control and management of the Force in all matters connected therewith".

Considering that this holds the Minister responsible for the direction, presumably to be involved if there have been allegations of mismanagement, will the Minister exercise his responsibility to the House properly and investigate directly the serious allegations that have been made about the RCMP?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I will try once again to make myself quite clear to the Hon. Member. I did discharge my duties. I did pursue it further. I went to the Commissioner of the RCMP and asked him to reinvestigate the matter. He contacted the officers in charge. He has fully discussed it with them, both on the West Coast and here.

The Commissioner has discharged his duty to me and I to the Canadian people. I have looked into it fully. I guess the difference is that I have faith and trust in the integrity of the RCMP and the Hon. Member does not.

MINISTERIAL RESPONSIBILITY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, does the Minister not understand the seriousness of the situation? He is asking the RCMP to be the judge in their own case, which is a violation of all serious administrative practice. Since the serious accusation has been made about RCMP incompetence that could have led to the deaths of hundreds, does the Minister not agree that he should accept his responsibility as described in the Act and look at the evidence directly, and then make a judgment? If he does not, will he do the proper thing and resign his office right now?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can only repeat that there is absolutely no evidence to indicate from any source that there was any specific threat against Flight 182. There were certainly allegations made that some harm might come to Air-India flights. Those were taken and considered and, as we have already stated, additional security was indeed supplied by the Royal Canadian Mounted Police both at Mirabel and at Toronto.

Everything that should have been done was in fact done, and we again reinvestigated the matter this morning. The story stands. It was true then, and it is true now.

* * *

AIRPORTS

FINGERPRINTING OF EMPLOYEES—TESTING OF DRUG SNIFFING DOGS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question was for the Minister of Transport but in his absence I will direct it to the Deputy Prime Minister. He will know that next week Transport Canada, in an effort to crack down on the bungling of security at airports across the country, will be requiring cleaning personnel and everyone working in all airports to begin being fingerprinted.

At the same time he should be aware that there are reports from Edmonton International Airport that, as a result of the policies of the Government's customs intelligence division, customs officers have actually been planting drugs in the luggage of passengers who are embarking on international flights in order to check the olfactory sense of drug sniffing dogs, to see if they can actually sniff drugs. Does he not think it is a little ridiculous that, on the one hand, the cleaning staff will now be fingerprinted while, on the other, the Government is allowing the security intelligence service of Customs actually to plant drugs in the luggage of passengers who are embarking on international flights, thus placing those passengers in an untenable position?

Mr. Benjamin: Sniff that one out.

Mr. Axworthy: The Government is going to the dogs.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am not aware of the very serious allegations that the Hon. Member has outlined. I am sure that the Hon. Minister of Transport will want to look into them.

Mr. Axworthy: Speaking of dogs.

Mr. Mazankowski: On his behalf, I will take that question as a representation. I should point out that in May of 1986, the Department of Transport, under the authority of the Treasury Board, increased the funding for airport security by some $33.6 million, with additional resources. I believe that the security and surveillance system at our airports has one of the highest standards in the world. I know all Members will join me in supporting their efforts in that regard.

Some Hon. Members: Hear, hear!

* * *

POINT OF ORDER

CLARIFICATION BY MEMBERS

Mr. Jim Hawkes (Calgary West): Mr. Speaker, it has come to my attention that at page 9150 of yesterday's *Hansard* I may have inadvertently left the impression that I accused some specific individual in this House of a deliberate attempt to deceive. I want to say categorically that it was not my intention. If people have been hurt by that, I apologize. If I ever come to the point where I think it is happening, I will be very specific about it. It was not my intention and I apologize.

Mr. Speaker: The Hon. Member for Calgary West (Mr. Hawkes) has risen on a point of order of his own volition, which may very well obviate the necessity of hearing another point. However, there is an Hon. Member who has given me notice of an application. The Hon. Member for La Prairie (Mr. Jourdenais) on the same point.

[*Translation*]

Mr. Jourdenais: Mr. Speaker, I fully understand the explanation of the Hon. Member for Calgary West (Mr. Hawkes). He spoke about an individual, but I would have liked him to mention the name of this individual because I was personally involved. I do not believe that his excuses were personal. They were very general. I would therefore like him to explain his point of order. Who exactly did he attack?

[*English*]

Mr. Speaker: I do not want to limit any Hon. Member's right in this Chamber when it comes to a matter upon which the Hon. Member may feel grieved. I would invite the Hon. Member for Calgary West to rise, perhaps just for a moment, and be absolutely specific. I think that might end the matter.

• (1510)

Mr. Hawkes: Mr. Speaker, I did not have the Hon. Member for La Prairie (Mr. Jourdenais) in mind. I had no specific Member of the House in mind. I did not put my remarks in that context and I am sorry offence was taken. I do apologize and I will try to be more careful with the way I string my thoughts together in future.

Mr. Speaker: I think that is about as abject as we are likely to get in this Chamber.

* * *

PRIVILEGE

ALLEGED MISUSE OF THE WORD PARLIAMENTARY

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I rise on a question of privilege. I wish to raise before the House and Your Honour an action which I believe to be in contempt of Parliament, thereby impeding this House in the performance of its function and affecting the privileges of all Members of Parliament. Let me say at the outset that if you deem I have a prima facie case of privilege, I am prepared to move the appropriate motion to refer the subject matter to the appropriate parliamentary committee.

The issue I raise concerns what I believe to be a misuse of the word "parliamentary" by the Progressive Conservative Party or an agent of that organization in the offering of a service to be known as the Parliamentary News Service. I bring to your attention the communiqué released by one Ken Lawrence on behalf of the Parliamentary News Service which says:

> We are the mechanism to get you and the Progressive Conservative MPs together.

It goes on to describe other ways in which Conservative Members of Parliament are to be communicated with by means of this so-called Parliamentary News Service.

Erskine May's Twentieth Edition, speaking to the issue of contempt of Parliament, at page 143 states:

> It may be stated generally that any act or omission which obstructs or impedes either House of Parliament in the performance of its functions or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent for the offence.

Clearly we are talking about a situation which has never arisen before. I also want to bring to your attention the definition of privilege which is important to your adjudication of this case. It is described at page 11 of Beauchesne's Fifth Edition:

> They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its members and the vindication of its own authority and dignity.

I submit that an organization should not refer to goods or services as parliamentary, thereby leading the people of Canada to believe that a service originates from Parliament Hill when such is not the case. I cite some rulings for your information.

On May 6, 1985, the Hon. Member for Parkdale—High Park (Mr. Witer) raised before this House what he said was a misuse of the words "Member of Parliament", by a former

MP. The Speaker said at that time, and I quote from page 4439 of *Hansard*:

> It should go without saying that a Member of Parliament needs to perform his functions effectively and that anything tending to cause confusion as to a Member's identity creates the possibility of an impediment to the fulfilment of that Member's functions.

If it was true that anything that confused people as to a Member of Parliament's identity could be an offence, then by extension I say to you that anything that confuses the identity of what is parliamentary or Parliament itself would have to be adjudicated in a similar manner.

I also want to bring to your attention the case of Sperry & Hutchison, a firm that used *Hansard* for publicity in the past and was deemed to have been in contempt of this House. Therefore, if the use of a parliamentary document for something that was not parliamentary was deemed to be an offence, the word "parliamentary" I submit should be treated in the same matter.

In 1983 there occurred an incident where advertisements were placed in the Ottawa *Citizen* and two other newspapers by an individual named Harry Rosen which depicted Parliament Hill and a caption with the words:

> Madam Speaker, I move we adjourn so we can all go to the opening of Harry's new store!

Counsel, on behalf of the Speaker, wrote to Mr. Rosen and the newspapers in question ordering them to cease and desist. I have a copy of that advertisement and it was designed in such a way as to confuse people into believing that parliamentarians had said or were purported to have said that they were doing something they were not in fact doing in Parliament.

I am not saying that all unauthorized usage of the word "parliamentary" is improper. That would be ludicrous and I am sure you would agree. However, in my view it is improper to attempt to mislead people into believing something belongs to Parliament when it does not. For that reason I think you should investigate the case I am bringing before you.

[*Translation*]

Mr. Speaker, on October 29, 1980, as shown on page 4214 of *Hansard*, the Speaker had this to say about contempt of Parliament:

> I can assure all Hon. Members that the dimension of contempt of Parliament is such that the House will not be constrained in finding a breach of privileges of Members, or of the House.

This is what Madam Speaker said on October 29, 1980.

[*English*]

Perhaps Joseph Maingot, Q.C., in his book *Parliamentary Privilege in Canada* said it best when, on page 196, he stated:

> Contempt is whatever House finds as contempt.

While we are dealing here with an issue which has not occurred before, I submit that it cannot be argued by anyone as not being contempt simply because the issue has not been brought to the attention of Parliament. Indeed, what I am describing is the service of a satellite to broadcast propaganda on behalf of a political Party. That could be offensive in itself, but to do so under the name of this Parliament I believe is in contempt of this House.

I also believe there could be potential breaches of Acts of Parliament such as the Parliament Hill Act, the Trade Marks Act, and the PC Party may even be guilty of what lawyers call "passing off"; trying to make someone believe that a service is something other than what it really is.

In summary, I submit that the dignity of this institution is such that we have the authority to stop anyone and anything attempting to diminish the authority and dignity of the Parliament of our country.

[*Translation*]

Mr. Speaker, I would like to thank you for giving me the opportunity to put my case before the House.

[*English*]

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am pleased that the Hon. Member has raised this important matter today. I suspect many of us have been in our constituencies over the weekend and have been approached by constituents asking about this new service emanating from Parliament Hill and whether it was a parliamentary service or whether it was what has been referred to at times as "Tory TV" or the "Tory Good News Network" or other such terms.

I think the issue at hand is very serious. As Members of Parliament, we are all too well aware that Parliament means certain things to Canadians. The institution, which includes the House of Commons and the Senate, is clearly understood by Canadians. Parliamentary traditions, institutions, practices and procedures are well known to Canadians to a greater or lesser degree. Parliament is symbolized as a place where different views from across Canada come together and are debated and where decisions are ultimately made.

• (1520)

The dictionary describes Parliament simplistically as an assembly which makes a country's laws. This is the assembly, the House of Commons and, unfortunately, the Senate. I say "unfortunately" because I do not know if that is the appropriate continuance.

The people of Canada have come to respect what they refer to as Parliament. Parliament has become a very important symbol for free people everywhere.

I hate to mention this to you, Mr. Speaker, but it relates to whether or not a question of privilege exists. On the weekend people reminded me that there are official news agencies in countries around the world through which the official news is related. I do not need to cite the specific names of these news agencies as we are all well aware of them. Last week it was announced that there would now be an "official view" of the news, which would be the Government's view, not Parliament's or the Opposition's, but the Government's view of the news.

I do not think this will fool Canadians. They realize that this is much more than a press release. All Members of Parliament give press releases to the media with which it does as it wishes. The media may take excerpts from them, ignore them, or use them later in editorial comment or whatever. We do not expect the media to publish our news releases verbatim as though they are the news. Yet, that is what the Parliamentary News Service is attempting to do.

This is a matter of extreme importance. If we really believe that the word "parliament" refers to the place where free and open debate takes place and decisions are ultimately made on legislation, it is very important to bring to a close quickly the matter of a Parliamentary News Agency as a reflection of the views of Parliament when it is in fact the propaganda vehicle of a political party on Parliament Hill. That is very clear.

I believe that the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) has raised a most important point with regard to the integrity of Parliament. If we believe, as we say we do, that Parliament is the ultimate forum where the points of view of Canadians are debated, then it must be free of any impression that it is the voice of any single political party or single ideological view which then becomes the true news. Such is not the case. I believe that my hon. friend has brought to the floor a very important point. I look forward to a number of other interjections on this important matter.

I have spoken with a number of constituents on this matter and know that ordinary Canadians are concerned that the news will be manipulated. This adds to a cynical view which, unfortunately, growing numbers of Canadians have of the Government of Canada. I do not want them to have that view of the institution of Parliament because I believe that people distinguish clearly between the political parties in Parliament and the institution of Parliament. We must take whatever steps are necessary to ensure that Parliament continues to mean what it always has, a forum of free and open debate in a democratic society.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I am pleased to have this opportunity to continue to publicize the efforts of Progressive Conservative Members of Parliament to bring the Liberal Party, kicking and screaming, into the electronic age. If we have time, we might get to the NDP too.

The Hon. Member who raised the question of privilege is claiming that he is prevented from discharging his duties.

Mr. Boudria: Not necessarily.

Mr. Lewis: I submit that that is what a question of privilege is.

Mr. Boudria: You don't know your rules if that is what you think.

Mr. Lewis: There is the odd rule I have missed, I admit, but there is the odd thing the Hon. Member has missed as well and I will get to that in a minute.

We have no difficulty with the New Democratic Party using the word "communique" in its generic sense, even though the Hon. Member who wrote this particular communique imparts a lot of information and makes a lot of comments that are clearly not true. We have not raised a question of privilege on that.

The Hon. Member for York South—Weston (Mr. Nunziata) uses the words "communique" and uses the print media as a form of communication. We understand that and have never complained about the Opposition using the print media to further its cause. That is part of the game, whether done individually or as a political party. When we do that we do not breach the privileges of the Hon. Member.

The Hon. Member's biggest complaint is with the use of the word "parliamentary". Let us review the word "parliamentary". Are we going to stop Mr. Pierre G. Normandin who publishes the *Canadian Parliamentary Guide*? I apologize for using an exhibit, Mr. Speaker, but I took these exhibits right from the Table. On the table is the *Canadian Parliamentary Guide*. Does it breach the Hon. Member's privilege because it uses the word "parliamentary"? Carswell publishes *Beauchesne's Parliamentary Rules and Forms*. Is that an abuse of the word "parliamentary" and of the Member's privileges?

Let me go on to London's Butterworths printers which publishes *A Parliamentary Dictionary*. I wonder whether tomorrow, in an effort to delay debate, there will be a question of privilege because Butterworths is using the word "parliamentary". The next example is really bad because it uses the word "Canadian" too, that is, the *Canadian Parliamentary Handbook*. This is clearly an abuse perhaps even worthy of shutting down the House. This is published by Borealis Press, Ottawa, Canada. Where is the abuse of the Member's privileges in that?

I go now right to the foundation of parliamentary practice, Erskine May abusing the Hon. Member's parliamentary privilege by using the word "parliamentary". This Member's privileges have been so badly abused through the use of the word "parliamentary" that it is a wonder he can even walk let alone function as a Member of Parliament.

I invite the Liberal Party and the New Democratic Party to join us in the twenty-first century where we use electronics—the radio, electronic mail and computers, rather than only paperwork. I do not knock paperwork, but the radio has been around for awhile and television even came in the other day. When is the Hon. Member going to avail himself of the tools of communications? I am sorry to see that the New Democratic Party uses the word "new" in their official party name. I know we have described them as Luddites from time to time, but this is awful.

Mr. Boudria: You use the word "progressive" in your name.

Mr. Lewis: They also join in this argument that the Member's privileges have been breached.

Is the Hon. Member saying that he never uses television or radio in order to espouse his causes? We have no difficulty with the Parliamentary News Service, just as we would have no difficulty if the New Democratic Party or the Liberal Party ever had the expertise, the gumption, or even the story to tell in order to raise their own parliamentary news service.

• (1530)

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I just want to participate in this because I have never heard such unadulterated horse feathers in all my life. First, the Parliamentary Secretary rose and accused us of using "New" Democratic Party—

An Hon. Member: The Minister.

Mr. Rodriguez: Pardon me, the Minister. I would not want to violate his privilege. In the same fashion, how can those Members opposite call themselves "Progressive" Conservatives? It is a contradiction in terms.

Let us make a distinction between that and what the Minister says when he tells us we have *Beauchesne's Parliamentary Rules and Forms*. One could hardly accuse Beauchesne of propagating Tory propaganda. I understand the problem with which that Party is faced. It has bungled miserably, and members of the press, who observe impartially in this House, are reporting exactly what they see and hear.

The Conservative Party wants to circumvent this truth that emanates from Parliament Hill, reported by an impartial press. What it wants to do, of course, is to put out its own propaganda, its own "parliamentary" news. That is a clear violation because it is not parliamentary in the sense that people in Canada understand the term "parliamentary". It is simply Conservative propaganda, telling one side of the issue, not accessible to members of either opposition Party in this House or to the independent Member. At the very least, it is false advertising to call it the parliamentary news. It is simply Tory propaganda to circumvent what has been reported about the bungling of the Government on issue after issue.

I think the Hon. Member raised a very good point in terms of privilege with respect to the use of the word "parliamentary". I hardly think that when Beauchesne writes in impartial terms about parliamentary rules, the conduct and behaviour of Members of the House and what constitutes privilege, one can actually say he is abusing the privilege of any Member of this House. In fact, it is an erudite study of the way in which the rules of any Parliament should be conducted.

What the Tories are doing has nothing to do with Erskine May, Beauchesne, or with any of the educated parliamentary tomes written by people who are knowledgeable. What the Tories are simply doing is misleading the Canadian public by putting out their garbage called "Parliamentary News Service" which it is not, but it is certainly a violation of the privileges of Hon. Members, I would argue.

Mr. Lorne Nystrom (Yorkton—Melville): As you know, Mr. Speaker, I very seldom rise to participate in procedural debate, but I would like very briefly to make procedural points, strictly unpolitical points.

The Minister of State referred his arguments to the *Parliamentary Guide* , Beauchesne and so on. I make the very simple argument with respect to the *Parliamentary Guide* that the word "Parliamentary" refers equally to all of us. It mentions all Members of Parliament, be they in the House of Commons or the Senate. We are all treated equally, which is the point the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) was trying to make. However, we do not all have equal access to the new parliamentary service. I think the use of the word "parliamentary" is what really bothers us.

Second, *Beauchesne's Parliamentary Rules and Forms* refers to all of us with respect to how we conduct ourselves in this place. Therefore, I do not think a very strong argument has been made by the Minister of State. The parliamentary dictionary refers to all of us, to parliamentary terms and references and so on. It does not refer to one particular political Party, be it my Party or the other two Parties. It is the same with the *Canadian Parliamentary Handbook*, and Erskine May as well.

I make the argument that what the Minister is referring to is the use of the word "parliamentary" in books and references which refer to all of us equally. The central argument in terms of procedure is whether or not the use of the word "parliamentary" is proper in terms of how it infringes upon our privileges to represent our people.

I say to you very clearly, Mr. Speaker, that the word "parliamentary" will lead people to a certain perception that this service is available to all of us because it is a parliamentary news service. That service is not available to me. It is available to the Hon. Member for The Battlefords—Meadow Lake (Mr. Gormley) but not available to me as the Member for Yorkton—Melville. I would suggest that you take a very serious look at this issue, Mr. Speaker, because I think in a way it misleads the people of Canada.

The last point I want to make is that in some ways it is almost like a copyright or patent. The word "parliamentary"—I do not want to use the word "sacred"—is a very important word to describe the activities of all of us who are elected here as equals. When one political Party, be it my Party or any other, starts to use that word in terms of getting out its own message, I think it infringes upon the rights of all of us, regardless of which Party we come from, in a similar way that a copyright or patent might do. It is the word "parliamentary" in the name that really concerns me.

I would not object to this news service in the procedural sense if it were called the "The Government Members' News

Service", "The Conservative Government News Service", or the "P.C. Government News Service". That is a different thing because its title conveys very clearly that it is a news service of one particular political Party.

I know that the wise Member sitting in the back, the Minister of National Health and Welfare (Mr. Epp), certainly agrees with me because he is giving me his very wise and shrewd look. I am sure that if he were not a Member of the Ministry, he would rise in the House and make the very same arguments I make today. I know he supports me. I ask you, Mr. Speaker, to look very seriously at the arguments we have made.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I would like to take up what the Hon. Member for Yorkton—Melville (Mr. Nystrom) just said. He referred to the fact that "parliamentary" refers to all of us. I think it may be a significant point, especially when I look at the communiqué of the New Democratic Party which has its logo appropriately at the top of the page and the words: "The New Democrats". At the bottom it has the logo of the House of Commons.

Mr. Epp (Provencher): No.

Mr. Friesen: I suggest to you, Mr. Speaker, that while the bottom of the page may refer to all of us, the top of the page certainly does not, especially when the news release indicates that: "Mr. Broadbent will address delegates of the Nova Scotia NDP convention in Halifax". That is something that is not of great interest to all of us.

Mr. Blackburn (Brant): It should be.

Mr. Friesen: He purports, by using the House of Commons logo, to make it something of general interest to all of the House of Commons. I assume he avoided the word "parliamentary" because that Party has rejected the other place, otherwise they would have incorporated both.

I then refer to a news release communiqué put out by "John Nunziata, official Opposition critic for the Solicitor General", appropriately in red. It has the House of Commons logo on it, plus the words "House of Commons". I would suggest that this is not something of terribly great interest to the entire House or to the entire general public, but it does give the impression when the Hon. Member uses the House of Commons logo, that it has the imprimatur of the entire House of Commons. It seems to me that there is a blatant misuse of what is probably House of Commons stationery, but what is certainly the logo and the rights of all Members, when those Members try to give the impression that this is a House of Commons matter when what the New Democratic Party put out was propaganda about the tour its Leader was putting on in Nova Scotia.

I submit, Mr. Speaker, that the bogus issue the Hon. Member raised ought to be dispensed with as quickly as possible.

Mr. Maurice Foster (Algoma): Mr. Speaker, I think the Hon. Member for Glengarry—Prescott-Russell (Mr. Boudria) has raised a very important topic this afternoon in his question of privilege. I think we all understand the battle the Prime Minister (Mr. Mulroney) has had with the CBC and the media generally. We may even sympathize with him. However, we do not agree that he should be using the name "Parliamentary News Service" to overcome those difficulties.

It seems to me that the name "Parliamentary New Service" sounds a lot like the CBC News Service. So when a listener in some remote part of the country is listening to a report which is called "Parliamentary News Service", he would not realize that this is part of the Government's propaganda machine. The fact that government Members opposite are guffawing at the prospect of the CBC News Service being confused with the Parliamentary News Service, which they are trying to put forward, shows exactly the problem.

• (1540)

It seems to me that a person watching the Parliamentary News Service will see Ken Lawrence, who is a regular member of the Press Gallery who has been running programs from a TV news service which he operates or for which he has worked, suddenly presenting favourable stories on the Government. However, there is a conflict there in that he is not a regular member of the Press Gallery in the normal sense of the word. He is a person working for the PC Party and promoting its position. It seems to me that it is easy for people to be confused since everyone is not closely watching these things the way that Members of the House watch them.

I think the Hon. Member's question of privilege bears close study by the Standing Committee on Elections, Privileges and Procedure. I hope that Your Honour will find that there is a *prima facie* case of privilege so that this matter can be referred to the committee where it can be fully aired.

When the committees of the House were set up at the start of this session of Parliament there was small representation on most of those committees by members of the Official Opposition and members of the New Democratic Party. Those committees were usually composed of between 12 and 15 members. We fought very hard to ensure that there had to be at least one member from the Opposition at those committee hearings. If that were not the case, then a committee composed of only government Members would travel across the country or hold public hearings here in Ottawa portraying itself as a committee of the House of Commons when in fact the Parliament of Canada, the House of Commons, includes both government Members and opposition Members.

There is the same type of conflict in the use of the name "Parliamentary News Service". It seems to me that if Your Honour rules that there is a question of privilege here with respect to the word "Parliamentary" then it should not be used and the Government should go back to calling this service the "PCP News Service", "Information Tory", "Prop Can", or

whatever. It seems to me that there is still the question of regular members of the Press Gallery being there and working as supposed impartial journalists while being paid by one political Party and portraying their news reports as balanced news reports.

I hope that the Chair will look closely at this matter. It is a serious one, one that needs to be ventilated and examined at this time. This is a service which has been put forward as a service to embellish or help the Government's position while taking advantage of the word "Parliamentary" which would suggest that it is impartial and represents both sides of the House, not just the government side.

[*Translation*]

Mr. Prud'homme: Mr. Speaker, I have listened carefully to what has been said. If I may, I would like to make a few extemporaneous comments. I believe that—

[*English*]

I believe that the matter under consideration is very important. We would probably like to reflect much longer on this issue. If Members of Parliament would like to reflect more on the issue then I am sure that Your Honour may very much welcome the suggestion to take this matter under serious consideration and reserve your decision.

In listening to all the points of view expressed today I find there could be some implication with respect to the Election Expenses Act, as has been suggested in many newspapers. However, I do not think that we should prolong unduly this debate today. Your Honour may like to take this matter under consideration to return at another time to the House with what is your customary Solomon-like decision.

Mr. Boudria: Mr. Speaker, I do not want to leave any false impressions. I will take a minute or two of the time of the House to reiterate again that all use of the word "parliamentary" is improper. In reviewing my notes I see that earlier in the debate—and I invite the Speaker to verify this at the appropriate time—I was not saying that all unauthorized use of the word "parliamentary" is improper but, indeed, that it is improper when such words are used in an attempt to mislead the people of Canada into believing that something is parliamentary or belonging to this institution when such is not the case. There is a significant difference between that and a person publishing a parliamentary guide or another tome or volume designed to assist Members of Parliament or anyone else to understand how this place functions.

I also said very clearly in my remarks that not only was this question of privilege not specific with respect to my own privileges as a Member of this House but that it is within our collective privileges as parliamentarians, as well as the privileges of this institution, to operate not only without personal instruction to myself but that the House should be unhindered in the way that it functions. I also said very clearly that I believe that the actions taken were in contempt of Parliament. I have reflected upon that and I still believe that such is the case.

I have indicated to Your Honour, with the citation of appropriate decisions of the Speaker in the past, actions which I believe are similar or by extension should be applicable in this particular case to determine that in fact this action by Ken Lawrence Enterprises working for the Progressive Conservative Party of Canada is improper and should not be allowed to continue.

Again, I would ask that Your Honour take the matter under advisement and give it your usual full consideration with a view to referring it to the appropriate committee. Again, I will move the appropriate motion at the time that Your Honour makes his decision on what I believe is a very important case, a case without precedent. After all, we are dealing with something that did not exist a number of years ago but which is nevertheless a very fundamental issue in terms of how Parliament will be able to function in the future without being impeded by anyone or anything.

I repeat what I said earlier. I believe it is our duty as parliamentarians to uphold the dignity and the authority of this great institution. I am sure Your Honour will consider that point when you render your decision.

Mr. Speaker: First, I want to assure the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) that the Chair is as aware as is he that this is a novel question for the Chair to have to consider. However, the fact that it has not come before us before takes nothing away from the issue and the necessity to make a decision on it.

I want to thank all Hon. Members for their contributions to the debate on this issue. I will, as I often do, take the very wise advice of the Hon. Member for Saint-Denis (Mr. Prud'homme) who can teach us a great deal about procedure in this place. I think that he has given the Chair very wise counsel. I will take the matter away and think long and hard about it. I thank the Hon. Member.

It will probably be at least a few days before the Chair returns on this matter. Again, I take the matter as something which is, as I have said, new, but that does not lessen the importance of the interventions that remain. I listened to them very carefully. I will, of course, review *Hansard*. I hope that I will be able to come back with a report to the House which is appropriate under all the circumstances. Again, I thank all Hon. Members.

• (1550)

PRIVILEGE

QUALITY OF HOUSE OF COMMONS TRANSLATION SERVICES

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, I appreciate the opportunity to raise a question of privilege. It is a rather different type of question of privilege which relates to the translation services required by Members of Parliament.

At the outset, I wish to note that Beauchesne's Fifth Edition elucidates the matter of privilege to which I wish to relate my comments on the services that we require.

Citation 16 states:

> Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions and which exceed those possessed by other bodies or individuals.

It further states:

> The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members;

In Citation 75 it states:

> Many of the privileges of the House extend also to its committees . . . Committee reports and the verbatim transcripts of committee hearings are documents published under the authority of the House and are entitled to the same absolute privilege as House documents.

Noting these particular citations from Beauchesne, I wish to consider several instances that have arisen in the last months, one during the past 10 days, in which the translation services of the House of Commons and of the committees of the House have been hard pressed to fulfil their obligations, and to enable Members of Parliament to complete their work and carry out their duties.

For some time there has been concern about this issue on the Standing Joint Committee on Official Languages. As a member of that commmittee, I have been concerned about this issue. Last spring when the Standing Committee on Multiculturalism was hard at work on a report for which various drafts had to be considered, the provision of translation of documents into the other official language was not always available. Quite definitely that impeded the work of the committee.

During the last 10 days, as the Special Joint Committee on the 1987 Constitutional Accord was endeavouring to conclude its work and make the results available to the public in a report published in both official languages, difficulties arose in completing the work. The committee was forced to delay for one week the tabling of the report in the House.

In the course of those delays, there were reflections made upon the quality of the work. Without wishing to endorse those particular observations, which came from a member in the other place who is a very keen phraser and definer of terms, and who is very concerned about the quality of the work, let me say that It is quality of the work that is an essential aspect of this matter of translation services.

In the past, the question of translation services has been raised. In 1968 a Member raised the inadequacy of translation services as a question of privilege. I note in all candour that Speaker Lamoureux did not find it a *prima facie* case of privilege.

I would appreciate your consideration of this, Mr. Speaker, in your understanding and appreciation of the importance of these services. To of us who are still too close to being unilingual in English and perhaps have a greater appreciation of the importance of the Translation Bureau there is objective evidence for concern in this matter.

The Translation Bureau was created in 1934. It experienced a budget freeze during its fiftieth anniversary year in 1984. At that time there were 1,150 translators at work in the bureau. In the three years that followed there has been a decline of 150 translators who are available. That is a decline of over one-eighth in the number of persons available. In January, 1986, no fewer than 82 translators were declared surplus to the operations of the Translation Bureau.

I would submit that at that time difficulties were beginning to appear. The present difficulties, which are the basis for my question of privilege, are the end result of a decade-long process of reduction of staff and contracting out of translation work that has been going on since 1978.

Demand for translation services has markedly increased from some 254 million words annually to 320 million words. On the other hand, by 1987 the staff has declined from some 2,000 person years to 1,450 person years. That is a decline of more than one-quarter. At the same time, the volume of work contracted out has doubled to 60 million words. In comparing 60 million to 320 million words in total there is recognition of the fact that approximately one-fifth of the quantity has been contracted out. The result is that there are now some 278 contractors to whom the Translation Bureau looks for assistance.

Unfortunately, the result has been a decline in quality. Quality has been sacrificed to quantity in the enormous amount of work to be done. There is less checking of the work of the translators, which creates the possibility that our work may be immediately impeded. We will not understand the proceedings in committee and we will waste time in our deliberations. Our own words going forth may be misunderstood in one part of the country because they have been improperly translated.

The work-load that has fallen on the shoulders of the translators who remain has had a serious effect on morale. There is a resentment about the fact that their work is professional work and it has not been appreciated.

Although this is less germane to the question of privilege, the costs have been rising. In the capital area the costs of contracting out have been increasing substantially, particularly

during the past summer when the House was sitting in August and committees were at work. Even during the spring, the Assistant Deputy Minister responsible for this area conceded that the costs of contracting out were beginning to exceed the cost of work done in house. That strikes me as a most serious situation. Inefficiency is created or resulting from a situation which costs us more than it would to do this work properly within the Translation Bureau.

This is an important matter of national culture. I wish to conclude by pointing out that this country has been practising institutional bilingualism for almost 20 years. It requires the provision of high quality translation, interpretation and terminology services by the federal Government. Any breakdown in such arrangements, as the basis for our institutional bilingualism, 19 years after the Official Languages Act was passed, and following the previous ruling by Speaker Lamoureux in 1968, I would submit, can be regarded as a question of privilege.

I would appreciate your careful consideration of the question, Mr. Speaker. I am prepared to move the necessary motion if, in your insight and wisdom, you find this to be a genuine question of privilege.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I should like to participate very briefly in this debate. Unlike the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) I did not have time to get prepared to debate the matter at length. What I do know and what all Members of the House know is that it is an important question. But there are also very special considerations that must be kept in mind when discussing translation versus interpretation, and in this case I do not think the Hon. Member is referring to the quality of interpretation in the House. I think it is a facility of which we are very proud and which all Members view as an outstanding service.

Of course the matter of translation has always come under the Secretary of State (Mr. Crombie) who, through his department, is responsible for providing translation services for the House of Commons. This service is not provided by the Chair, but by a Government department, namely the Secretary of State. To the extent that I can appreciate it, service has long been of exceptional quality and, to me anyway, a source of inspiration in terms of the translation of the remarks made by Hon. Members in this House.

As far as I am concerned, Mr. Speaker, we went through exceptional times this summer. The House was recalled on August 11. The Committee on the Constitution held hearings and, like the Hon. Member, I agree that there were some delays related to translation.

• (1600)

[*English*]

The point which should be made is that as a client of the Department of the Secretary of State, whose services the House of Commons has purchased over the years, we have had some difficulties in terms of the two main problems to which the Hon. Member alluded. Of course, one problem is the cut-backs in the public servants who are usually attached to the translation service. There have been some serious cut-backs, which have reduced the translation capacity, although at times, I must admit, I have many good words for the high quality which has been maintained in many circumstances.

There is also the fact that much of the work is now being contracted out by the Secretary of State Department according to a policy which the Government has espoused over the three years that it has been in power. It believes that a lot of contracting out saves money and is a way of cutting expenditures. I do not believe that. I do not believe that it maintains quality. I do not believe that it does anything for the services which are essential to the operation of the House.

Therefore, the contracting out and cut-backs in public servants have had a direct effect upon the work-load of translators who are sometimes expected to produce much more than the usual 1,100 to 1,500 words per day. Anyone can tell you, Mr. Speaker, that that is very difficult in the field of policy, politics, or the very technical language sometimes used in the House.

I commend the Hon. Member for raising this point with the House. I cannot say that it is a question of privilege, but it is very important to say to the Government of the day that indeed it should recognize the importance of Parliament and the importance of the services rendered to Parliament.

We should not cut back or reduce those services on the basis of some false economic theory which says that we should not give to public servants the amount of work which would normally be acquired but that we should contract it out because it cannot be done in-house. That is wrong.

I also think that cutting back on public servants whose work-load is increasing day in and day out is wrong. It is wrong for the Government to maintain those two policies—one of cutting back on public servants and the other of cutting back on the amount of work being done.

[*Translation*]

Mr. Prud'homme: Mr. Speaker, I am sure you are not surprised to see me rise to take part in this debate. On several occasions in the past I raised this issue from a constructive perspective.

[*English*]

Every time we talk about bilingual services or bilingualism, I know that an aura of nervousness hovers over the House. I have always tried over the years to be very cool about the matter. This is why I often raised the question with you, Mr. Speaker, and with previous Speakers as gently and as fairly as I could in private. Very rarely did I participate in a debate of this kind in the House, but I did so eventually in public because we needed action.

I know that Your Honour is very sensitive to this question. I have had the honour of discussing it with you often. I have always said to many of my colleagues: "Try to put yourself in our shoes".

For instance, in my office all my staff is totally bilingual. This represents a major difficulty in recruitment for the same salary for the same services.

I say that in English, but I will repeat it in French. I have the same version for those who say that I would not dare to repeat it in French.

I insist upon serving my electorate in both languages, which is their right from a federal Member. A large portion of my electorate expects me to communicate with them in English. Your Honour understands the immense difficulty which this represents.

As soon as I came to the Hill—and it has been the story of my life for 23 years—I was very happy to chair most of my committees, by choice, in English. I chose to do that. It is my privilege.

I would say in French that it was my privilege, that it was my choice, and that it was my wish.

I learned English at no expense to the country. When I make a mistake, there is always a fine gentleman or lady to remind me of how to say it in English. I learned it. It did not cost Canadian taxpayers a penny.

However, as I said, I did it by choice. If I were obliged to chair a meeting or to work in English, I imagine that there would be quite a fight. Because the choice is there for me, I take it.

I may look very gentle and calm, but I must say that I am getting very impatient. There will have to be effort and understanding, at least within the boundaries of the Hill.

What made me rise today is that I know Your Honour is very sensitive to the issue and that you are doing something about it privately at the moment. I know that, and it is good for the public to know that you have had many representations, Mr. Speaker.

I should not look for supplementary work, but I am willing to accept a mandate some day from Your Honour to chair again a committee which I had the privilege to chair—the Standing Committee on Management and Members' Services—and to look in private at what are the frustrations of various Members in various committees concerning bilingualism. I say willingly that I would accept such a mandate so that we will not have this kind of discussion too often in the House of Commons.

[*Translation*]

I simply wanted to say that I took a few notes while my colleagues were speaking, including my colleague from Ottawa—Vanier (Mr. Gauthier). It is not easy to manage in a bilingual country, but when we consider all the attendant benefits it is not so much a question of the huge outlay involved to enable Members, if they are unilingual francophones—most Members of the majority realize that many of their new colleagues who first came here after the 1984 election—and this was a rather new phenomenon—were unilingual francophones, because indeed there are unilingual francophones.

[*English*]

As I was saying in French, there is a phenomenon in Canada which may not be understood. There are millions of people who function intelligently in French, who are totally unilingual, and who are equally good Canadians as the millions of people who function exclusively in English. However, one must understand—and my colleagues and Your Honour understand it—that there is no doubt that these people are frustrated.

I may be more patient because I have been around here for some time. If I compare my twenty-fourth year with my first year, I have to be honest and say that many changes have taken place. Therefore, because of that, I am more patient. However, my colleagues who have just arrived here, and rightly so, do not understand why I am so patient. It is because I know the differences between 24 years ago and now. This is no excuse for not having the necessary service. It is tough enough to function in one language and to be an expert in almost every domain instantly. This leads one to see how tough it is to do it in both languages. I do not complain. I just want to make sure that Members who have these kinds of frustrations will have the services.

• (1610)

I repeat again, Mr. Speaker, that when we talk about this question of translation, interpretation, French and English—and I would like the Hon. Member for Chicoutimi (Mr. Harvey) to be very serious because it is a serious matter—it is too easy to explode on these questions and it is not in the best interests of Canada nor in the best interests of the relationship between French and English-speaking Canadians. That is why I have always had this approach.

I can be much more flamboyant denouncing a system which does not work as well as we would like, but if I did that I know I would not be producing anything. I am offering my help, but if it does not help you, Mr. Speaker, you could ask others who might be able to do so. I want, however, for people to take the matter seriously within the confines of this Parliament, especially the various Ministers who are responsible, namely, the Minister of Finance (Mr. Wilson) and the President of the Treasury Board (Mr. Mazankowski), because I know the Prime Minister (Mr. Mulroney) is very sensitive to questions of reconciliation and understanding. If it is true—and I know it is true—action will have to be taken.

I will conclude by saying that I am getting rather fed up at having to stand up in my country having to talk about such a subject. Those who are unilingual English-speaking take it for granted, but I have to get up time and time again to repeat the

same thing time and time again. I would prefer to devote that time to other matters which are much more important, such as foreign affairs, Quebec or British Columbia difficulties, rather than having to use half of my time defending this position while my colleagues, who happily function only in English, can focus their attention on other subjects because this problem is not their major preoccupation. I do not mind that, but I hope they will understand that for some of us it is a loss of energy having to participate and make representation.

You can see, Mr. Speaker, that I had better sit down because I am getting impatient, but I know these things are in your good hands. I know you will react to this and later on we will not have to come back to it.

[*Translation*]

Mr. Speaker: I believe this is an important subject, and therefore I am very grateful to Hon. Members for their contribution, among others the hon. Member for Thunder Bay—Nipigon (Mr. Epp), the Hon. Member for Ottawa—Vanier (Mr. Gauthier), and more particularly the Hon. Member for Saint-Denis (Mr. Prud'homme). This is not a new issue but it is very important and, as the hon. Member for Saint-Denis pointed out, it has been raised before in the House. It also happens to be a very serious problem for the Chair, and I consider it is very important that all Members of the House enjoy similar privileges. It is clear that because of the delay—as raised in the question of privilege of the Hon. Member for Thunder Bay Nipigon—the privileges are not similar, it is not the same thing.

So the matter is serious and unpleasant, and I can appreciate the concern and preoccupation of francophone Members.

All documents and complete files are immediately available to Hon. Members who speak only English, but the situation is not the same in the case of francophone Members.

I thank my colleagues for their comments. I think this is a very important issue and I will defer my ruling to make an exhaustive study of the problem.

Again I thank the Hon. Member for Thunder Bay—Nipigon for raising the issue because, as I have said, it is a very important matter.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee, and Motion No. 25 (Mr. Jourdenais, p. 9180), Motion No. 31 (Mr. Heap, p. 9180) (as amended), Motion No. 32 (Mr. Heap, p. 9180) and Motion No. 33 (Mr. Heap, p. 9180).

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The House has debated Motions Nos. 25, 31, 32 and 33 which had been grouped for debate, but they will be voted on separately.

The first question is on Motion No. 25 standing in the name of the Hon. Member for La Prairie (Mr. Jourdenais). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Shall the recorded division stand deferred.

Some Hon. Members: Agreed.

Mr. Deputy Speaker: The next question is on Motion No. 31 as amended standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Shall the recorded division stand deferred.

Some Hon. Members: Agreed.

Mr. Deputy Speaker: The next question is on Motion No. 32 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Shall the recorded division stand deferred?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: The next question is on Motion No. 33 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Shall the recorded division on the motion stand deferred?

Some Hon. Members: Agreed.

Mr. Dan Heap (Spadina) moved:

Motion No. 35

That Bill C-55, be amended in Clause 14 by striking out lines 15 to 26 at page 16 and substituting the following therefor:

"(b) the disposition under this Act of claims to be Convention refugees made by other persons who alleged fear of persecution in that country, is of the opinion that there is any credible evidence on which the refugee Division might determine the claimant to be a Convention Refugee, the adjudicator or member shall determine that the claimant has a credible basis for the claim."

He said: Mr. Speaker, regarding this motion, if it is in order and if there is unanimous consent, I would like to propose a deferral of consideration.

I find that, in the haste of preparing this motion, there were some details of the wording which perhaps would be better done in a different way. If I could have some time to consult about this, I would like to seek the consent of the House to make certain very small but possibly necessary changes to the wording of this motion. Therefore, if it is appropriate, I move:

That this motion be deferred to the call of the Chair.

Is that the appropriate phrase and procedure, Mr. Speaker?

• (1620)

Mr. Deputy Speaker: In order for the Hon. Member to be able to take the motion up later, he needs the unanimous consent of the House. Is that agreed?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: Motion No. 37 standing in the name of the Hon. Member for Spadina (Mr. Heap) and Motions Nos. 53, 57 and 70, standing in the name of the Minister sponsoring the Bill, will be grouped for debate but voted on separately.

Mr. Dan Heap (Spadina) moved:

Motion No. 37

That Bill C-55, be amended in Clause 14 by adding immediately after line 33 at page 16 the following:

"(8) Where a person claims to be a Convention Refugee and is denied access to the procedures outlined in Sections 45 to 48 and 70 and 71 pursuant to Section 48.l, the Minister shall notify the Office of the United Nations High Commissioner for Refugees of this fact; and

(9) a person to whom subsection 48.01. (1) applies shall be provided a reasonable opportunity to contact the Office of the United Nations High Commissioner for Refugees".

Hon. Jake Epp (for the Minister of State (Immigration)) moved:

Motion No. 53

That Bill C-55, be amended in Clause 17

(a) by striking out line 18 at page 25 and substituting the following therefor:

"55.(1) Notwithstanding subsections 54(2)"

(b) by striking out line 3 at page 26 and substituting the following therefor:

"public in Canada.

(2) Notwithstanding subsections 54(2) and (3), no person who has been determined not to be eligible to have a claim to be a Convention refugee determined by the Refugee Division on the basis that the person is a person described in paragraph 48.01(1)(b) shall be removed from Canada to any country other than the country from which the person came to Canada as determined for the purposes of that paragraph unless

(a) the person is determined not to have a credible basis for the claim on a hearing under section 48.03; or

(b) the person, following a reference of the claim to the Refugee Division pursuant to subsection 48.03(5), is finally determined under this Act not to be a Convention refugee."

Motion No. 57

That Bill C-55, be amended in Clause 18

(a) by striking out line 35 at page 32 and substituting the following therefor:

"any representative or agent of the United Nations"

Immigration Act, 1976

(b) by adding immediately after line 16 at page 35 the following therefor:

"(12) If the Refugee Division determines that a claimant is not a Convention refugee and does not have a credible basis for the claim to be a Convention refugee, the Refugee Division shall so indicate in its decision on the claim."

(c) by striking out lines 36 to 39 at page 39 and substituting the following therefor:

"40(1) has been issued, or".

Motion No. 70

That Bill C-55, be amended in Clause 19 by adding immediately after line 38 at page 43 the following:

"(1.1) Notwithstanding subsection (1), no appeal lies to the Federal Court of Appeal from a decision of the Refugee Division under section 71.1 on a claim, if the Refugee Division, pursuant to subsection 71.1(12), has indicated in the decision that the claimant has no credible basis for the claim."

Mr. Heap: Mr. Speaker, I have proposed Motion No. 37 in order to take account of an aspect of the Bill which I believe does not fully meet the goals and standards of the United Nations High Commission for Refugees. The general situation is that in Canada, as in other countries, there can be a conflict between a duty to protect the country from the entry of a person who should not be admitted and the duty under the Convention which we have signed to recognize a refugee or, more particularly, give a refugee claimant a chance to state his claim.

It is possible that a person can be both inadmissible under the sections with which we are concerned here and also be a refugee.

Some may take the view that it does not make any difference and we should not bother finding out if the person is a refugee if we are not going to admit him. That is not the view of the United Nations High Commissioner for Refugees who believes that it is necessary, as a principle, that the matter be pursued and that a person who claims to be a refugee should be examined and a determination made whether he or she is a refugee.

However, it has been decided in Bill C-55, as in Bill C-84, that we will not do it this way. When a person is determined to fall into those inadmissible classes, that person is excluded from the refugee status process. Section 48.01(1) states that a person is not eligible to have the claim determined by the refugee division if he falls within the criteria under paragraphs 48.1(1)(a),(b),(c),(d),(e) and (f). Paragraph 48.01(1)(e) states:

the claimant is

(i) a person described in paragraph 19(1)(e),(f)(g) or (j),

Which are the criminal types, and:

27(1)(c) or (2)(c),—

Which is close enough for our purposes to be treated in exactly the same way.

I am asking that we add the simple rider that at least we will get in touch with the United Nations High Commissioner for Refugees with respect to a person who might be a refugee.

Therefore, I have suggested a Subsection (8) which states:

Where a person claims to be a Convention Refugee and is denied access to the procedures outlined in Sections 45 to 48 and Sections 70 and 71 pursuant to Section 48.1 the Minister shall notify the Office of the United Nations High Commissioner for Refugees of this fact;—

This could either involve a phone call to someone in Ottawa or a letter to someone in Geneva.

My motion No. 37 would also add:

(9) a person to whom subsection 48.01. (1) applies shall be provided a reasonable opportunity to contact the Office of the United Nations High Commissioner for Refugees.

There may be another country that does not view the situation the same way as Canada and by whose standards that person would not be inadmissible. The United Nations High Commission for Refugees is in the business of determining where such a person might be admissible. Therefore, part of the purpose of my motion is that we amend the clause simply by adding those two paragraphs in order to recognize that the United Nations might be willing and able to help this person find another country. Otherwise, he might be returned to the country from which he says he is fleeing on account of persecution.

If he is a security risk to us, that may not necessarily be sufficient reason to have him go to death or imprisonment on grounds that are not related to that security risk, which could be the case. That is a matter in which the United Nations High Commission specializes and that is the main point I wanted to make.

The Hon. Member for Calgary West (Mr. Hawkes) has referred to Motion No. 53. I believe it does go part way in the right direction, but not as far as some other amendments which have been defeated. It is good as far as it goes, so I hope it will have the support of the House.

Motion No. 57 would give the United Nations High Commissioner for Refugees the right not only to send a representative, which I take to be a full-time employee, but also an agent, which could be a part-time person on contract, which gives him more flexibility and an opportunity to be present at these refugee division hearings. I think that is clearly a useful motion.

• (1630)

I do not agree with paragraph (b). It authorizes the refugee division to classify a rejected claim as having no credible basis. If that were just a matter of words, I would not mind, even though I disagree with the phrase "credible basis"; I think it is too harsh and I would have preferred had they said "manifestly unfounded". I can see the difference between saying that this was a "maybe" case but we decided no, and saying that this case has no merit whatever. Where the hurt comes in is as a basis for Motion No. 70, which I consider quite harmful

because it denies the right of appeal to claimants whose claims were classified as not having a credible basis. They have already been through that screening once or they would not be at the refugee division.

It seems to me that if the initial inquiry said that they have a credible basis, but the refugee division decided in a full hearing they do not, then there is room for a difference of opinion. In fact, there would be a difference of opinion and there would also be room for error. I believe it is unreasonable to deny that claimant the right of appeal, however limited it is, which is available to the rest.

We have to remember that a mistake here is not like a mistake in granting a building permit or driving licence. A mistake in turning away a claimant who is a real refugee could result in death or imprisonment unjustly. Therefore I think we should not be in such a hurry to cut off the few claimants who are likely to get through determination and then be found not to have a credible basis for their claim. I hope we defeat Motion No. 70.

I want to hear further debate on Motion No. 57 since, as I say, it contains a good one and a bad one as it looks to me right now.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Eglinton—Lawrence (Mr. de Corneille)—External Affairs—Mozambique—Request for more assistance/Request for co-ordinated measures to aid African front-line states; the Hon. Member for Winnipeg North (Mr. Orlikow)—Energy—Price of natural gas in Manitoba/Government position; the Hon. Member for Algoma (Mr. Foster)—Trade—Canada-United States negotiations—Domestic price of wheat/Canadian position.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee, and Motions No. 37 (Mr. Heap, p. 9207), Motion No. 53 (Mr. Weiner, p. 9207), Motion No. 57 (Mr. Weiner, p. 9207), and Motion No. 70 (Mr. Weiner, p. 9208).

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, if I can say *en passant*, I find the remarks of the Hon. Member rather mystifying when he says that the person could be sent back to imprisonment or death. I think he will accept the fact that we have included protection under Article 33 of the Convention, which would forestall just that kind of eventuality.

Let me begin at the beginning with Motion No. 37 which stands in the name of the Hon. Member. He will recall that in committee we already made provision for the UNHCR representative to be present at the proceedings. In this subsequent amendment we refined that provision. The motion put forward by the Hon. Member would require the Minister to notify the office of the UNHCR every time a criminal, terrorist or subversive is denied access to the refugee determination system and to give all other ineligible claimants an opportunity to contact the UNHCR. That has the consequence of putting an obligation on the Minister and also on the UNHCR.

I do not know if that is the intent of the Hon. Member, but since we have already provided protection under Article 33 of the Convention, I would think the Hon. Member would accept that we have taken care of those people he sees as being at risk.

Motion No. 53 standing in the name of the Government deals with Clause 17. The change is simply to make the text of Section 55, as found in the reported Bill, subsection 55(1), in order to accommodate the following subsection. At committee stage a difficulty in the interpretation of the proposed amendment to Section 55 was identified. Officials undertook to identify a solution to the problem. This amendment resolves the problem in that subsection 55(2) will ensure that a person denied access to the refugee division because he or she comes from a country which complies with Article 33 of the Convention can be returned only to that country. The individual may choose to go elsewhere. This limitation will cease to be in effect when the claimant has been reintroduced into the refugee determination system pursuant to Section 48.03, and the adjudicator and refugee division member have either determined there is no credible basis for the claim, or referred the claimant to the refugee division which has determined that the claimant is not a Convention refugee.

Motion No. 57 deals with Clause 18. This amendment will provide a consistent wording between subsection 71(3) and subsection 48(5). Subsection 48(5), added by the committee, allows the presence of agents of the UNHCR at inquiries. It is recognized that the UNHCR does not have representative offices in most Canadian cities. In recognition of that fact, it will be possible, with the consent of the claimant, for local agents of the UNHCR to attend hearings before the refugee board as well as to attend inquiries.

Notwithstanding the screening mechanisms in place before the adjudicator and refugee division member, it is possible that

some claims referred to the refugee division will be completely without merit. This amendment will enable members of the panel of the refugee division which hears the claim to indicate in their reasons that there is no credible basis for the claim. Consequential effects on the appeal rights of those claimants will be covered in an amendment to Clause 19. The division is not required to make the second determination in every case. The provision can be used to correct the most obvious abuses of the refugee determination system that pass initial screening at inquiry. The amendment corrects a clerical error in that it deletes reference to a provision of Bill C-84. All of the consequential amendments following from Bill C-84 are dealt with, conditional on the passage of that Bill, in Clause 35.

Motion No. 70 deals with Clause 19. This amendment is consequential on amendment (B) to Clause 18. Where a claimant is determined by a panel of the refugee division not to have a credible basis for the claim, the claimant will not have the right of appeal, pursuant to Section 83.3, to the Federal Court of Appeal. The unsuccessful claimant will still be able to undertake an application for leave to seek judicial review pursuant to Section 28 of the Federal Court Act. It should be noted that judicial review under Section 28 is considered on the same grounds as the appeal pursuant to Section 83.3. The major difference between the two routes for redress is that pursuant to Section 28 of the Federal Court, the court cannot substitute its decision for that of the original decision-maker.

Mr. Sergio Marchi (York West): Mr. Speaker, I am just wondering if the Parliamentary Secretary knows what he just read to the House of Commons. It seemed to be drafted by the same people who put this Bill together.

First, on Motion No. 37, I would like to signal our support proposed by the Hon. Member for Spadina (Mr. Heap). I believe it has its origin in some of the testimony provided to us by Joe Stern of the Refugee Advisory Committee. He said it would be important for our refugee determination system to have at least a safeguard where an individual is barred from proceeding in the determination system for a series of reasons. It would be helpful if the Government, through the Minister, got in touch with the local UNHCR representative or in fact their office in Geneva, for the very same reasons that the Hon. Member stipulated earlier. The UNHRC would be in a good position, since it administers the Geneva Convention on a daily basis, to take a second look at the case of that individual and perhaps find a home for him rather than sending him back from where he came to face possible persecution or death.

• (1640)

That is a check and balance which I do not think is too onerous for the Government to accept. There would be no onus upon the UNHRC to find a home for such an individual, but the UNHRC would have that opportunity. If a decision is made against an individual, he or she will be leaving the country anyway. The UNHRC may be able to find a home for that individual in a country which Canada has not checked out, thereby ensuring that person's safety. I do not think that is too much to ask the Government to accept. I seriously suggest that Members on the government side take a hard look at Motion No. 37 because I believe it is meritorious.

We will not oppose Motion No. 53, but that does not mean that we are satisfied with what it does in terms of cleaning up a portion of the Bill which we find repugnant. The Parliamentary Secretary suggested that Motion No. 53 would do that job. We very strongly disagree with that, and that is one of the reasons we moved amendments to remove the safe third country concept and the pre-screening provisions. We believed that by doing that we would offer maximum protection without prejudging. In order for that amendment to be successful the Government must show enough movement for subsequent amendments to be meaningful. I do not think the Government did that. I do not think the Minister signalled that at committee.

With all due respect to those who drafted them, the amendments with regard to the key areas of pre-screening, safe third countries, and appeal do not measure up to amendments to which witnesses wanted the Government to agree. Other groups suggested from the very outset that the Bill was so badly drafted that it was unamendable. Motion No. 53 is better than that which now exists but is a lot worse than it could have been.

Motion No. 57 is problematic, and I seek the advice of the Chair as to whether we could split Motion No. 57 into two parts. We find no problem with the provision to allow a UNHRC representative to act as an observer at the refugee board. In fact, we would go even further and suggest that the UNHRC representative should be in a position to present evidence at the refugee board hearing. However, the second part of the same amendment which says that the representative shall indicate the decision if the claimant is not a Convention refugee or does not have a credible basis for a claim, is problematic.

It goes without saying that Motion No. 70 is problematic because we do not believe in the credible basis test. Most of the witnesses who came before the committee pointed out problems associated with the credible basis test for a claim. The Canadian Bar Association, the Inter-Church Committee, the UNHRC, the Coalition for a Just Immigration and Refugee Policy, the Mennonite Central Committee, Rabbi Plaut, Ken Zaifman, the Hispanic Congress, Pierre Duquette, the Montreal Refugee Coalition, Amnesty International, the Nanaimo Immigrant Settlement Society, Professor Angus, Professor Hathaway, the Eelam Tamil Society, the Canadian Bar Association, the Sikh Professional Association of Canada and Mr. Arthur Helton all said that the "credible basis" definition is very vague and that the preferred definition would be "manifestly unfounded". It has a definition under the Convention which is well accepted and well understood. However, the credible basis test is not defined and is therefore very dangerous.

The credible basis test looks at the statistics of other applicants from the same country. Therefore, an individual claim can be judged on group claims made previously. It is not healthy to have that in the equation because the Convention is based on the circumstances of an individual. The system should not tolerate claimants who make fraudulent claims and misleading statements and tell frivolous stories. However, the fact that individuals from a certain part of the world made frivolous claims should not impact upon an individual from the same country who arrives subsequently.

I do not believe there is any legislation on the federal books today which uses groupings of statistics to impact on individual cases, whether geographically, culturally or by profession. Our system is to look at the merits of an individual case. However, the credible basis test in this Bill takes into account previous applications made by people from the region from which a claimant has come. Therefore, Motion No. 70 is in opposition to our way of thinking.

I would ask the Chair whether it is possible for Motion No. 57 to be divided into two portions so that we can vote in favour of or against having a UNHRC representative present at the hearings and in favour of or against the decision being made on the question of credible basis. We would like to vote in favour of one and against the other.

Mr. Deputy Speaker: The Member has asked for the guidance of the Chair. If the Member would be willing to move an amendment to Motion No. 57, he may achieve the results he wishes.

Mr. Marchi: In compliance of the advice of the Chair I would like to move that Motion No. 57(a) be voted upon separately from Motion No. 57(b).

• (1650)

Mr. Deputy Speaker: I would invite the Hon. Member to come to the Table. In the meantime, we will proceed with the debate. The Hon. Member's rights are reserved concerning the amendment on Motion No. 57.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, I rise on this motion in particular because Hon. Members will recall that Motion No. 65 and Motion No. 69 were entered in my name. Motion No. 69 is identical to the Minister's motion No. 70 and was stood down by the Speaker. On closer examination, I discovered in Motion No. 57 there was a one word difference between the Minister's motion and my motion, at least in paragraph (b) in my Motion No. 65. Therefore, I asked and received the consent of the House to stand down my Motion No 65 as well.

Motion No. 65 and Motion No. 69 were linked in my mind—now it would be Motion No. 57 and Motion No. 70—and I have heard the Hon. Member for Spadina (Mr. Heap) and the Hon. Member from York indicate that they do not intend to vote for those motions. I think that is the thrust of what they had to say. I would like to express as clearly and as cogently as I can that I think they are making a mistake. The philosophy of the Bill, from the time it was first introduced into the House, I think is clear and consistent. We need as quickly as possible to sort out those who are the bogus claimants from those who are people with legitimate refugee claims.

It is also clear from the structure of the Bill that we must do that in an atmosphere where the benefit of the doubt at all times goes to the claimant.

It is inherent in the Bill that in the case of the two-person refugee panel or in the inquiry at the first stage with the adjudicator and refugee board member, in any split between those two people at either level, the benefit of the doubt goes to the claimant.

The committee worked very hard on the notion of credible claim. We made a lot of amendments to the structure of that and the way that it sits. I think that during the inquiry it is a very important principle for the protection of refugees that the benefit of the doubt on the issue of credibility in the inquiry be given to the claimant, that the claimant go forward to a hearing and that the hearing be full and complete.

If the refugee board itself, after that very thorough examination of all the evidence put forward by the claimant, in a non-adversarial manner, concludes that the claim was not well-founded in the first place, the consequences of that decision should be the same as if that decision had been reached in the inquiry. If we approve Motion No. 57 and Motion No. 70 as a pair, we will have accomplished that in statute law.

It will be an encouragement, I believe, in all cases of doubt as to whether or not the person might be a claimant, that they "shall" move the case forward to a full refugee board hearing. I think that those human beings who serve the functions of adjudicator and refugee board member at inquiry, will be able to do that in all cases of doubt when they have the assurance that when the claim is fully heard, if indeed it was not credible to begin with, if indeed it was not founded, that they can so designate on the decision at the refugee board hearing, and the consequences for removal will be the same as if it had been decided in the inquiry itself, and that is speedy removal for those who attempt to abuse the system.

During the inquiry people may present false evidence that leads the inquiry to conclude, because they did not discern it as being false, that the person indeed might be a refugee. On fuller examination some six, eight or 10 weeks later, it may be readily apparent that the information provided to the inquiry was false. There should be absolutely nothing to be gained by that claimant through the presentation of that false evidence. Surely, it is common sense that if that kind of thing is discovered, the board itself should be able to reach the decision, not only that this person is not a refugee, but that the claim was not well-founded in the very beginning.

I would also like to deal very briefly with Motion No. 53 and Motion No. 37. I hope the House will support both parts

of Motion No. 53. It is an important motion related to safe third country. In committee we tried wording of one kind and another to make it very clear under statute law that people who came from a country of prior protection could be returned to the country of prior protection and nowhere else. Motion No. 53 is essential. It is the chosen wording that will accomplish that task. When people come from prior a country of protection, they can be returned to the country of prior protection and nowhere else. That is a very important principle. The wording of Motion No. 53 gives effect to it, and it is a very necessary part of the Bill.

In terms of Motion No. 37 put forward by the Hon. Member for Spadina, I do not think there is any disagreement in the House that, in the case of people denied entry to determination on the basis of security and criminality, it would be a wise idea for us to inform the United Nations High Commissioner for Refugees. It goes on today and it is not part of statute law. I suggest it will go on tomorrow and it need not be part of statute law. Indeed, there may be advantages for the United Nations High Commissioner for Refugees to have informal information about a situation rather than formal information. Therefore, I think handling that matter administratively is preferable to trying to handle it statutorily.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I rise to support the amendment proposed by the colleague, the Hon. Member for Spadina (Mr. Heap). I do that because it makes such eminent sense to me. The intention of the amendment as proposed is to mitigate a departure from the principle of the United Nations High Commission for Refugees which we believe is contained in Bill C-55. Section 48.01(1)(e) starting at the bottom of page 14, excludes certain classes of persons from access to the refugee status determination procedure, persons who may engage in spying, subversion or violence and war criminals or persons convicted in Canada of a very serious crime.

The UNHCR does not ask us to accept such persons for landing, but does ask us to determine whether they are refugees and, in that case, act in the light of that recognition. One practical application is to allow time to inquire, with their help, whether another country may accept and protect a person which Canada does not wish to keep. This amendment would not delete or reverse the clause in the Bill, but it would perhaps prevent a real refugee from being returned to the country that was persecuting him or her. It may cost something for detaining that person, but in only a few cases. I think this makes sense.

I want to take the opportunity to say something about some remarks I made earlier today, to which the Parliamentary Secretary took exception and for which he criticized me for, as he said, dealing with individuals.

Let me make clear first of all that in my dealings with representatives of the Department of Immigration here in Ottawa and in Winnipeg, I have met with nothing but co-operation, help and fairness. When it has turned down a case I have been asked to take up with the Department, the explanations given to me have been reasonable. The officials have pointed out that the law or the regulations did not permit the request, and explained why. I have no complaints. The fact is the Department is made up of human beings with all sorts of points of view. There have been and are people in the Department who have prejudices against certain individuals or certain groups because of their race or religion.

• (1700)

I will be very happy to expand on this at the next sitting of the House.

Mr. Friesen: Mr. Speaker, I rise on a point of order. I have not checked with my colleagues but I think that there would be a disposition to have a voice vote on this set of motions tonight rather than to carry them over until the morning.

Mr. Deputy Speaker: Is there unanimous consent?

Mr. Marchi: Mr. Speaker, I am not sure whether the Hon. Member who just had the floor wants to terminate his remarks today or whether there is another Member in the House who has not spoken on this set of amendments and who wishes to speak. I have spoken, but I am not sure that there are not other colleagues on other sides who wish to speak on this issue.

Mr. Deputy Speaker: There has been a proposal asking for unanimous consent to proceed to a voice vote. Do I have the unanimous consent of the House in that respect?

Mr. Orlikow: Mr. Speaker, I could finish my remarks now if the House wants to let me finish. That is all right with me. However, I certainly want to finish.

Mr. Deputy Speaker: If the House allows the Hon. Member for Winnipeg North (Mr. Orlikow) to proceed with the remainder of his speech, he has to two minutes left and the House could then proceed with a voice vote. Would there then be unanimous consent to start Private Members' Hour at approximately 5:10 and extend it until 6:10?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: It is agreed. Thus, Private Members' Hour will start for a full 60 minutes after we proceed with the voice vote on the motions that are now on the floor of the House.

Mr. Gauthier: Mr. Speaker, I just want to make sure that I have clearly understood what you have just said. It means that the Hon. Member for Winnipeg North (Mr. Orlikow) would close the debate on the motion, if I heard the Chair properly, and no one else could speak on it. There may be some others in the House who may want to speak to this motion.

Mr. Deputy Speaker: I asked if someone else wishes to speak—

Mr. Riis: Mr. Speaker, I rise on a point of order. Things are going very smoothly and we are making progress on this Bill. There may be others who might want to speak. We are now moving into Private Members' Hour. I wonder if it might not be in the best interests of us all just to set this matter aside until we resume tomorrow and pick up where we left off. I am afraid that if we start moving into Private Members' Hour there may be others who want to speak. Before we know it, we will begin to set some kind of precedent, which I do not think is in the best interests of the procedures of the House.

Mr. Deputy Speaker: It being 5.05 p.m., the House will now proceed to the consideration for a full hour of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*Translation*]

THE SENATE

SUGGESTED EQUAL PROVINCIAL AND TERRITORIAL ELECTED REPRESENTATION

The House resumed from Tuesday, May 5, consideration of the motion of Mr. Taylor:

> That, in the opinion of this House, the government should consider the advisability of introducing the appropriate measures to abolish the Senate and create a new Senate composed of Senators elected by the people of Canada on the basis of equal representation for each province and territory, and to initiate discussions to that end with provincial and territorial governments at the earliest opportunity.

Mr. Deputy Speaker: The Hon. Member for Ottawa—Vanier (Mr. Gauthier).

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker—

[*English*]

Mr. Stackhouse: Mr. Speaker, I rise on a point of order. I move:

> That the House now hear from the Hon. Member for Parry Sound—Muskoka.

Mr. Riis: Mr. Speaker, I rise on a point of order. I believe that the motion put forward by my hon. friend is out of order, since the Hon. Member from the Liberal Party had been recognized in his place and had already begun to make his remarks. I believe that a point of order suggesting that another Hon. Member be now heard is in fact out of order.

[*Translation*]

Mr. Prud'homme: On the same point of order, Mr. Speaker. To facilitate the business of the House and notwithstanding the high esteem I have for the Hon. Member for Parry Sound—Muskoka (Mr. Darling), an outstanding Member of the Committee on External Affairs for a good many years, I regret to say that the motion presented is certainly out or order because the Hon. Member, as pointed out by the spokesman for the third Party in the House, did say he had begun his remarks. You had recognized him and he was delivering his speech.

[*English*]

I say, with great respect to my hon. friend who wants to participate, that he will have to wait and speak after the Hon. Member whom the Chair has recognized has spoken.

Mr. Clinch: On a point of order—

Mr. Deputy Speaker: There is no need for me to hear the Hon. Member for Gloucester (Mr. Clinch) on a point of order.

I recognized the Hon. Member for Ottawa—Vanier (Mr. Gauthier), yet at the same time the Hon. Member for Scarborough West (Mr. Stackhouse) was on his feet. I recognized that Hon. Member on a point of order. Therefore I find the motion in order. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it. I declare the motion carried, on division.

Motion (Mr. Stackhouse) agreed to.

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, in order to refresh the memory of Hon. Members in the House, Motion No. 18 states:

> That, in the opinion of this House, the government should consider the advisability of introducing the appropriate measures to abolish the Senate and create a new Senate composed of Senators elected by the people of Canada on the basis of equal representation for each province and territory, and to initiate discussions to that end with provincial and territorial governments at the earliest opportunity.

Coming from the Province of Ontario as I do, which has slightly over nine million people and well over one-third of the entire population of Canada, I believe that I can hardly be criticized too much for stating that the idea of equal representation from each of the provinces and the territories seemed to me to be absolutely ludicrous. When I think of the Province of Prince Edward Island, which in size is not as big as my own riding of Parry Sound—Muskoka, although I will admit that it has a few more people in it, I am quite sure that the people will not accept this motion in its original form. I assume that the great Province of Quebec, whose population is over six million,

compared to, I believe, Prince Edward Island's population of 120,000—

Mr. Gass: 128,000.

• (1710)

Mr. Darling: The Hon. Member for Malpèque (Mr. Gass) states that the population is approximately 128,000.

When one considers the population in the Yukon and in the Northwest Territories, which is considerably less, I think you will agree that this motion should not carry as it is.

In view of that, I am pleased to present the following amendment:

> That the motion (M-18) of Mr. Taylor seconded by Mr. McCuish, be amended by deleting all the words after "new Senate" and by adding the following words:
>
> "after referring to a Conference of First Ministers such matters as the method of selection, the strength of representation of the provinces and territories, and the powers to be assigned thereto."

If this amendment were adopted, the amended motion would read:

> That, in the opinion of this House the government should consider the advisability of introducing the appropriate measures to abolish the Senate and to create a new Senate after referring to a Conference of First Ministers such matters as the method of selection, the strength of representation of the provinces and territories, and the powers to be assigned thereto.

Mr. Deputy Speaker: We will continue the debate, and in one minute I will make a decision on whether the motion is in order.

I realize the Hon. Member for Ottawa—Vanier (Mr. Gauthier) wishes me to rule immediately on it because the speech is over.

Mr. Gauthier: May I ask for the indulgence of the Chair. I was ready to speak on this debate, and for some reason that is still unclear to me, some Members did not wish me to speak at this time.

I wish to read the amendment carefully before speaking to it. It has an impact, and it does have some importance. This is Private Members' Hour, therefore, we on this side have not been duly recognized. The last five speakers were from the Tory Party. I was not being unreasonable by standing in my place hoping to be recognized.

I do wish to give you time to look at the motion, decide whether it is appropriate and in order. If so, I wish to have a copy sent to me immediately in order that I can address the important amendment before us.

Mr. Deputy Speaker: The Chair does find the motion to be in order and will make sure that the Hon. Member for Ottawa—Vanier receives a copy immediately.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, may I say from the outset that the motion under consideration, Motion M-18 as amended, is an interesting proposition for us in the Canadian minority. I guess I am not revealing a secret by stating publicly that I am in favour of an elected Senate, I am for a Senate which is representative of Canada, and I am for a Senate which will be elected within our federal system and which will have a very specific mandate, very definite and very clear powers which, I hope, will be distinct from ours in the House of Commons. Because I am not the first one to say so, Mr. Speaker, there have been a number of studies, commissions, special committees, for instance the Special Joint Committee on Senate Reform in January 1984, co-chaired by Senator Gildas Molgat and the Hon. Paul Cosgrove, M.P. The Pepin-Robarts Commission, the Task Force on Canadian Unity, also examined the question. The Standing Senate Committee on Legal and Constitutional Affairs under the chairmanship of Senator Carl Goldenberg released a report on this question in 1980, and generally speaking most of them were in favour of an elected Senate.

The motion calls for an elected Senate, but as I understand it, the amendment, which I do not have before me, would have us refer the whole issue to a federal-provincial conference to determine the specifics of this reform, including the method of electing the senators, their exact role, as well probably as the powers of the new Senate.

I shall be brief, Mr. Speaker, because I agree that we must act quickly in this regard, and because I am firmly convinced that the Senate must represent minority interests in this country, whether regional, linguistic or sexual, and I am thinking especially of the need for women senators, for representatives of the native people and of the many groups of new Canadians of all races and cultures who should also be represented in this elected Senate.

How can this be done? That is the problem, Mr. Speaker, and I agree with the Hon. Member that it would perhaps be appropriate to ask the first Ministers to examine this issue in depth at one of their meetings.

[*English*]

Indeed, the amendment in one swoop takes away the Triple E Senate, which I think my hon. friend, who moved the motion, believes in and strongly supports. I know for a fact that many of his western friends support a Triple E Senate, which is effective, elected, and equal. We could debate those three points logically and rationally in the House and what we mean by equal representation, effective representation, and the manner in which the Senate is to be elected. The whole process of election by province is a problem in itself.

My friend from Parry Sound alluded to the imbalance in population. Would the question of equal representation be based on population, or would it be strictly on a provincial basis? The Hon. Member who moved the motion made the strong recommendation that we ask the Government to consider the advisability of introducing the appropriate measures to abolish the Senate and replace it.

The original motion made a lot of sense. As a matter of fact, I was going to attempt to amend it further by including the word "effective" which he believes to be important. There have been statements made by the Hon. Carl Goldenberg when he made his study of the whole question of the Senate. He stated that the Senate has not always been the protector of minorities. The Senate did not speak when Japanese Canadians were interned during the last war. The Senate did not stand up for them at that time. The Senate did not stand up for Ontario during the 1911-1917 period when French was abolished as the language of instruction. The Senate did not stand up, at least as far as I know.

• (1720)

Sometimes the Senate does its work very nicely. I refer Hon. Members to the following report:

[*Translation*]

—the Standing Senate Committee on Legal and Constitutional Affairs. I could read passages of this report at great length, Mr. Speaker, for instance where it says on page 29 that the Senate has not played a major role in protecting linguistic or other minorities. Certain critics have accused the Senate of not having defended efficiently the interests of racial, religious or linguistic minorities, and I could go on, Mr. Speaker. I am one of those who would prefer an elected Senate. There is no longer any argument about this point. There have been studies and commissions and too many people have supported this view.

Mr. Prud'homme: Our party took this position last November.

Mr. Gauthier: Yes, as the Hon. Member for Saint-Denis has just reminded me, our own party, the Liberal Party, officially endorsed last November during its national convention in Ottawa the idea of an elected Senate. This is quite clear and simple. It now seems that we should sit down and determine the specifics of this elected Senate to have a truly effective elected Senate which can defend the interests of our minorities and regions, as there are many Canadians who, God knows, do not have the same opportunities as the people of Southern Ontario, for instance, as regards job creation and economic development in general. I think that is an essential role the Senate must play, and I will vote with my colleague in support of the motion and the amendment aimed at referring the whole question to a group of provincial premiers gathered in a conference.

[*English*]

I will read the amended motion again because I think it is worth putting it into context:

> That, in the opinion of this House, the government should consider the advisability of introducing the appropriate measures to abolish the Senate and to create a new Senate after referring to a Conference of First Ministers such matters as the method of selection, the strength of representation of the provinces and territories, and the powers to be assigned thereto.

[*Translation*]

Mr. Prud'homme: A point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Saint-Denis (Mr. Prud'homme) on a point of order.

Mr. Prud'homme: Earlier today, Mr. Speaker, we had a short debate initiated by a Member who was complaining about the Translation of the documents I am looking at, on something as important as this, and here I want to draw your attention—

[*English*]

I will say it in English because I do not want to be misunderstood by my hon. friend, and if I have a friend in the House it is he. He has nothing to do with the fact that the motion is strictly in English. It is his right to work in his own language and to table it, but if there is a place where services should be available, it is in the House.

It has nothing to do with the fact that the motion was put in English, because that is the way the Hon. Member for Parry Sound—Muskoka (Mr. Darling) works better. If I had to present the same kind of resolution, I would have put it in French, because one is more precise when one functions in one's own language. It is not for me to do the work in order for the House to function better; it is not for me to do the double work.

This is the time for me to raise this point of order on the same day as the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) raised a question of privilege in the debate of which I participated. I said that I was tired of coming back to this question time and time again.

This is no reflection upon Mr. Speaker, upon Mr. Deputy Speaker, or upon the Hon. Member. However, I would hope that the question will be raised again with Mr. Speaker.

It is a very important motion. By the way, I intend to vote for it, but I like to make sure exactly what I am voting for. It is better for me in my language. The Hon. Member knows what he is proposing. I would like to vote for it, so now I have to study it very carefully and decide whether that is the meaning I really want.

I am sure this is a point of order. Once again we are not equipped, and we should be equipped at least within the boundaries of Parliament if not within Canada. If it is not all across Canada or across Ontario or in Quebec, it should be at least within the boundaries of the fence surrounding Parliament that we should be equipped quickly.

If I must propose something in French or in English, my hon. friend who speaks French or English better should be equipped quickly, so that he will be on the same footing as I am when reading what is about to take place in the House. I just wanted to put that point before you, Mr. Speaker.

[*Translation*]

And I hope my message will be conveyed to whomever it may concern.

Mr. Deputy Speaker: I thank the Hon. Member for Saint-Denis (Mr. Prud'homme) for his representations. I believe he has others.

[*English*]

Mr. Prud'homme: Mr. Speaker, I do not know whether I have the floor, but I would like to move a subamendment. However, I suppose Your Honour will rule me out of order.

Mr. Deputy Speaker: The Hon. Member knows the procedure quite well.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I look forward to the additional comments which will be made by my hon. friend in a moment or two. I am certain that he will have an appropriate amendment to make.

I am pleased to have an opportunity to say a few words with regard to Motion M-18. We have seen quite a change of venue this afternoon. The original proposal was for consideration to be given to a Triple E Senate with equal representation from each province, whether the province was British Columbia, Prince Edward Island, or the Territories.

That approach has some interesting connotations, yet we have heard from many constituents about the validity of giving equal weight to an area of Canada with a few thousand people as opposed to a few million people. I ask in all innocence: Is that the best way to proceed?

What has necessitated this discussion and has resulted in the amendment of the Hon. Member for Parry Sound—Muskoka (Mr. Darling) was the fact that there are other alternatives. Perhaps a Triple E Senate is one way to enhance regional voices in the decision-making of Parliament, but there are other ways of recognizing regional voices.

It is fair to say that we have some very fundamental questions before us today. For example, why do we have a Senate? Of course there are two fundamental reasons. One is that it is a Chamber of sober second thought. However, when we look at the record we see that that has not in fact occurred. By and large the Senate has been a rubber stamp for government business over the years.

As a matter of fact, if we look at the business conducted by the Senate, we find a list of how long the Senate sat each day. Month after month the average day's sitting was a little over an hour. The Upper House sits a little over an hour per day, while the House of Commons sits for many, many hours.

If I think back to legislation on which so-called sober thought was given, I can think of very few pieces of legislation when regional representation, the second reason for the Senate, came into play.

As I said, the Senate was to provide sober second thought and a forum for regional voices. However, what we are hearing in the Senate today are not regional voices but partisan political voices wherein the Liberal Senators are doing one thing and the Conservative Senators are doing another. Of course there are no New Democrat Senators, perhaps for some obvious reasons.

The Senate has become partisan, as one would expect of an Upper House. Therefore, if we are to have regional voices in our Upper House, is an elected Senate the appropriate way to accomplish that? Is a Triple E Senate the appropriate way to accomplish that? I think there are many doubts that this would accomplish the theory of what the Upper House is all about.

By the way, without any reflection upon the individual involved, I noticed today that there was a Senator who showed up only once in three years, three years of being a Senator and receiving his remuneration, and he managed to show up on one day. We have the famous Senator from British Columbia, Senator Lawson, who shows up to collect his pay cheque every now and then, and that is about it.

We have some real abuses in that House. On the other hand, we recognize that there are some outstanding individuals who make a contribution in their own way. However, as far as the question of the Senate being overworked is concerned, when we look at the amount of time spent by the Senate we find that it does not come out that way.

As a parliamentarian from western Canada I am concerned that the regional voices from western, northern, and eastern Canada are lost in the present decision-making of Parliament. The overwhelming numbers in central Canada dominate the issues of the day and the general sway of events moves us, in terms of the issues and concerns relevant in central Canada, away from the regions of the West, the North and the East. For that reason there has been a cry for a change in the way Parliament is set up. The Triple-E Senate has been proposed and, as I say, there are many other institutions that I could talk about, for instance, CRTC and the various boards which all lack western representation in terms of fair representation, but that goes beyond this debate.

• (1730)

In an effort to provide as many open doors as possible, my hon. friend from Parry Sound—Muskoka has broadened the debate to go beyond the Triple-E Senate. I think that is valuable. I think we need to go even further than that, Mr. Speaker. I do not think we need to have any limitations. Our country is the second largest country in the world geographically and we need to ensure that those vast regions play a role in the national decision-making when it comes to the federal Government and Parliament. I do not think we want to close the door on any one of those possibilities.

Therefore, I move, seconded by my hon. friend, the Hon. Member for Spadina (Mr. Heap):

That the amendment be amended by deleting all of the words at the end of the amendment by adding the following:

"or initiate discussions with the provinces and territories as to how regional interests can be more adequately integrated into the legislative process of the federal Government.

Mr. Prud'homme: Mr. Speaker, I rise on a point of order. We could debate procedure all afternoon, but I would like to say that in my evaluation it will be very difficult for you to accept such a subamendment. I could go on for very long, but this amendment is not in the nature of a subamendment. A subamendment has to be very restrictive and address itself to the amendment. The amendment is very well done by the Hon. Member for Parry Sound—Muskoka (Mr. Darling). His was a real amendment, but the one moved by the Hon. Member for Kamloops—Shuswap (Mr. Riis) is not a subamendment. It is much larger.

I see, Mr. Speaker, that you are taking that under advisement together with all your advisers. In my very humble evaluation, Your Honour, I do not think this is a subamendment.

Mr. Deputy Speaker: The Chair will take this into consideration for a few seconds.

Mr. Stackhouse: Mr. Speaker, I rise on the same point of order. I submit that in my opinion the amendment to the amendment is out of order. It does not fulfil the requirements of the subamendment.

Mr. Riis: Mr. Speaker, with all due respect to my hon. colleagues, the amendment does amend the amendment. It does not change the amendment. It recognizes the value of the amendment and simply provides, if you like, a variety in expanding the general mandate expected. I think you will find the subamendment to be in order. There is no reason it would be out of order. If we are going to get into a debate on the propriety of the subamendment, I would ask Hon. Members to quote the appropriate citation they are using, because it is obvious that the subamendment is, in fact, just that.

Mr. Deputy Speaker: Debate, the Hon. Member for The Battlefords—Meadow Lake (Mr. Gormley).

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, it is a pleasure and an honour to rise this afternoon on the question of Senate reform. Having recently witnessed amendments and amendments to amendments I think it is very fitting that this is happening this afternoon because it identifies the long history of Senate reform in Canada.

It has been said by many wags over the years that on July 1, 1867, Canada's founding as a country was commemorated through the British North America Act which brought into being the legislative, judicial and executive functions of Government. On July 2, they all got together on how to change the Senate. It does not quite go back that far, but within seven years of Confederation, it is noteworthy that the first serious attempts were made to amend the Senate that had been created.

Our challenge as Canadians from all parts of the country is obvious in trying to evaluate the role of the Senate as we see it today. As is clear to anyone who sits in this Chamber, I think the way the Senate represents the interests of Canada is questionable at best.

As it is not appropriate to comment with disdain on the other place, I think recent events will indicate to us that the Senate does not speak for the regions of Canada or for the aspirations of the different sectors of Canadian society as well as it should. Beginning at this point we should ask ourselves, should there be a Senate? When one talks about the very existence of the Senate, we can look at the amendments we have been moving today. There are Members, particularly in the New Democratic Party, who have risen and said that the Senate should be abolished altogether. I do not agree with that, Mr. Speaker. As a western Canadian I see the need for the House of sober second thought, as it was phrased in 1867. I see the need for a senior assembly or Senate, but how we effect this institution is of prime importance to all of us.

I am interested in the amendment by the Hon. Member for Parry Sound—Muskoka (Mr. Darling). It refers to having a conference of First Ministers deal with the question of Senate reform and "such matters as to the method of selection, the strength of representation of the provinces, the territories and the powers assigned thereto". I agree in substance and specifically with this amendment because it provides us with the will to change the Senate. It allows us the flexibility in the method of changing the Senate.

Since 1968 there have been 16 concrete proposals federally and provincially by interest groups on ways to amend the Senate. We have had the Canada West Foundation model, the Canadian Bar Association model and a number of other models involving such things as a provincial House of Assembly. It is clear that we must find a way in which to change the Senate.

I think that by following through on the initiatives taken in the Meech Lake Accord and keeping Senate reform at the top of the agenda, if the House were to pass the motion as amended that we refer the question of the conference of First Ministers to deal with the questions of representation, powers and method of selection, this would be a significant first step by Members of this House in saying that while we all may have different views and different methods of balancing the Senate, we agree with changing the Canadian Senate.

If you go back to the 16 models since 1968 for Senate reform, there are a number of them which fall into a general category that involves abolishing the Senate and starting from the ground up. Obviously in the few short moments remaining, there is not enough time to comment specifically on whether we should abolish it altogether or simply try to convince the First Ministers of Canada to make a couple of concrete

amendments to our Constitution to amend the powers of our Senate as it exists.

As a western Canadian I have some very strong and personally held views on Senate reform. First, there is the question of representation. It is fashionable, in fact it is very popular in western Canada to support what is called the Triple-E Senate. While those who support the Triple-E Senate certainly have the interests of western Canada and the regions at heart, we have to ask ourselves as western Canadians a few fairly tough questions. Triple E, of course, stands for elected, effective and equal. I think we should move with the greatest of haste to an elected Senate. I think that in a sense would make it more effective. I do worry about the equality of having 10 provinces all with literally the same numbers of Senators. It is often fashionable as well to say, "Well, they do it in the United States". Between tiny Rhode Island and the State of California, which is larger than all of Canada in population, there exist 48 other states with other Senators, 96 in all, who represent the interests of those 48 states. It is not practical to say that in Canada Prince Edward Island should have as many Senators as Ontario. We must consider that there are eight provinces between those two extremes in population.

• (1740)

While I am not ruling out an equal Senate, I believe that it is time, as Canadians who aspire to speak for all regions, to look at this question of balance.

In addition to a balanced Senate, we should examine how we want the process of Senate reform to take place. I know very few Canadians who do not agree with an elected Senate. I suggest that if the Prime Minister (Mr. Mulroney) and the Premiers could meet, with this question of Senate reform at the top of their agenda, they could even consider for the short term keeping the Senate largely the way it is now, made up of 104 members based on the four regions, with 24 Senators from each region and other Senators representing Newfoundland and later entrants to Canada.

I ask Members to consider a formula by which we can elect a Senate with the same number of 104 Senators. One formula which has been suggested is that of proportional representation. As a western Canadian I would far rather see a form of proportional representation rather than "the first past the post" system we use in this House.

That form of proportional representation would balance the same regions we have now. We would have a Senate that represents the political Parties in a completely different configuration in each of the regions, with Senators who legitimately speak as elected representatives. Of course, under my system we would still have Parties, but I would hope that because we would have Senators elected on a slate, by region and by province, the interests of those Senators for regions and provinces would come first.

While political considerations would be factored into any legitimate disagreement with the House of Commons, those Senators would still speak as representatives of strong regions of Canada. That is just one example. There are many considerations when one examines the many possibilities and combinations for Senate reform.

Let us consider the motion we are debating here today. It calls for a conference of First Ministers and for this conference to establish the parameters, the powers, the representation, and the means of selection. I do not believe any Member of the House would disagree with that very generally worded motion.

I would call upon members of all Parties to consider this as a very loud cry from the House of Commons to get serious about Senate reform. We can leave the specifics to other times. There have been a number of thoughtful representations made over the years by joint House of Commons and Senate committees, interest groups, and other public advocacy centres. All of the provinces have spoken very strongly in the past about Senate reform. However, I believe as a Member of this House that we should pass this motion calling on the First Ministers to work toward arriving at that formula.

Canada is a country with five main regions, with one-third of Canadians who represent neither of the two official founding cultures, and a further third of the people who represent the French language. We live in a country that is very diverse and very challenging. Certainly, the present method of Senate appointments and Senate structure does not accommodate the regions and does not accommodate the unique interests that make up this country, and certainly does not accommodate in a democratic sense the grass root thoughts of most Canadians.

Let us consider this motion as an opportunity to ask serious questions about the Senate. I certainly favour the effective and elected portion of a Triple E Senate. We can have an effective Senate if we elect it. I think we can leave the question of representation to the First Ministers and joint parliamentary committees in order to determine a way to forge a proper balance of the Senate representing the regions of Canada.

Mr. Deputy Speaker: I will recognize the Hon. Member for Scarborough West (Mr. Stackhouse) on a point of order. First, I want to ask if the Hon. Member is aware that the amendment in fact adds words to the amendment of the Member for Parry Sound—Muskoka (Mr. Darling). It does not delete anything. I think there has been some confusion because a document was circulated in the House which in fact deleted and would have made the amendment out of order.

The amendment that was proposed does in fact add words, and the Chair intends to rule it in order. The Chair is willing to hear the Member for Scarborough West.

Mr. Stackhouse: Mr. Speaker, I simply wanted to refer to the admissibility of the proposed subamendment. I submit with respect that it is contrary to the intent of Citation 438 of Beauchesne, that it enlarges upon the scope of the amendment proposed by the Hon. Member for Parry Sound—Muskoka (Mr. Darling). It indeed brings in foreign matter in so far as

the amendment is quite clear in referring the substance of the motion to a First Ministers' conference. The subamendment begins to deal with a much larger frame of reference, namely provinces and territories, without designating whether the reference is to governments or to legislatures or any other body so named.

Therefore, it is really enlarging upon the scope of the amendment in a most amorphous way and is contrary to the intention of Beauchesne. For that reason, like the Member for Saint-Denis (Mr. Prud'homme), I submit that the subamendment is not in order.

Mr. Gauthier: Mr. Speaker, I want to reinforce the argument just put. Indeed, the subamendment does not meet with my interpretation of the rules and procedures of the House. The Member quoted correctly Citation 438 of Beauchesne.

If you examine the subamendment closely, it adds: "Initiate discussions with the provinces and territories".

Citation 438 states:

> The purpose of a subamendment (an amendment to an amendment) is to alter the amendment; it should not enlarge upon the scope of the amendment but it should deal with matters that are not covered by the amendment;—

I submit that the subamendment tabled by the Member for Kamloops-Shuswap (Mr. Riis) enlarges the mandate and therefore would not be proper as to form, nor in keeping with Beauchesne's rules of procedure.

[*Translation*]

Mr. Deputy Speaker: Is the Hon. Member for Saint-Denis (Mr. Prud'homme) rising on a point of order? Very well.

[*English*]

Mr. Prud'homme: Mr. Speaker, I think we want to proceed with the debate because it is very interesting and important. However, I rose on a point of order on intuition, and I still believe I was right in expressing my views as to the acceptability of the subamendment. I share the opinion expressed by the Hon. Member for Scarborough West (Mr. Stackhouse).

While I will abide by your ruling, I still believe that this is not a proper subamendment.

Mr. Riis: Mr. Speaker, we are anxious to get on with the debate, but I simply draw your attention to the fact that the subamendment was made in the context of Beauchesne's Fifth Edition, Citation 441(3) which states:

> A subamendment which proposes an alternative to the original amendment is in order provided it is relevant to the question.

Of course, in this case, it is certainly relevant to the question and provides an alternative to the original. It was in that context that the subamendment was suggested, following the strict interpretation of Beauchesne.

• (1750)

Mr. Deputy Speaker: The Chair has studied the subamendment and, with respect to the contrary opinions submitted by some Members of the House, finds it to be in order. Debate.

[*Translation*]

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, had I moved the motion I would have presented it in French and shortened it, because I would have proposed that the Senate be abolished, quite simply, and the Hon. Member for Saint-Denis (Mr. Prud'homme) would not have felt the need to raise the point of order which led to this series of points of order.

That being so, I could very easily have provided him with a translation, something which my colleague from Parry Sound—Muskoka (Mr. Darling) was not in a position to do. So, in English, it would have read:

[*English*]

"I propose that the Senate be abolished".

[*Translation*]

So, Mr. Speaker, in the few minutes or even the few seconds I have left I will explain why I would abolish the Senate. We have seen that every now and then, for political reasons, as the Hon. Member for The Battlefords—Meadow Lake (Mr. Gormley) pointed out earlier, or for other reasons, whenever it is convenient or useful, a Member will drag out the issue of abolishing or changing the Senate.

Well, Mr. Speaker, the Senate has been in existence for 120 years and has yet to play the role which the Fathers of Confederation intended it to play. I do not have time to read what they said about the Senate. Anyway, in his remarks a moment ago the Hon. Member for Ottawa—Vanier (Mr. Gauthier) referred to the many studies, the many commissions and the many reports concerning changes to or abolition of the Senate.

Now we are talking about an elected Senate. I want to say to my colleague—

Mr. Prud'homme: On a point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Saint-Denis (Mr. Prud'homme) on a point of order.

Mr. Prud'homme: Mr. Speaker, I do not want to make a mistake, but I would like to point out to the Hon. Member for Lac-Saint-Jean that, in spite of what the motion of the Hon. Member for Parry Sound—Muskoka said originally, with this amendment, if we read exactly what is before us, we find no mention of an elected Senate.

My point of order is this.

[*English*]

My point of order is the following. The Hon. Member is talking about a motion for an elected Senate. The way it has

been amended and subamended, nowhere do we talk about an elected Senate. This is regrettable.

[*Translation*]

Mr. Côté (Lac-Saint-Jean): Mr. Speaker, I am sorry that the Hon. Member for Saint-Denis seems to have been thinking of something else when I spoke about the motion. For my part, I propose that the Senate be abolished. This is what I said. First, I would like the Senate to be abolished.

Mr. Speaker, when a building has never properly met the needs for which it was built, instead of being renovated, it is simply pulled down and rebuilt. As long as the Senate has not been pulled down and rebuilt, there will not be—

Mr. Deputy Speaker: I am sorry to interrupt the debate.

[*English*]

On a point of order, the Hon. Member for Bow River (Mr. Taylor).

Mr. Taylor: Mr. Speaker, I ask the right to close the debate.

I would like, first to thank all those who participated in the discussion and moved amendments. The motion is important.

The basis of the House of Commons is representation by population. There is no reason why the Senate should have the same basis. That would mean people in the far-flung corners of this country would not have representation.

I cannot agree with the motion moved by my colleague, the Hon. Member for Parry Sound—Muskoka (Mr. Darling). It retains the election of Senators but leaves out an essential part of my motion, namely equal representation for each province and territory. An elected Senate would be an improvement as Senators would then be responsible to the people who elect them. However, without equal representation from each province and territory, the West and the Maritimes may not be equal partners in Confederation. That is an important point. Without equal representation for each province and territory in the Senate, as they have in the House, some future Government could well pass another "National Energy Program" designed to destroy one part of this nation.

I believe Canada's salvation depends on all provinces and territories having equal representation with elected Senators from each province and territory. Then, with the powers of the House of Commons, we can have a united nation where every region can play its part in Confederation.

Mr. Deputy Speaker: Pursuant to Standing Order 36(2), the time provided for debate has expired.

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Call in the Members.

• (1810)

And the division bells having rung:

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, this being Private Members' Hour, in keeping with our practice this session when dealing with recorded divisions in relation to Private Members' Business, having discussed it with my colleagues from the other Parties, I think you will find there is unanimous consent to proceed with the taking of the votes row by row starting on your right.

Mr. Deputy Speaker: Is there unanimous consent to proceed row by row?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: We will then proceed as follows: As is customary, Members in favour of the subamendment will be asked to indicate their position first, followed by Hon. Members who are opposed. I will ask all Members in the first row to my right who are in favour of the subamendment to rise together, whereupon their names will be called by the Clerk beginning with the Hon. Member seated closest to the Chair. When the name of the Member in the row has been called and recorded, that Member will resume his or her seat.

When the taking of names of Hon. Members in the first row to my right has been completed, I will ask Members in the second, third, fourth and fifth row to my right to proceed in a similar manner. I will then ask Members in the first row to my left, regardless of their Party affiliation, who are in favour of the subamendment to rise and remain standing until their names have been called, and we will carry on similarly with the other rows on my left.

[*Translation*]

When the votes of all those who are for the sub-amendment have been recorded, I shall ask those who are against the sub-amendment to rise. We shall then start with the first row to my right, continuing with all the other rows to my right. Afterwards, we shall begin once more with the rows to my left. I repeat that the names will be called beginning with the Hon. Member seated closest to the Chair and going down to the end of the row. This will be done to my right without distinction of functions and to my left regardless of party affiliation.

• (1820)

[*English*]

The question is on the amendment to the amendment in the name of the Hon. Member for Kamloops-Shuswap (Mr. Riis).

The House divided on the amendment to the amendment (Mr. Riis) which was negatived on the following division:

(*Division No. 243*)

YEAS

Members

Althouse	Keeper	Parry
Benjamin	Manly	Riis
Blackburn (Brant)	McCurdy	Robinson
Cassidy	McDonald (Broadview—Greenwood)	Rodriguez
Epp (Thunder Bay—Nipigon)	McLaughlin	Skelly
Heap	Mitchell	Young—21
Jewett	Nystrom	
	Orlikow	

NAYS

Members

Allmand	Gray (Bonaventure—Îles-de-la-Madeleine)	Prud'homme
Axworthy	Greenaway	Ravis
Belsher	Grondin	Reid
Boudria	Hardey	Reimer
Bradley	Hawkes	Rossi
Browes	Hopkins	St. Germain
Caldwell	Horner	St-Julien
Cardiff	Jourdenais	Scott (Hamilton—Wentworth)
Clark (Brandon—Souris)	Kaplan	Scowen
Clinch	Kempling	Sparrow
Comeau	Ladouceur	Stackhouse
Cook	Lesick	Stevens
Côté (Lac-Saint-Jean)	Lewis	Taylor
Darling	Lopez	Thacker
de Corneille	MacDougall (Timiskaming)	Towers
Domm	Martin	Tupper
Epp (Provencher)	Mazankowski	Turner (Ottawa—Carleton)
Fennell	McKinnon	Valcourt
Foster	McKnight	Van De Walle
Friesen	Nicholson (Niagara Falls)	Vankoughnet
Gagnon	Nickerson	Wenman
Gass	Oberle	White
Gauthier	O'Neil	Winegard—76
Gervais	Oostrom	
Gormley	Penner	
Gottselig	Pietz	
Graham		

Mr. Deputy Speaker: I declare the amendment to the amendment lost.

The next question is on the amendment of the Hon. Member for Parry Sound—Muskoka (Mr. Darling). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Senate

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Shall I dispense with the ringing of the bells?

Some Hon. Members: Dispense.

The House divided on the motion (Mr. Darling) which was agreed to on the following division:

(*Division No. 244*)

YEAS

Members

Belsher	Hardey	Reid
Bradley	Hawkes	Reimer
Browes	Horner	St. Germain
Caldwell	Jourdenais	St-Julien
Cardiff	Kempling	Scott (Hamilton—Wentworth)
Clinch	Ladouceur	Scowen
Comeau	Lesick	Sparrow
Cook	Lewis	Stackhouse
Côté (Lac-Saint-Jean)	Lopez	Stevens
Darling	MacDougall (Timiskaming)	Thacker
Domm	Martin	Towers
Epp (Provencher)	Mazankowski	Tupper
Fennell	McCurdy	Turner (Ottawa—Carleton)
Friesen	McKinnon	Valcourt
Gagnon	McKnight	Van De Walle
Gass	Nicholson (Niagara Falls)	Vankoughnet
Gervais	Oberle	Wenman
Graham	O'Neil	White
Gray (Bonaventure—Îles-de-la-Madeleine)	Oostrom	Winegard—61
Greenaway	Parry	
	Pietz	
	Ravis	

NAYS

Members

Allmand	Epp (Thunder Bay—Nipigon)	Kaplan
Althouse	Foster	Keeper
Axworthy	Gauthier	Manly
Benjamin	Gormley	McDonald (Broadview—Greenwood)
Blackburn (Brant)	Gottselig	McLaughlin
Boudria	Grondin	Mitchell
Cassidy	Heap	Nickerson
Clark (Brandon—Souris)	Hopkins	Orlikow
de Corneille	Jewett	Penner

Prud'homme
Riis
Robinson
Rodriguez
Rossi
Skelly
Taylor
Young—35

• (1830)

Mr. Deputy Speaker: I declare the amendment carried.

The next question is on the motion of the Hon. Member for Bow River (Mr. Taylor), as amended.

Is it the pleasure of the House to adopt the motion, as amended?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Prud'homme: On division.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

• (1835)

The House divided on the motion (Mr. Taylor), as amended, which was agreed to on the following division:

(*Division No. 245*)

YEAS

Members

Axworthy
Belsher
Bradley
Browes
Caldwell
Cardiff
Clark
(Brandon—Souris)
Clinch
Comeau
Cook
Côté
(Lac-Saint-Jean)
Darling
Domm
Epp
(Provencher)
Fennell
Foster
Friesen
Gagnon
Gass
Gauthier
Gervais
Gormley
Gottselig
Graham
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grondin
Hardey
Hawkes
Hopkins
Horner
Jourdenais
Kaplan
Kempling
Ladouceur
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
Martin
Mazankowski
McKinnon
McKnight
Nicholson
(Niagara Falls)
Nickerson
Oberle
O'Neil
Oostrom
Penner
Pietz
Prud'homme
Ravis
Reid
Reimer
Rossi
St. Germain
St-Julien
Scott
(Hamilton—Wentworth)
Scowen
Sparrow
Stackhouse
Stevens
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Thacker
Towers
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Turner
(Ottawa—Carleton)
Valcourt
Van De Walle
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NAYS

Members

Allmand
Althouse
Benjamin
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
Epp
(Thunder Bay—Nipigon)
Heap
Jewett
Keeper
Manly
McCurdy
McDonald
(Broadview—Greenwood)
McLaughlin
Mitchell
Orlikow
Parry
Riis
Robinson
Rodriguez
Skelly
Young—23

• (1840)

Mr. Deputy Speaker: I declare the motion, as amended, carried.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

EXTERNAL AFFAIRS—MOZAMBIQUE—REQUEST FOR MORE ASSISTANCE—REQUEST FOR CO-ORDINATED MEASURES TO AID AFRICAN FRONT-LINE STATES

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, on August 21 I asked the Deputy Prime Minister (Mr. Mazankowski), in the absence of the Secretary of State for External Affairs (Mr. Clark), to inform the House of Commons regarding the Government's proposals to help strengthen and diversify the economies of Mozambique as well as the other front-line states bordering South Africa. The reply of the Deputy Prime Minister was totally inadequate. It lacked content or information of any kind.

I feel it is necessary to reiterate to the Secretary of State for External Affairs the crisis situation in Mozambique. South Africa has mounted a deliberate campaign of aggression aimed at destabilizing the independent nations of southern Africa to make them more dependent than ever on trade and transportation links with South Africa. With this strategy in mind, Mozambique warrants special attention because it is a major transportation and communications link to all the front-line states. South Africa invades Mozambique periodically, while bands of terrorists it sponsors roam the countryside spreading terror and destruction. As a result of these repeated attacks,

the Government of Mozambique has been unable to deal with the unprecedented drought and floods that have plagued Mozambique throughout this decade.

The destruction of the economy and the communications system has made Mozambique the runaway winner of the International Index of Human Suffering, which is devised from a rating of human misery in more than 100 countries. Mozambique rated 95 out of the highest possible level of suffering, which is 100.

Statistics released by UNICEF in January of this year revealed the startling fact of the human tragedy in Mozambique. The 1983-84 famine in Mozambique resulted in the death of at least 100,000 people. The contributing factors which resulted in the famine other than weather or agricultural policy was the dislocation of rural life and food production in southern Mozambique by South African-sponsored rebels. The 1986 statistics state that approximately 140,000 children both from Mozambique and Angola have died from war and destabilization-related causes. In view of this tragic situation in Mozambique, it is clear that these people require more than emergency food aid and some $24 million from CIDA.

The Secretary of State for External Affairs in a letter in response to my question of August 21 failed to provide any long-range proposals to help Mozambique rebuild its economy. Ottawa has responded in terms of emergency aid, but humanitarian assistance without attacking the root of the problem is futile. The amount of money given to Mozambique is pitiful compared to some of the other front-line states. I am speculating that the reason for this is the Marxist slant of the Mozambique Government. In spite of that Government's political ideology, men, women and children are suffering at the hands of South African-backed rebels.

• (1845)

Mozambique desperately requires help to rebuild its economy by way of defending its borders. Mozambique is a virtually poverty-stricken country. Part of this problem lies in the fact that 42 per cent of its budget goes to its defence in an effort to prevent South African-backed rebels from destroying its transportation links.

I have repeatedly asked the Minister to assist Mozambique in a manner that will benefit the people economically. It does not make sense to give small amounts of money for rebuilding when rebels keep destroying the reconstruction. The Minister has stated that he is committed to hastening the end of apartheid, but still has given no firm proposal as to how this end will be achieved. The Canadian High Commissioner in Britain stated that the Government of Canada may provide non-lethal military aid by way of jeeps and boots, but that will only allow the people of Mozambique to die with their boots on.

The Secretary General of the Commonwealth, Mr. Ramphal, has also stated that both the Commonwealth and Canada will have to be more serious about meeting the needs of the front line states.

Mozambique needs economic stability and secure borders. I have suggested that the Minister undertake to get the Commonwealth to support the stationing of Commonwealth or United Nations peacekeeping forces in Mozambique to prevent further raids, and block South African weapons and supplies from reaching the roving bands of terrorists operating within Mozambique.

The Secretary of State for External Affairs has not provided any concrete responses or proposals to the House regarding a role Canada will play, if any, in helping Mozambique. Will the Secretary of State for External Affairs now inform the House of the Government's intention to help derail South Africa's plan to destabilize the front line states and how such a plan will help Mozambique strengthen its economy and internal stability?

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, the Government of Canada is well aware of the grave situation in Mozambique. The Minister for External Relations (Mrs. Landry) travelled to Maputo last year following the tragic death of President Samora Machel. The Hon. Member for Waterloo (Mr. McLean) and a Canadian fact-finding mission reported to the Government on areas where they thought Canada could be of greater assistance to Mozambique. The Secretary of State for External Affairs (Mr. Clark) also visited Mozambique this summer. This is to say that we are closely monitoring the situation there and have responded generously to their needs.

This year CIDA will spend approximately $33 million in Mozambique. This includes $15 million worth of food aid; $1 million to the United Nations Disaster Relief Organization; $450,000 to UNHCR for its work with refugees; assistance through the Southern African Development Co-Ordination Conference for the rehabilitation of the Nacala Railway; assistance to NGO projects and a bilateral rural development program administered by CUSO.

Mozambique is suffering from drought largely exacerbated by civil strife. The well-being of Mozambique is crucial to its neighbours who depend on vital transport links via Mozambique to the Indian Ocean. We know this and that is why Mozambique is currently one of the largest recipients of Canadian aid in sub-Saharan Africa.

ENERGY—PRICE OF NATURAL GAS IN MANITOBA/GOVERNMENT POSITION.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, on September 16 I asked a question of the Prime Minister (Mr. Mulroney) concerning the discrepancies in the price of natural gas being sold in Canada by the producing provinces, principally Alberta. I did this in light of the promises made by the Prime Minister during the 1984 election campaign, specifically in Prince Albert, where he promised that Canadian gas sold to

Canadians will never cost more to Canadians than it does to Americans.

The example I cited is the fact that as of November 1 this year, natural gas from Alberta passing along the pipeline across Manitoba into Minnesota will be sold in that state at a price of $1.80 per thousand cubic feet. The same gas, having already passed through Manitoba, will cost Manitobans $3 per thousand cubic feet.

The answer I received from the Deputy Prime Minister (Mr. Mazankowski) was very unclear, to say the least. He spoke of a National Energy Board ruling which is consistent with the market-oriented policies of the Government. Further, he spoke of provisions within the ruling which provide adequate protection for consumers. Some joke.

Let us examine both of the points he made. The dispute between producing and consuming provinces is not new. Certainly the Manitoba Government has made its concerns known to Alberta for some time and the federal Government knows about this.

• (1850)

As I indicated in my question on September 16, the Prime Minister made a commitment in Prince Albert in the 1984 campaign that Canadian gas sold to Canadians will never cost them more than it costs Americans. We now have some evidence on that point from the National Energy Board. Its report released in August showed that B.C. gas buyers paid five cents more per gigajoule than U.S. customers paid for the same gas. This difference contravened the deregulation agreement of October 31, 1985, which said "the price of exported natural gas shall not be less than the price charged to Canadians" when terms of sale are the same. When asked about the discrepancy, the NEB said "We are watching and monitoring the situation". Isn't that nice? They said "The story may well change in the next reporting period." In other words, "wait until next year".

What is missing here is any sense of fairness to Canadians. When the Alberta export price to the U.S. is $2.19 a gigajoule and small volume users in Manitoba, Ontario and Quebec are being charged $2.59 to $2.79 a gigajoule, then it is clear that consumers and small users are not benefiting from so-called deregulation. As a matter of fact, the Ottawa Board of Education is losing an estimated $27,000 a month because the Alberta Government has yet to approve a supply deal which that board negotiated with an Alberta producer.

These small users try to take advantage of market pricing, which the Deputy Prime Minister talked about, by forming large buying groups and dealing with gas brokers in Alberta. Yet they are being denied gas because the Alberta Government will not grant removal permits to so-called core market users.

There we have the supposed market system, a willing seller and a willing buyer, being frustrated. The truth of the matter is that cheaper gas applies only to large industrial users, some of whom have won discounts of as much as 66 per cent. The small user, public institutions and similar organizations are supposed to be the captive market that pays as much as they did before. The Alberta Government justifies this by saying these customers must pay for security of supply, a security which has been substantially decreased by the continual dropping of natural gas reserves required by the NEB before exports are permitted.

Clearly there is a day of reckoning coming. The first part is perhaps simpler. Customers who cannot get cheaper gas because of the Alberta Government may very well get other compensation in the form of rebates and non-price favours from suppliers. Alberta may well find the market will work despite its attempts to maintain higher prices for certain classes of users.

Second, we have the long-term impact. We are exporting relatively cheap gas from Alberta and British Columbia. When that gas is gone we will be captives to expensive gas from the high Arctic. The NEB insist that proven reserves more than take into account the total use in Canada and our exports. This is the same agency that predicted 300 years of gas in the 1960s and then found we had substantially less only a few years later. It is even now predicting a possible shortage by 1996.

It is time for the Government to live up to its election promises, let the market work and let consumers purchase gas at the cheapest price they can negotiate with suppliers.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I am glad the Hon. Member began his statement by quoting from the Prince Albert declaration because it was this Government's determination to dismantle the NEP which enabled the oil and gas industry to become emancipated and begin serving the Canadian consumer and providing for Canada's future energy self-sufficiency. I want to remind the Member of the day last week when he asked the question in the House. I refer to page 8997 of *Hansard* which reads:

• (1855)

HON. DON MAZANKOWSKI (DEPUTY PRIME MINISTER, PRESIDENT OF THE PRIVY COUNCIL AND PRESIDENT OF THE TREASURY BOARD): Mr. Speaker, I think we all know the position of the New Democratic Party. It would like to control market prices and production and phase out any export of natural gas or oil from the country.

MR. BROADBENT: Another lie. Keep it up. Do you ever tell the truth? Just once tell the truth.

MR. RIIS: It is not true.

I have the policy handbook of the New Democratic Party dated 1986 which is prefaced with the indication that it is still up to date. At page 156, item (4) says:

Our current surplus of conventional natural gas should not be exported.

At page 159 under "Public Ownership" it says:

Recent developments have confirmed the necessity of asserting public control over the oil industry in Canada. Only under government ownership and

control can all Canadians be assured of a secure supply of petroleum products at a fair price.

At page 160, item (f) says:

We therefore recommend the phasing out of such exports between now and 1980—

Therefore, Mr. Speaker, the Deputy Prime Minister (Mr. Mazankowski) was right, and I am waiting for the Leader of the New Democratic Party to withdraw his remarks. It is a good thing that the Government did dismantle the National Energy Program and we are now beginning to see the benefits of that.

With regard to prices paid in the British Columbia market, the export price for B.C. gas has been quite volatile, responding to competition from residual fuel oil and U.S.-produced gas in the Pacific northwest. While recent information indicates that B.C. consumers have paid more for gas than those in the adjacent U.S. market, this relationship between domestic and export prices for B.C. gas is likely to reverse quite dramatically over the next review period to reflect the decline of export sales during the summer months.

In his question in the House on September 16 the Hon. Member was referring to an export price on interruptible sales with respect to those in Manitoba. Some of those interruptible sales are of a very erratic nature—on one month and off the next. This is not the type of service that Manitoba wants. Manitoba wants and requires firm service. It is a logical fact of life in the natural gas business that long-term dependable firm service commands a higher price than that of short-term interruptible service.

I am sure that the House will be interested to know that during 1986 the average price paid by residential consumers of natural gas in Manitoba was $5.49 Canadian per thousand cubic feet versus $6.88 Canadian per thousand cubic feet paid by North Dakota residential consumers. While more recent figures are unavailable at this time, we are confident that over time Canadian consumers will continue to reap the benefits of deregulation.

TRADE—CANADA-UNITED STATES NEGOTIATIONS DOMESTIC PRICE OF WHEAT/CANADIAN POSITION

Mr. Maurice Foster (Algoma): Mr. Speaker, on September 15 I asked a question of the Minister for International Trade (Miss Carney) with regard to the free trade negotiations with the United States. The provincial Premiers had met with the Prime Minister (Mr. Mulroney) the previous evening and had commented that there was a great deal of pessimism about the free trade talks. There seemed to be no decision in sight on a number of key issues, including agricultural subsidies.

I asked what commitment the Minister could make with regard to the Canadian Wheat Board and the domestic price of wheat to guarantee that these two important elements of the Canadian western economy would not be bartered away.

In the interview which Premier Bourassa gave to the press after the meeting with the Prime Minister, Premier Bourassa said that there were different formulas they were discussing to reach an agreement but that they had agreed not to talk about them publicly while the negotiations were under way.

It seems clear to me from the comments of Premier Bourassa that the Government is considering various bargaining positions, perhaps including bargaining away the domestic price of wheat, which is earning close to $300 million a year in additional revenues for Canada's wheat producers. There are a number of such issues in our agricultural economy which the Americans want to get rid of. Our concern is that they will be bargained away in order to get a bi-national disputes handling mechanism.

• (1900)

In my second question to the Minister I inquired if the Minister could make it clear that agricultural programs such as our supply management systems marketing boards and support programs will not be bartered away in the final hours of negotiations. I hope the Parliamentary Secretary this evening will be able to give a clear commitment that the Government in those final negotiating hours, which we assume will come a week from this Sunday, will not bargain away the Canadian Wheat Board, Canada's right to set its domestic price of wheat and the supply managements system, the marketing boards and the systems for quotas and tariffs which underpin the supply management programs we have for the dairy and poultry industry, because we have a better system than does the United States.

The United States Undersecretary of State for Agriculture has made it very clear that the United States will not have a trade deal without agriculture being in it. It will not have a trade deal without doing away with the supply management systems we have in this country for poultry, for dairy products and for other commodities. They want that out of there.

I was simply asking for the Minister to make a commitment that the Government would not bargain these away in the final hours of negotiation. Her only comment was that it has to be a good deal for Canada. There is a small percentage of people in agriculture, yet it is vitally important, and if they were to be sold out it would not be a good deal for our farmers.

The Minister made the very profound comment that there is no agreement until there is an agreement. That is fairly self-evident. The Minister says the suggestion that there are trade-offs is simply not true. Clearly, from the comments made by Premier Bourassa, the Government is definitely considering trade-offs.

I simply ask the Government not to trade away our supply management, our Wheat Board, our ability to have a domestic price of wheat, because if it does, it will not be serving the national good. It certainly will not be serving agriculture because the programs and mechanisms we have in this place for providing an adequate income to our dairy, poultry and

wheat producers and to our farmers, in my opinion, are better than those in the United States and we should not be trading them away, regardless of how hard the United States trade negotiator pressures in the final hours of negotiation. I certainly hope the Parliamentary Secretary can give those assurances this evening which the Minister failed to give on the floor of the House of Commons on September 15.

• (1905)

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, let me begin by correcting the Hon. Member. The Minister has given those assurances a number of times, as has the Prime Minister (Mr. Mulroney).

By now everyone should be aware that the Canada-United States trade negotiations are in their final, most critical and most sensitive stage. Our negotiators are in almost constant session with the U.S. negotiators and Ministers are meeting frequently on the issue. In this situation it would not be helpful nor in Canada's interest for me to comment publicly on the specific positions or issues.

However, with regard to the specific question about the Canadian Wheat Board, I would like to recall that the Minister for International Trade (Miss Carney) and other cabinet Ministers, including the Minister of Agriculture (Mr. Wise), have repeatedly made this Government's position clear on marketing boards. We have repeated the message many times: Canada will retain the right to decide, in Canada, what types of marketing systems are best for Canadian agriculture. We are not about to dismantle the Canadian Wheat Board, or any other marketing boards.

I remind all Hon. Members of the resolution passed overwhelmingly in the House on March 16 which states:

> That this House supports the negotiation of a bilateral trading arrangement with the United States, as part of the government's multilateral trade policy, while protecting our political sovereignty, social programs, agricultural marketing systems, the auto industry, and our unique cultural identity.

We are engaged in a comprehensive trade negotiation with the United States in which we are discussing all barriers to trade. There is nothing surprising about the U.S. making requests for us to modify some of our domestic trade mechanisms. However, Canada's response to specific requests will depend on whether there is a good package for agriculture.

We will not sign any deal unless it is a good deal for Canada and Canadian farmers.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 7.07 p.m.

HOUSE OF COMMONS

Wednesday, September 23, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

WOMEN

DISCRIMINATION

Mrs. Lucie Pépin (Outremont): Mr. Speaker, it seems that, last week, a woman teacher in a Medicine Hat school had to resign because she was a single mother. This young woman had to leave her job because she did not meet the current standards of the school.

At a time when there is virtually no access to information on contraception, when subsidies for plannned parenthood have been drastically cut back and when there are no services for single mothers, a young mother has accepted her responsibilities as concerns her pregnancy and her child, and the puritanical attitude of those around her are taking away her means of subsistance. This is blatant discrimination. What are we doing about the unknown men who father children continuously and are never brought to account?

I ask the Hon. Member for Medicine Hat (Mr. Porter) and the other Members from Alberta to help this young woman find a new job. It is time to put an end to the balkanization of human rights according to the provinces where people live. It is up to the Members from Alberta to take action, otherwise we shall be embarrassed of being Canadians.

* * *

[*English*]

AIR CANADA

SUSPENSION OF NON-STOP SERVICE BETWEEN EDMONTON AND OTTAWA

Mr. William G. Lesick (Edmonton East): Mr. Speaker, Air Canada has once again chosen to suspend temporarily daily non-stop service between Edmonton and the nation's capital. Passengers are to be rerouted through Toronto.

In the past Edmontonians have found this four-month period of suspension inconvenient and expensive. Interim measures force travellers to depart earlier, only to arrive in Ottawa at three o'clock in the afternoon. By the time one claims his or her luggage and cabs it downtown it is closer to four o'clock. How much business can one do at this late time of the day? Not much.

This inconvenience and annoyance are generously extended to our fellow Canadians flying into Edmonton from Whitehorse and Yellowknife who also have business in Ottawa. So you see, Mr. Speaker, the residents of three provincial and territorial capitals for a four-month period do not have daily, direct service to the nation's capital. It is a shame—and this is a national, publicly owned airline!

* * *

• (1405)

MARINE SAFETY

RETENTION OF STAFFED WEST COAST LIGHTSTATIONS DEMANDED

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, the Leblond report which cost the taxpayers $30,000 and recommends West Coast lightstations be automated is a complete farce. The report was commissioned after a massive public outcry against the Coast Guard's plan to automate those lightstations.

The Leblond report was bought and paid for by the Coast Guard. The report ignores public input and demeans the dedicated work of lightkeepers on the West Coast.

Virtually all municipalities, regional boards and user groups on the coast of British Columbia demanded not only that lightkeepers remain but that they be equipped and trained to provide a wide and effective range of safety services. The Leblond report instead recommends that one-half the lightkeepers be rapidly eliminated and the rest be removed when their function can be transferred or contracted out.

The Leblond report belongs in the scrap heap. We demand a moratorium on any Coast Guard action to automate and destaff those lightstations. We demand an appointment of an impartial inquiry commission and a study into lightstation operations with publicly acceptable terms of reference.

S. O. 21

[*Translation*]

THE ECONOMY

GOVERNMENT'S PERFORMANCE

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, since our party took over the reins of the Canadian Government in September 1984, the economy of our country has been doing well. Everyone agrees that the performance of our Government is exceptional.

According to the OECD, the rate of growth of production and employment in 1986 has been higher in Canada than in all other major industrialized countries. Again according to the OECD, by taking the action required to meet the objectives of its budgetary strategy, the Government has guaranteed the credibility of its budgetary management, which explains the success of its economic policy.

Mr. Speaker, I emphasize that both the media and the OECD recognize the economic performance of this Government. Moreover, the Minister of Finance recently revealed that our deficit last year was lower than expected.

I believe that it is important to underline that the Conservative economic policy is working for the good of all Canadians.

* * *

[*English*]

SENIOR CITIZENS

REQUIREMENTS OF A CHANGING SOCIETY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, as Canada's population ages, demands are increasing on our society to provide adequate care and reasonable lifestyle choices for our elderly. Estimates from an International Monetary Fund study show that by the middle of the next century there will be 32.5 elderly Canadians for every 100 Canadians of working age. The greatest pressure on our society's ability to face the challenge is expected to come between the years 2011 and 2031.

The Government must begin, and begin now, to improve the quality of life for today's senior citizens and prepare for the demands of the future. There are no easy solutions for dealing with the requirements of a changing society. The time has clearly arrived, however, for the Government to take some concrete action and devote more attention to the elderly of today and tomorrow.

FUR TRAPPING INDUSTRY

ACTIVITIES OF SEA SHEPHERD SOCIETY

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, I rise again today to condemn the actions of the Canadian Citizens Animal Rights Group, the Sea Shepherd Society. You might recall, Mr. Speaker, last November it was Paul Watson's organization that destroyed two whaling vessels and an Icelandic processing plant, causing $2.8 million in damage.

His criminal actions have continued. This time he has struck on Canadian soil. Over the past couple of months numerous furriers in Vancouver have been victims of vandals who have caused tens of thousands of dollars in damage. This weekend three people have been arrested for their part in the recent bomb attacks which have damaged stores and destroyed many priceless furs. The three individuals, two Americans and one British, have admitted to being members of the Sea Shepherd Society.

We as Canadians should be ashamed of this group's actions. Speaking for the many native groups and northern Canadians whose livelihoods depend on the fur industry, I hope Canadian justice will come to bear on these three vandals.

* * *

[*Translation*]

ACID RAIN

NEED FOR GOVERNMENT TO PROTECT ENVIRONMENT

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, decaying forests caused by acid rains spell disaster for Canada. Polluting emissions from the United States have irremediably ravaged one third of Quebec's Eastern Townships maple groves.

Eastern Townships producers are busy felling dead trees. Our symbol, the maple leaf, is dying at the same time. Like other Canadians, Quebec agricultural producers have come to appreciate the environmental hazards inherent in a free trade deal. They are asking that adequate measures be taken to protect the environment.

• (1410)

[*English*]

The Minister of the Environment (Mr. McMillan) has said to the Special Committee on Acid Rain that acid rain was the litmus test of the Government's ability to deal with the Americans generally. It is all too evident now that the Government has failed the test.

Three years have been lost in the battle against acid rain by a Government more concerned to placate President Reagan than to protect our environment.

If we are to survive as a people, the Government must change its priorities and make the environment number one.

* * *

[*Translation*]

POLITICAL PARTIES

SOCIALIST PARTY'S POLICY

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, the socialist leader does not agree with his first Quebec lieutenant on the selection of candidates for his Party in that province.

Whereas the national leader wants to scrutinize the credentials of members and candidates, the provincial lieutenant retorts: "Why scrutinize the credentials of Quebec candidates, a procedure which has never been followed in the other provinces?" Why set criteria in Quebec and none elsewhere?

A party which is for social programs without taxes, for full employment without a business community, for a duly protected public without jails, for independent citizens without armed forces, and for international leadership without allies should not have any difficulty lining up candidates without membership and without ideas, candidates capable of blending quickly within the socialist party incongruity.

In the odd Quebec riding the socialist party will certainly find eccentric people oblivious to the future, unwitting dreamers who will close ranks under the banner of a party which says both everything and nothing.

* * *

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—AUTO PACT

Ms. Sheila Copps (Hamilton East): Mr. Speaker, yesterday we heard the unprecedented statement by the Prime Minister (Mr. Mulroney) that the Auto Pact was not on the table. At the same time we heard from the chief negotiator that the Auto Pact was on the table.

Only a few short hours ago we heard press reports that Canada had suspended negotiations. Then we heard that Canada had not suspended negotiations. Then we heard that the chief negotiator for Canada is temporarily coming back to Ottawa to consult with the Prime Minister to find out exactly what our position is.

When hundreds of thousands of jobs in the automobile and related steel and other industries hang in the balance, I do not think we should have the kind of statements made by the Prime Minister that we heard in the House yesterday, and the kind of mass confusion that seems to reign over the Canadian position on the free trade question.

We want clarity, we want truth from the Prime Minister, and we want him to stand up and confess once and for all that the Auto Pact has always been on the table. It has been part of his hidden agenda. In fact he is prepared to sacrifice Canadian jobs at any cost, because he said himself that his own political career is on the line.

* * *

FINANCE

PROTECTION OF CREDIT CARD USERS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, later this afternoon, with your permission, I will ask the House to give first reading to a Bill which will protect Canadian credit card users against excessive, unjust, and avaricious charges.

Credit cards have become the great new financial fact of our time, with about 17 million being used in Canada alone and about 10 million Canadians paying interest charges.

For years banks, trust companies, gasoline companies, and department stores have kept their charges far above what was required to pay costs and make a fair profit.

The wisdom of the House in making a significant study of this problem last spring has been recently indicated by the British Government undertaking a major investigation of credit card charges in the United Kingdom. Legislation on the same issue is now before the United States Congress. This Canadian House can once again show leadership on behalf of the Canadian people.

* * *

CORPORATE AFFAIRS

BRAZEAU TRANSPORT—ACQUISITION AND CLOSURE

Mr. Les Benjamin (Regina West): Mr. Speaker, on May 8, Brazeau Transport Inc., a New Brunswick trucking company, was purchased by Cabano/D'Anjou Trucking Company of Quebec. Cabano/D'Anjou announced that Brazeau Transport would cease all its operations one month later in the Maritimes, throwing out of work 90 employees in five different communities with 20 minutes' notice.

Following the abrupt dismissal of these employees, many of whom are represented by the Canadian Brotherhood of Railway, Transport and General Workers, they applied to the CLRB for successor rights.

In response to that application, Cabano/D'Anjou admitted that it had, and I quote, "acquired certain assets of Brazeau

Transport—for the purpose of eliminating Brazeau as a competitor in the trucking industry" in the Maritimes. Such a blunt admission should leave the Minister of Consumer and Corporate Affairs (Mr. Andre) to investigate this matter to discern whether or not any laws have been broken. It also throws the Minister of Transport's (Mr. Crosbie) claim of increased competition under deregulation into the realm of pure fantasy.

• (1415)

Cabano/D'Anjou has also shown how deregulation encourages concentration in transport industries rather than enhancing competition as the Conservatives claim, and as the Liberals and the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) have claimed before them.

* * *

EMPLOYMENT

HELP WANTED INDEX—INCREASE IN NUMBER OF ADVERTISEMENTS

Mr. Alan Redway (York East): Mr. Speaker, a local business in my community may have to close its doors forever in a few weeks because it cannot hire the employees it desperately needs. According to one of the owners: "I had an ad in the *Toronto Star* and didn't get one response. I'll take anything".

This is a dramatic illustration of the message being given by the recent Statistics Canada help wanted index, which reached its highest level ever in August of this year. Help wanted advertising in Atlantic Canada is up 72 per cent to its highest level in 20 years. In Quebec it is up 85 per cent, in Ontario help wanted advertising is up 154 per cent, on the Prairies 51 per cent, and in British Columbia 83 per cent.

During the last election campaign our Prime Minister (Mr. Mulroney) promised jobs, jobs, jobs. In fact 907,000 jobs have been created since September 4, 1984. As far as Canadian workers are concerned, Mr. Speaker, these Tory times are tremendous times.

* * *

[*Translation*]

RESEARCH

POSSIBLE TRANSFER OF LABORATORY CENTRE FOR DISEASE CONTROL FROM NATIONAL CAPITAL REGION TO WINNIPEG—NEGATIVE EFFECTS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, in March 1987, we learned that a new laboratory centre for disease control had been planned in the Ottawa area for 1990. That new $93 million research centre would allow scientists to do research on viruses and bacteria, and this as we know requires specialized equipment. But we now learn as of this week that the Tory Health Minister intends to transfer the laboratory centre to Winnipeg, his home province.

Besides adding to the costs, which are estimated by some to be in the order of up to $30 million, such a transfer would have a negative impact on the National Capital area's scientific community at which this Tory Government seems to have been nagging these last few years. This same Minister who favors the transfer has commended that group of scientists for their contribution to the AIDS vaccine. Without questioning in any way the qualifications of Winnipeg scientists, it therefor seems illogical that the Minister would transfer that laboratory centre to Winnipeg with the sole purpose of gathering the support of Manitoba electors, for strictly partisan reasons. We should not make an area poorer by cutting down on its jobs, under the pretence of making another area richer. The disease control research centre was meant for Ottawa and must remain in Ottawa.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—SUSPENSION OF TALKS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, will the Prime Minister confirm that Ambassador Reisman has broken off negotiations with the United States on the trading relationship between our two countries? Will he give the House of Commons the reasons for Mr. Reisman's return to Ottawa?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I will confirm to the House what I have just had the occasion to put out publicly. Ambassador Reisman has suspended negotiations with the Americans and he is en route to Ottawa. He will be meeting me tonight and will be reporting to the Cabinet tomorrow.

Obviously the negotiations and the response from the American side are deemed to be unsatisfactory on some very important issues. For this reason it was believed to be quite advisable for us to take counsel together.

INSTRUCTIONS TO CANADIAN NEGOTIATOR

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, would the Prime Minister be willing to take the House into his confidence and tell us what will be the nature of his instructions to Mr. Reisman? Will the Prime Minister give Canadians the assurance that there will be no further cave-in—

Some Hon. Members: Further cave-in?

Mr. Turner (Vancouver Quadra): —and give us a commitment that he will yield no further on no other issues to the Americans in order to keep these negotiations going and back on track? Will he give us that commitment?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we have just suspended negotiations, and the Leader of the Opposition is worrying about how we keep them going.

An Hon. Member: Who is caving in?

Mr. Mulroney: There is no doubt that the Government has been seeking, and continues to seek, a comprehensive trade agreement with the United States. We believe that it is very much in the national interest that this initiative should have been launched, as indeed it was.

• (1420)

Ambassador Reisman is at the table in Washington. He reports back to me and to the Minister for International Trade and the Cabinet his concerns about some fundamental issues that are not being properly addressed by the Americans. At this juncture, negotiations are suspended. I will be meeting with him and I will be happy, at an appropriate time, to make a more complete statement.

REQUEST FOR EMERGENCY DEBATE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, if the negotiations are indeed off, the Prime Minister and his Government have blown the last three years. As well, he has damaged our credibility with the United States and with the entire trading world.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): During the course of these negotiations he has yielded on lumber, on publishing, on pharmaceutical prices, and on the foreign investment policy of the Government.

We are not waiting for an eventual report. Will the Prime Minister meet with us tonight in the House of Commons for an emergency debate in order to bring Canadians into his confidence and let them find out what is happening to this disastrous course he has the Government on?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, it will come as a surprise to the entire country to realize the depth of concern of the Leader of the Opposition over the fact that our relationships with the United States might have been damaged or somehow affected while he has been undermining every conceivable relationship we could have had for two years. The Leader of the Opposition is giving a brand new dimension to hypocrisy since the Liberals have been sabotaging every single thing we have been trying to do to create jobs in this area for Canada. He should be ashamed of himself.

Two years ago I set out in the House of Commons the parameters for trade talks, the objectives we sought and the manner in which we proposed to seek them. We believe very much that that was in the Canadian national interest. We were satisfied then that protectionism would cause the damage that it is in the process of causing, and that a comprehensive trade agreement with the United States, properly arrived at, would give Canada the necessary shield it requires to make sure we create jobs and do not lose jobs to this pernicious kind of international economic activity. That is why we had the vision and the courage to take risks to create a stronger Canada and did not retreat into the protectionism advanced by the Liberals non-stop in the House of Commons for two and a half years.

Some Hon. Members: Hear, hear!

DEADLINE FOR COMPLETING TALKS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, it is incredible that the Prime Minister is trying to continue this silly posturing of his at a time when he has put the country in such a precarious position and has made us so vulnerable—

Mr. Speaker: I have to ask Hon. Members, when they are putting questions, to confine as much as is reasonable their preambles to the basis of fact upon which the questions are being put and not to start off with comments which are clearly argumentative. The Hon. Member will put his question.

Mr. Axworthy: Mr. Speaker, the Prime Minister has just announced that the talks have been suspended. As he well knows, the deadline for the talks was October 5, less than two weeks away. Can we take from his statement that the suspension of the talks means that we will not be meeting the October 5 deadline and therefore the whole fast-track procedure with the United States is now dead?

Right Hon. Brian Mulroney (Prime Minister): No, Mr. Speaker. I have indicated the reasons why the talks are suspended. I have just explained it to the Leader of the Opposition. Ambassador Reisman will be coming back and providing us with the information upon which other decisions might be made. I have set out the parameters of a trade negotiation with the United States which we believe is very much in the national interest and very productive of jobs and new opportunities.

• (1425)

When this matter was first raised in the House two years ago, on September 26, 1985, I indicated:

> We must all be aware that international negotiations are complex and extremely challenging. Success is not a sure thing—

We knew that. We also knew that Canada's economy and future economic prospects required the daring and vision to try to bring about new wealth and prosperity. We indicated Canada would only sign an agreement that was acceptable to

the national interest and we would never commit to anything else.

We believe now that it is time to look at some questions that Ambassador Reisman wants to raise. The talks are suspended, and I will report more fully to the House at an appropriate time.

GOVERNMENT POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, let us get back to what is going to follow from this day. The Prime Minister just said that further decisions will have to be made. Translated, that means further concessions will have to be made.

Some Hon. Members: Oh, oh!

Mr. Axworthy: We want guarantees that if the Americans have rejected the deal up to this point, the Government will make no further concessions or surrenders of the Canadian national interest. Can we get that assurance from the Prime Minister today?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the statement of my hon. friend is silly and vexatious and he knows it. He also knows full well, because he has been involved in international negotiations himself, that the parties seek to achieve an agreement. If they can, one is initialled. If not, then it is set aside. Until such time as a comprehensive agreement is concluded there are no commitments or concessions individually binding on either side.

Ambassador Reisman was present at the beginning of GATT. He was a Deputy Minister of Finance. He negotiated the Auto Pact 22 years ago. We sought him out because of his great competence in international negotiations, particularly in trade and commercial matters. He surrounded himself with the very best and most competent group of public servants available in Canada. They have been involved in hard and complex international negotiations for two years pursuant to a mandate this Government gave them. One of the specific terms of the mandate was that if at any point in time you, Simon Reisman, feel that the national interest requires you to break off these negotiations and come home, you do exactly that, because we will never sign an agreement that is not in Canada's national interest.

Some Hon. Members: Hear, hear!

REQUEST THAT TALKS BE TERMINATED

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is also directed to the Prime Minister. He has reported that the negotiations between Canada and the U.S. have been suspended, not terminated. His Government has already made concessions in the energy sector, publishing, investment criteria; the Auto Pact was put on the table, and today there is a report that Canada has made concessions on regional development. Does the Prime Minister not realize that a deal made in desperation is bound to be a bad deal for Canada and therefore he should tell the Americans the talks are not suspended but terminated?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I know my hon. friend never wanted the talks to begin. I know he is an apostle of protectionism and reactionism. We know that is the tradition of the NDP. The same people who opposed the Auto Pact are now opposing a comprehensive trade agreement.

I want to set my hon. friend straight. I want there to be no doubt in his mind. He refers to concessions in energy and investment. He is referring to the fact that we scrapped the NEP and FIRA. We did not do that because we were doing the Americans a favour. We did that because we were building a stronger Canada.

Some Hon. Members: Hear, hear!

[*Translation*]

INQUIRY WHETHER PRIME MINISTER WISHES TO TELL AMERICANS THAT DISCUSSIONS ARE TERMINATED

Hon. Edward Broadbent (Oshawa): M. Speaker, my question again is directed to the Prime Minister. The Canadian Government has made concessions that bear heavily on Quebec's farming community and energy industries; they will have a very negative impact on Quebecers and other Canadians. Would the Prime Minister now tell the Americans that those talks are now ended, finished?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Member who just spoke, being a hostage to central Canada's major unions, really does not speak in the national interest, and much less in that of Québec. I just had a conversation with Quebec's Premier, and I assure you the suggestion that our negotiations had a negative impact on Quebec's agriculture or energy is strongly denied by Quebec's Premier, Mr. Bourassa, who has put it squarely to everyone who will listen that an agreement of that nature is in Canada's national interest and more especially in the specific interests of all Quebecers. It is time the NDP Leader understood that Quebecers really are for that pact and for that exercise initiated by the Canadian Government.

• (1430)

[*English*]

REQUEST THAT PRIME MINISTER TAKE ACTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, month after month and week after week, as Canadians in every part of our country have grown to understand what is at stake in these talks, which is the ultimate loss of Canadian sovereignty and control of our own economic destiny, they have, in increasing numbers, opposed these across-the-board discussions.

Will the Prime Minister now do the correct thing, that is, stand up for Canadians and tell the Americans that we will

pursue bilateral matters with them and have multilateral trade around the world, but will not sell out our sovereignty to the United States? We want these talks terminated.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I have already indicated that the talks have been suspended for the moment for the reasons which I have explained. I set out in the House, I think quite carefully, the objectives which the duly elected Government of Canada was seeking.

I indicated at the time, with regard to protectionism, that the answer to this problem lies in sound agreement, legally binding, between trading partners to secure and remove barriers to their mutual trade. That is our approach to world trade as well. It is obvious that we must find special and direct means of securing and enhancing the annual $155 billion of two-way trade with the United States.

There are millions of jobs that depend directly on our secure access to the market of the United States. There are Canadian workers, in Oshawa and elsewhere, whose futures depend upon that security of access to the most dynamic market in the world. That requires investment as well.

That is why we have been trying to secure a comprehensive trade arrangement which, as the Economic Council of Canada predicted, could provide hundreds of thousands of new jobs. I do not think the people of Canada will ever fault a Government for trying to bring new prosperity to all Canadians.

UNITED STATES POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Prime Minister. He said in an earlier reply that the response from the U.S. side was unsatisfactory on some very important issues. Does this not mean that the only way the talks with the United States can continue is if the Canadian Government decides that the U.S. position is no longer unsatisfactory and caves in to these U.S. demands? Is that not the clear and only meaning of what the Prime Minister said? If that is the case, why is he continuing these talks which are not in Canada's interests?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I suppose it would not occur to the Hon. Member that there might be a change of view on the American side, that the United States of America might conclude, as *The Economist* from London concluded this week, that:

> If the talks fail in those circumstances, the failure will say—

—to the United States—

> —forget the new deal that America wants with the 91 other members of GATT, if it cannot even negotiate the basic ingredients with its friend and neighbour to the north.

They are saying that the onus is on the United States of America. They know that Canada has tried vigorously, effectively, and well to conclude this arrangement, and the burden is now on the United States to deliver on its end of the bargain.

Some Hon. Members: Hear, hear!

PRIME MINISTER'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, I will direct a supplementary question to the Prime Minister. If there is any real basis for his statement that there could be a change in the American position, why has it not happened until now? Why was it necessary for Ambassador Reisman to suspend the talks and come back for discussions which have been going on for two weeks if all this was so simple and obvious? Rather than quoting *The Economist*, why does the Prime Minister not quote himself when he was running for the leadership of his Party and was opposed to free trade? Why does he not remember those few words he ever used that made any sense?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, it was not particularly simple or obvious. It is complex, challenging, and very difficult. It requires courage, leadership, and a firm resolve to represent Canada's interests. While the member of the Liberal Party fails to recognize it, I would urge him to read the editorial in *The Economist* entitled: "Go for it, Canada", because a comprehensive free trade arrangement on terms set out by Canada is very much in the national interest and, moreover, can provide the kind of international leadership that is required in the area of liberalized trade that will serve the entire free world.

Some Hon. Members: Hear, hear!

REQUEST THAT NEGOTIATIONS BE ABANDONED

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I want to offer the Prime Minister my sympathy as his dream goes up in flames.

Some Hon. Members: Oh, oh!

Mr. Langdon: I will ask the Prime Minister point blank whether, for the sake of our pride as a country, he will not now abandon these negotiations for good. Otherwise, last minute concessions will hurt this country badly.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I thank my hon. friend for the sympathy and the expressions of affection. The answer is no.

Mr. Langdon: Mr. Speaker, the Prime Minister always takes a while to realize when he has hit a brick wall.

Some Hon. Members: Oh, oh!

REQUEST THAT GOVERNMENT PLACE EMPHASIS ON GATT NEGOTIATIONS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, will the Government now abandon these negotiations and adopt a new economic policy that stresses GATT, that builds our own industrial base, and that spreads our trade potential across this country so everybody gets a chance to share in it?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I suppose my hon. friend is referring to the NDP economic policy which was described by their former Research Director, Jim Laxer, as a hodge-podge and mish-mash of economic nonsense which would probably destroy the economy of Canada.

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CANADIAN SECURITY INTELLIGENCE SERVICE

AIR-INDIA CRASH—CABINET COMMITTEE REPORT

Mr. John Nunziata (York South—Weston): Mr. Speaker, if I might, I have a question for the Prime Minister with regard to the bombing of Air-India. Following that tragedy the Prime Minister requested and received a report from the Cabinet Committee on Security and Intelligence. In the report dated September 24, 1985, it says that "there was a severely heightened threat" in respect of Air-India prior to the bombing of Air-India Flight 182.

Can the Prime Minister explain the inconsistency between this report and the position of his Solicitor General which tends to diminish the severity of the advance warning of the threat to Air-India?

• (1440)

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can advise the Hon. Member that indeed there are no inconsistencies. I am afraid I must go back and repeat what I have been saying for the past several days and indeed the past week. The Hon. Deputy Prime Minister, then Minister of Transport, stated in the House on June 25, 1985:

> Mr. Speaker, from time to time there were requests for additional security by Air-India authorities. There were extra RCMP deployed both at Toronto and at Mirabel, as there has been for some time. I should point out to the House that there was no indication that there was a specific threat to Flight 182—

SECURITY PRECAUTIONS

Mr. John Nunziata (York South—Weston): Mr. Speaker, the particular report that went to the Prime Minister went on to say that the x-raying of checked luggage on the doomed Air-India flight was "undertaken imperfectly". The report goes on to say that there were "shortcomings in security" with regard to Air-India Flight 182.

My supplementary question is directed to the Prime Minister. Is he satisfied in view of the advance warnings with regard to a possible threat to Air-India that there was sufficient security surrounding Air-India Flight 182?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, again I want to quote from the Royal Commission of India that investigated this report. It is stated at page 154:

> Air-India, as required by Canadian regulation, had a security programme. Because of the threat level assessed against the Airline, Air-India had more extensive security measures than almost any other Canadian or international airline. These measures were generally in accordance with the recommended procedures of the ICAO Security Manual for risk flights. Air-India had also requested and had received and arranged for extra security for the month of June, 1985. For Air-India Flight 181/182, Air-India provided a security officer from its New York Office to oversee the security at Toronto and Montreal.

INDIAN CABINET MINISTER'S VISIT TO BRITISH COLUMBIA—SERVICE'S PRIOR KNOWLEDGE

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, the Minister is well aware of the fact that CSIS officers in British Columbia knew several days ahead of time of the visit of a Punjabi cabinet Minister and indeed overheard threats at least that this individual might be subject to being beaten.

In view of the fact that CSIS did not inform the RCMP of this very serious matter, and in view of the fact that the Minister in question was seriously injured, what action is the Minister finally taking to ensure that those responsible for this very grave mistake are finally appropriately disciplined? When will the Minister finally act?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as the Hon. Member well knows, there is an ongoing criminal investigation into this matter regarding the Sidhu shooting. Nine men were originally charged, four of whom have already been convicted of attempted murder.

There has been a stay of proceedings in this case for one year and, while it may not matter to the Hon. Member, it certainly matters to this Minister. I will not be discussing publicly anything that could in any way jeopardize the conduct and investigation of this terrible crime.

Mr. Robinson: The Minister refuses to accept his responsibility to ensure that there is proper discipline.

REQUEST THAT MINISTER ESTABLISH PARLIAMENTARY INQUIRY

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, in view of the history of bungling, of dangerous incompetence, and trench warfare between the RCMP and CSIS, does the Minister not recognize the lack of confidence on the part of the international community in our intelligence agencies? In view of this lack of confidence by the international community, will the Minister not do the right thing and order a full parliamentary inquiry into the actions of the intelligence community in Canada?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, with the greatest respect, I feel the Hon. Member is doing a disservice to this country and to its intelligence service and, I may say, to the RCMP as well.

Shortly after this incident occurred, the Hon Member knows that my predecessor immediately asked the Inspector General to report on this matter. A report indeed was received, recommendations were made, and those recommendations were basically implemented. I am satisfied that we have a good

security system in place in this country, that is well managed, and of which every Canadian can be proud.

* * *

HEALTH

MEDICATION FOR SENIOR CITIZENS—ALLEGED OVER-PRESCRIPTION

Mr. Don Ravis (Saskatoon East): Mr. Speaker, my question is directed to the Minister of National Health and Welfare. As the Hon. Minister is aware, there was a recent medical conference in Toronto at which the Chairman of the Gerontology Research Council of Ontario stated that his organization wants to identify the elderly who are at high risk to adverse drug reaction, and to determine the proper dosages of drugs for these individuals.

What is being done by the federal Government to address these concerns, and is the Department of National Health and Welfare checking into the allegations that over-prescription of medications for the elderly is occurring in some isolated incidents?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the Department has been monitoring that conference as well as the issue very carefully. We did not identify in the drugs strategy specifically the abuse of licit drugs among the elderly—specifically that age group—but we identified the problem in respect of the drug strategy.

We are making more explicit information relating to drug abuse available to the elderly, especially in the Province of Alberta, for example, where a system has been instituted with respect to the manner in which drugs are dispensed. As well, the Department is considering what type of consideration should be given in the Psychotropic Substance Control Act with respect to the abuse of licit drugs.

There are a number of issues relating to that conference. We are looking at those recommendations very carefully. We want to respond federally as best we can in the legislative sense and otherwise, as well as with the provinces.

* * *

[*Translation*]

TRADE

FREE TRADE—PRIME MINISTER'S POSITION

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is directed to the Prime Minister. Today in the House, in an attempt to let Canadians in on the fact that the free trade negotiations by his Government are a total failure, the Prime Minister quoted from the English publication *The Economist*.

I would therefore ask the Prime Minister why he does not tell Canadians that, when he was seeking the leadership of his Party, he was dead set against free trade, whereas now he is trying to quote from *The Economist*. Why this complete about-face right in front of the Canadian people?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member is mistaken and, inadvertently to be sure, she is misleading Hon. Members. Should she care to read my statements, all my statements, she will conclude that we are indeed seeking every opportunity to create the hundreds of thousands of new jobs which Canada needs.

Some people have said that the unemployment rate is too high. In Ontario for example, since we took office the unemployment rate dropped from 9.7 to 5.8 per cent, I believe, lowest in Canada, while unemployment in Newfoundland and British Columbia is still in excess of 15 per cent. Therefore the unemployment rate is very low in southern Ontario and higher elsewhere.

We believe that our attempt to negotiate a free trade agreement will even out economic opportunities and reduce unemployment in the regions of Canada. This simply has to be a highly commendable objective for all Members of this House.

FREE TRADE WITH THE UNITED STATES—PRIME MINISTER'S POSITION WHEN ELECTED PARTY LEADER

Ms. Sheila Copps (Hamilton East): Mr. Speaker, yesterday the Prime Minister misled the House when he said that the Auto Pact was not on the table. Now he is trying to convince us . . . Again I ask him: It it not a fact that when he was seeking the leadership of his Party he compared free trade with the United States to a fly sleeping with an elephant? Were these not his own words when he ran for the leadership of the Conservative Party, or does he change his ideas and his values every day?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, as usual the Hon. Member is quoting out of context and seeks to give an altogether different interpretation to a statement which was made in 1983.

• (1450)

[*English*]

DUTY IMPOSED BY UNITED STATES ON CANADIAN POTASH

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is for the Minister for International Trade. It concerns the devastating duty of up to 85 per cent imposed by the Americans on Canadian potash. In light of the fact that on September 7 *The Financial Post* reported that the Minister "reportedly refused to take part in Saskatchewan's efforts to make a deal with Washington regarding potash", will the Minister explain to the House why she refused to stand up for Canadian potash industries? Why has she refused to be involved with Saskatchewan in defending the industry, the

workers, and the Canadian people on this important issue? Why did she not stand up for us on this issue?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member is wrong. We have been supporting Saskatchewan's efforts to fight this harassment in terms of its potash. We have determined that its move to control production is within its jurisdiction, as I have told the House. Our Justice Department has confirmed that it is within its jurisdiction. We have hired special legal counsel in Washington to go through the hundreds of pages of computer print-outs of the decision to see at what point there is a basis for intervention.

I have been in touch with the Minister of Economic Development for Saskatchewan as recently as Monday. I spoke to Premier Devine before entering the House today. We are doing everything we possibly can to assist the province which is being hammered on many economic fronts, a province which is not getting a lot of help from the Opposition.

MINISTER'S ACTIONS

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, perhaps the Minister's involvement before the Commerce decision of August 21 might have resulted in a lower duty. In light of that I want to ask her why it was only three and a half weeks ago that the Government hired the Washington law firm of O'Melveny & Myers to assist with the potash issue? Why was this not done long before the August 21 decision of the American Department of Commerce to impose a duty of up to 85 per cent on Saskatchewan potash? Why did it take so long for the Minister to act? Why did she not act before? Why did she not stand up for Saskatchewan before that decision was made, and not after?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have already told the House that our position before this decision was handed down was that this case should never have been brought forward. I have told the House and the Hon. Member that the two companies which brought this case account for something in the order of only 5 per cent of the U.S. market, that the U.S., by far, cannot meet its demands in this area, and that under any trade remedy law, or any GATT situation, this case should never have been brought forward. That representation was made to the Americans through our embassy.

Mr. Nystrom: Not by you.

Miss Carney: The Hon. Member says: "Not by you." Of course it was made by me. That is part of our function in the Department of International Trade.

I want to point out that these are private companies. There is only limited room for government intervention in the case of private companies. We did make all the representation that we possibly could, and we are giving our full support to the Province of Saskatchewan.

HOUSE OF COMMONS

PRESENCE IN GALLERY OF COSTA RICAN MINING DELEGATION

Mr. Speaker: I wish to bring to the attention of Hon. Members the presence in the gallery of a mining delegation from Costa Rica led by Mr. Clinton Cruickshank, MP.

Some Hon. Members: Hear, hear!

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PUBLIC WORKS

LEASING OF TRADE NEGOTIATOR'S OFFICES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Prime Minister. It concerns the Gervais Desrochers free trade office sweetheart deal.

I have a press release in hand dated May 24, 1985, which states that the same individual, Gervais Desrochers, received a Transport Canada contribution of $75,000 to study the development of an airport in Joliette, Quebec, even though the media reported shortly thereafter that the individual had no experience in that field. The latest revelation now tells us that the same gentleman received an extra $50,000 from the Met Life free trade office deal.

Will the Prime Minister tell the House when he first became aware of these kinds of schemes to give Conservative Party friends money? What concrete measures has he taken or does he intend to take to ensure that this type of deal no longer occurs? It will not be tolerated by the people of Canada.

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, I can advise the Hon. Member that I have investigated the circumstances giving rise to the Met Life deal. All of the negotiations with officials of Public Works were directly with Met Life. There were no other parties involved. The lease was pursued according to the ordinary standards set by Treasury Board.

[*Translation*]

REQUEST THAT ROYAL COMMISSION BE ESTABLISHED

Mr. Don Boudria (Glengarry—Prescott—Russell): I have a supplementary, Mr. Speaker. Once again the media reported yesterday that a friend of the Conservative Party had pocketed 5 per cent of the price of a transaction.

In view of the fact that in May 1986 Mr. Pierre O'Neil raised a similar issue in *Le Devoir*, in view of the Brodilaf case in Drummondville, in view of the charges that were made, the Wajax investigation by CIDA, last night's scandal and how many others, I now ask the Prime Minister whether he is ready to order an immediate Royal Commission of inquiry. For the umpteenth time, I am urging him to set up that royal commission of inquiry on this Government's contract awarding policy.

Is he waiting for the Canadian people to reject him completely before doing anything?

[*English*]

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, I am able to advise the House that the rent paid and the lease negotiated between Public Works and Met Life for Mr. Reisman and his officials represent the norm. It was approved by Treasury Board. There is no disfavour, discolour or any other difficulty that the Hon. Member can bring to the attention of the House.

* * *

ABORIGINAL PEOPLES

IMPORTANCE OF TRADITIONAL HUNTING IN JAMES BAY AREA

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, my question is directed to the Minister of Indian Affairs and Northern Development. The Minister is very much aware of how important traditional hunting is to the native people of Canada. Is he also aware of the problems facing native people on the James Bay coast in regard to traditional hunting this year? Can the Minister inform the House and the native people of the James Bay area what steps his Department is taking in regard to ensuring that traditional hunting will continue?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I know that the Hon. Member shares the concern for treaty rights of the aboriginal people of Canada and the right to hunt and fish. He should be aware that on September 21 officials of my Department met with members of the Nishnawbe-Aski Band, the Ministry of Natural Resources of the Province of Ontario, and the RCM Police. At that time discussions took place to re-emphasize the practice of past years. I can assure the Hon. Member that the solutions that are necessary under the legislation concerning migratory birds are solutions we have to work at jointly.

I can assure the Hon. Member that every effort will be made to assure that this action does not recur.

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CANADA POST CORPORATION

POSSIBILITY OF STRIKE—ADVERTISEMENTS SEEKING TEMPORARY WORKERS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister responsible for the Post Office. With the issuance of the conciliator's report, the clock is ticking on a strike at the Post Office. In this context Canada Post is advertising for temporary workers, which is giving the clear signal that it expects a strike. It is creating the impression that it is spoiling for a fight.

I would like to know from the Minister whether this sort of attitude on behalf of Canada Post is one that he thinks will be conducive to collective negotiations in bringing about a settlement?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, what is not conducive to a negotiated settlement is the false accusations of the Hon. Member. Right now, or very shortly, the parties will be back at the negotiating table negotiating on the basis of the conciliation commissioner's report. Early statements by both sides indicate that the commissioner's report contains the basis for a settlement.

I suggest that we would both be acting more responsibly if we encouraged the parties at the table to find a negotiated settlement since that would be in the best interests of everybody, including Canadians not directly involved.

MINISTER'S POSITION

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the Minister likes to look at the Post Office as a private business. I am wondering if he is aware that large corporations such as Chrysler do not use replacement workers and do not provoke strikes. Will he not take that attitude with the Post Office?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not know where the Hon. Member has been. The statements about a strike have been coming from the union. It is not a corporation which calls a strike. Corporations can legally call lock-outs, which it is not calling. It is the union which calls a strike. I hope that he and I agree that a strike is in nobody's interests and that both parties should be negotiating at the table. If that is so, why does he not stick to that rather than trying to be provocative here?

• (1500)

GOVERNMENT'S APPROACH TO SITUATION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. Maybe the Minister does not realize it, but he is actually trying to cause a strike. We have both parties showing moderation and both parties appearing to be open to a negotiated settlement. The Minister does not appear to remember that the last time, during the letter carriers' strike, it was when he suspended the use of strike breakers that mediator Bill Kelly was able to bring the parties together and to reach a settlement.

Why will the Government not do it right from the beginning, that is, refrain from using the provocative approach, stop saying it is going to use strike breakers, and encourage negotiations?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, what the Hon. Member fails to recognize is that the Government has in fact taken the advice

of his colleague, the Hon. Member for Papineau, the former Postmaster General, and is leaving these negotiations up to Canada Post. Our instructions—and they do not need to be given—are that they must obey the law. The law provides for legal strikes and it provides for the corporation to continue operation if it can. It is the form of economic warfare that sometimes results from these negotiations.

We both want a negotiated settlement. The negotiations are going on. In the meantime, for us to become directly involved as a Government would be counter productive to the goal I hope both the Hon. Member and I would like to see achieved, a negotiated settlement.

[*Translation*]

REQUEST THAT GOVERNMENT SHOW MODERATION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, what is hard to understand is that the Minister cannot exercise as much moderation as the parties in dispute. By insisting on repeating that the Government wants to reserve the right to use strikebreakers, scabs, he is adding oil to the fire. The parties involved already are ready to negotiate. Why does the Government not show as much moderation as the parties themselves? Why is the Government not removing that sword of Damocles, those threats hovering over the workers' heads?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, that is a peculiar definition of the sword of Damocles. The sword of Damocles is the threat the union always has legally to call a strike unless management agrees to its demands. Management, on the other hand, is at the table saying we are not prepared to acquiesce or cave in under these kinds of threats and we have other alternatives. That is the nature of labour negotiations.

I hope in fact we can reach a negotiated settlement without going through a strike. In the LCUC situation, a strike became necessary to cause both parties to realize they would have to agree finally, which they did. Let us hope it does not have to come to that.

The Hon. Member continually suggests that the Government should get involved and intervene. I do not know why he gives that advice which is contrary to everything his Party has been saying up to now.

Mr. Speaker: This will be the last question.

* * *

AGRICULTURE

EDMONTON FOOD PRODUCTION INSPECTION PLANT LABORATORY

Mr. William G. Lesick (Edmonton East): Mr. Speaker, my question is directed to the Minister of Agriculture. The Minister recently announced he plans to phase out the laboratory services of Agriculture Canada's food production inspection plant in my riding of Edmonton East. His plans are to create centralized laboratories across the country, including two in the National Capital, but not one in Edmonton. This is the second federal laboratory being closed in Edmonton.

While I appreciate that changes will have little impact on the level of service, can the Minister say why the Edmonton site will be closed? And what will be done to the federal employees affected?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I appreciate the concern of my hon. colleague and his interest with respect to this particular issue. However, I must indicate to my hon. colleague that he has really nothing to fear. There will be a transfer of a few PYs from the Edmonton office to Saskatoon. This will lead to improved efficiency, better management and improved service.

With respect to the future of the Edmonton office, we will continue to retain there some 208 PYs and we will continue to invest over $21 million in that Edmonton office. It is a measure, I might say, that is consistent with the recommendations in the Auditor General's report.

* * *

BUSINESS OF THE HOUSE

Mr. Gray (Windsor West): Mr. Speaker, I want to raise a point of order with respect to House business. I want to ask either the Government House Leader (Mr. Mazankowski) or the Minister of State (Mr. Lewis) the Deputy Government House Leader whether in view of the fact the Prime Minister (Mr. Mulroney) is going to report to full Cabinet tomorrow morning on his conversations with Ambassador Reisman, and in view of the fact, that, as I understand to be the case, there will be a telephone conference this afternoon with the Provincial Premiers on the same matter—and I am talking about the suspension of the free trade discussions with the United States—will the Government agree to have an emergency debate later today in order to enable Members of Parliament and, through them, the Canadian people, to have at least the same information as the Provincial Premiers about what has been happening and what the Government is likely to do?

Mr. Mazankowski: Mr. Speaker, I think the Hon. Member was in the House when the Prime Minister (Mr. Mulroney) responded to those questions. I think he clearly indicated that Mr. Reisman would be returning to Ottawa this afternoon and there will be a briefing of the latest status of events. Full Cabinet will be briefed tomorrow and at an appropriate time a further statement will be made.

The Prime Minister has issued a statement outlining what is taking place based upon the evidence and knowledge that is currently available. If there are any further reports to be made, I think he has given that undertaking.

PRIVILEGE

ALLEGED UNACCEPTABILITY OF MOTION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I rise on a question of privilege of which I gave you notice in writing this morning, I believe. My question of privilege, by our orders and customs, should be raised immediately upon becoming aware of the matter. It relates to last night's debate during Private Members' Hour and concerns the ruling of the Chair at that time with regard to who had the floor at the beginning of that hour.

I refer to page 9213 of *Hansard*. The Deputy Speaker was in the Chair, and once the motion had been put to the House, recognized the Hon. Member for Ottawa Vanier (Mr. Gauthier). *Hansard* records myself at that time saying "Mr. Speaker". I, therefore, had been recognized and had taken the floor. At that point the Hon. Member for Scarborough West (Mr. Stackhouse) rose on a point of order and moved "That the House now hear from the Hon. Member for Parry Sound—Muskoka".

My point of privilege is that the motion at that time was not receivable because, indeed, I had the floor. I had been recognized and had spoken. The motion, of course, is always in order when one has the floor. There are precedents on which this is based. I can go back to 1982 and to 1983 with respect to questions raised in the House by the House Leader at the time, Mr. Nielsen. I can quote from decisions made by Speaker Sauvé and I can also bring to the Chair's attention citations and all kinds of information to support my contention that, indeed, yesterday my privileges as a Member of the House were breached.

I object because I think that once one has the floor it is to one's advantage to make his argument and use that time to his best interests.

[*Translation*]

I remind you, Mr. Speaker, that the second paragraph of citation 302 of the fifth edition of Beauchesne's Parliamentary Rules and Forms reads as follows:

> (2) A motion that a Member "be now heard" must be moved before the Member recognized has begun speaking.

It is clear, Mr. Speaker, that I had been recognized, that I had begun speaking, and I can quote *Hansard* once again and name witnesses, Members who were here and heard me: the Hon. Member for Saint-Denis (Mr. Prud'homme) was here as was the House Leader of the New Democratic Party, and both of them confirmed that I had begun my remarks on the motion before us.

I am stressing the importance of that decision, Mr. Speaker, because, as was known to the House, it was my intention to move an amendment in the course of my most relevant remarks on the motion. Because I was refused the floor yesterday, I lost that opportunity to put forward an amendment to the motion that I considered very important and I was prevented from pursuing the matter according to my plans and way of thinking.

Mr. Speaker, I admit it is sometimes noisy in the House, that there are times when the Chair has trouble hearing what is going on, but I know there was not too much noise yesterday, there were not too many of us, I was alone at my place, and it is quite possible the Chair did not hear me speak, which would be the only reason why the Chair was able to give the floor to the Hon. Member for Scaborough West (Mr. Stackhouse) and not to me.

Mr. Speaker, to make everything very clear and to avoid any confusion in the future, I would like you to confirm what happened yesterday. According to *Hansard* for September 22, 1987, on page 9213, I had already been recognized, but I was then prevented unfairly from speaking. In my opinion, my privileges have been violated and I would like the Chair to look at this whole issue very closely to provide guidance to the House for the future, as the then Speaker of the House, Mrs. Sauvé, ruled a few years ago that a motion that another Member be now heard is out of order once another Member has been recognized.

• (1510)

[*English*]

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I should like to make a very brief submission on this matter. I appreciate that my colleague feels very strongly about it. I was in the House yesterday when it happened, although I was not in my seat, and I would submit that my colleague's argument is very subjective. I think it borders very closely on reflections upon the actions of the Speaker, although he has very carefully avoided that reflection by asking that Your Honour perhaps re-rule.

I do not think I could really add anything more to the situation than the case that was made yesterday. There may be a temptation for me to enter into a long argument with my hon. friend, but I think the call made by the Speaker yesterday was correct. Weighing all the facts at the time, I think it was a call which could only be made by the person who was there. It is very difficult to start re-examining this type of call after the fact.

I think the time to make the point of order was then. With all due respect to my colleague, I think he is late in making it now, and I have no further submissions.

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, the Hon. Member has referred to my participation in the debate yesterday.

As reported at page 9213 of *Hansard*, Mr. Deputy Speaker commented that while he "recognized the Hon. Member for Ottawa—Vanier (Mr. Gauthier), . . . at the same time the Hon. Member for Scarborough West (Mr. Stackhouse) was on his feet".

I think that adds substance to what the House Leader has just said, namely, that it was a very difficult call for the Deputy Speaker to make, two Members being on their feet at the same time.

In recognizing me on a point of order and in accepting the motion which I presented, the Speaker was acting within reason. I regret very much that the Hon. Member for Ottawa—Vanier lost the opportunity he had, as I am sure he would have regretted my losing the chance I was seeking.

However, I would add further that it is my understanding that according to Beauchesne's, when an Hon. Member has a question of privilege to raise he is required to raise it as soon after the experience as possible. This question of privilege should have been raised yesterday.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I rise to participate in the debate on this question of privilege. I think it is important that we recognize from the beginning that we are not challenging the decision of the Speaker. We had an opportunity to do that yesterday. As a matter of fact, as *Hansard* indicates, the points were made yesterday.

What is important is that we are seeking clarification. Citation 302(2) of Beauchesne's Fifth Edition indicates:

> A motion that a Member "be now heard" must be moved before the Member recognized has begun speaking.

Of course we had to wait until we saw the official *Hansard* on our desks today, and this is the first opportunity for the Hon. Member for Ottawa—Vanier (Mr. Gauthier) to raise the matter.

Hansard makes very clear that the Hon. Member for Ottawa—Vanier had begun speaking. As a matter of fact, it is in there. It reads: "Mr. Speaker—", and at that time the Hon. Member for Scarborough West (Mr. Stackhouse) rose on a point of order. It seems to me that it is very clear.

I think it is important to indicate that we are not challenging the decision of His Honour. That decision was made and accepted yesterday. The point was raised and ruled upon yesterday, and we are simply seeking clarification.

[*Translation*]

Mr. Rossi: Mr. Speaker, I was in the House yesterday, and with all due respect for the occupant of the Chair at the time, who has all my admiration, I would like to say that, contrary to what the Hon. Member for Scarborough West (Mr. Stackhouse) has just said, the two Members did not rise at the same time. The Hon. Member for Ottawa—Vanier (Mr. Gauthier) had been recognized and had already begun by saying: "Mr. Speaker . . . " He was beginning his speech. Then, the Hon. Member for Scarborough West rose on a point of order. I was here, and when the Hon. Member for Scarborough West says that the two Members rose at the same time, I must say that he is misleading the House.

[*English*]

Mr. Speaker: The Hon. Member for Bourassa (Mr. Rossi) has indicated that his remembrance of certain events is not the same as that of the Hon. Member for Scarborough West (Mr. Stackhouse) and has suggested that what the Hon. Member for Scarborough West has said is misleading.

The Hon. Member for Bourassa has not said that it was intentionally misleading. He was just pointing out a difference of opinion and a difference of remembrance, and that is the way the Chair takes it.

However, in view of what the Hon. Member for Bourassa has said, I will hear the Hon. Member for Scarborough West for a few minutes and then I will seek some guidance from my esteemed colleague, the Hon. Member for Saint-Denis (Mr. Prud'homme).

Mr. Stackhouse: Mr. Speaker, I only draw to your attention again that I was quoting the comments of Mr. Deputy Speaker yesterday. I draw the attention of the Hon. Member to the quotation at page 9213 of *Hansard* wherein Mr. Deputy Speaker said:

> I recognized the Hon. Member for Ottawa—Vanier (Mr. Gauthier), yet at the same time the Hon. Member for Scarborough West (Mr. Stackhouse) was on his feet.

We had both risen, and I sat down when reference was made to the Hon. Member for Ottawa—Vanier, who then said: "Mr. Speaker". It was then that I rose again and raised my point of order.

Mr. Gauthier: That is the whole point; I had been recognized and started to speak.

Mr. Marcel Prud'homme (Saint-Denis): Mr. Speaker, I am thinking more of the future than of yesterday. Some of us remember that a very acrimonious debate took place many years ago—the flag debate. That was a long time ago. That debate was between a very highly esteemed friend of mine, the Right Hon. John Diefenbaker, and the Right Hon. Mike Pearson. A very acrimonious debate took place. In case this sort of thing takes place again in the future on an important issue, even though last night was important, I would like some precise guidance from Your Honour—not today, we are not in a hurry—on how to interpret the rules.

• (1520)

Your Honour can see the television tapes since we now have that service, and without putting any shadow of doubt or blame on Mr. Deputy Speaker, for whom we hold the highest esteem, I would like your guidance on what to do when an event like yesterday takes place.

I was very active yesterday, for reasons I do not now remember, probably preparing myself for caucus this morning, but to the best of my recollection the Deputy Speaker had recognized the Hon. Member for Ottawa—Vanier (Mr. Gauthier). It was then that other Members wanted to be

recognized. By recognizing someone else, and that someone else putting forward an amendment it was impossible for us to put our amendment forward—it was an important one. We wanted to say "an elected Senate". That is what we believe and that is what we wanted to put forward, but what we wanted to do is not relevant to this question.

We would like you in the days to come to reflect and let us know precisely how we should behave in the future. At the same time that you do so, could you also look into something that is of importance to me, the question of what is a subamendment. For the 15 years that I have chaired committees, I must have chaired erroneously. The Hon. ex-Minister of National Defence I am sure will say that I try to be very fair, but when I chair, my definition of a subamendment is much more narrow than the one put forward yesterday. If Your Honour would like to look into both points I would appreciate it very much.

Mr. Gauthier: Mr. Speaker, I just want to be sure it is understood why I raised my point. *Hansard* is utilized by all of us in the House to justify positions, to justify debate, to justify previous rulings and to justify the interpretation of certain rulings in the House. If *Hansard* remains as it reads today, Mr. Speaker, then I say that it has rewritten our rules. It is not the way the rules have been interpreted over the past few years.

I would like the Chair to make it clear to us that in the future when a motion "that a Member now be heard" is put it cannot be put if the floor has been given and taken by another Member. That is all I am asking. In one year or one month somebody could use this argument and say, "Mr. Speaker, I have a precedent", which I think would be a wrong precedent to use.

Mr. Speaker: I am going to abide by the good advice of the Hon. Member for Saint-Denis (Mr. Prud'homme) and reserve on this matter. I think it is in the interest of Hon. Members and also for the public to understand clearly what has happened.

There has been a time honoured rule dating back into history that when a Speaker has recognized an Hon. Member, another Hon. Member can rise and say, "Mr. Speaker, I move that some other Hon. Member be heard". It has also been decided by Speakers and by rulings, to which the Hon. Member for Ottawa—Vanier (Mr. Gauthier) very correctly referred, that the motion that another Hon. Member be heard must be made by that particular Member before the original Member has actually started to speak.

This may all seem difficult to understand at times but, as I have said in the past, the origin of this rule goes back several hundred years. It had to do with the rights of all Hon. Members, and there may well be two reasons for it, one of which, of course, was that at times a Speaker might be deliberately not recognizing a Member, and that was a device to give an ignored Member the floor. It also may well have been a means of appealing a ruling of the Speaker. As Hon. Members will know, rightly or wrongly, some time ago appeals against the ruling of a Speaker were abolished by our rules. But this particular procedural rule is in a sense an appeal against the original choice of the Speaker because the motion to hear another Hon. Member is votable.

As Hon. Members know, and as sometimes the public may discern, this particular rule is used as a tactical measure, sometimes to delay and sometimes to prevent somebody from getting an amendment in before somebody else gets it in. The effect of what happened last night was that the Member for Ottawa—Vanier did not put forward an amendment, but an amendment was put forward by a Member from the government side.

The difficulty in this—and I am going to address this because I do not think it is easy—is that in the rulings that have come down through the ages which say the Chair, the person occupying the Speaker's position at that particular moment, must somehow or other be very careful to be able to hear the first Member who has been recognized. Sometimes that is not easy. The Hon. Member for Ottawa—Vanier said that last night it was not particularly noisy in the Chamber. It may well not have been, but it becomes a physically difficult thing for a Speaker to handle well.

As Hon. Members will remember, some months ago I certainly found myself in the midst of a most difficult situation when there were a number of Members rising with a great deal of enthusiasm. It was somewhat difficult for me to be able to discern which of all those Hon. Members I ought to recognize. There was some comment about what I finally did, which I think was, of course, helpful to all of us, and I think Hon. Members will feel that I took those comments graciously.

In view of what happened last night, I will try to find a definitive way of dealing with this. I take very seriously and with much appreciation the comments by Hon. Members, the Hon. Member for Saint-Denis and the Hon. Member for Ottawa—Vanier, that this is not an attempt to try to undo what happened last night, but an attempt rather to ensure that it will not happen again. I take the point raised by the Hon. Member for Ottawa—Vanier in that spirit. I do not have to wait for my ruling to say to him that he has outlined the procedural law absolutely correctly.

I thank Hon. Members for their restraint and helpfulness in this intervention and I will report back to the House in due course.

* * *

PRIVILEGE

CRTC—ALLEGED ERRONEOUS INFORMATION—CLOSING DATE

Mr. Bob Brisco (Kootenay West): Mr. Speaker, I rise on a question of privilege on the basis that my ability to represent

my constituents properly has been impaired by the actions of a commission of government, the Canadian Radio-Television Commission.

On the basis of disinformation or misinformation provided to me, to my office staff, to one of my constituents by the CRTC, specifically relating to the closing date for the filing of comments or intervention in an application for a rate increase by Shaw Cable, now before the CRTC, my capacity to represent my constituents properly has been denied.

• (1530)

That is the nature of the question. I now wish to provide the Chair with the reasons I have been denied the right of every Member of Parliament to properly represent constituents, a denial of natural justice.

How is a Member of Parliament expected to know of a rate application increase or of any other application to the CRTC? Until August of last year, a Member of Parliament learned of this in two ways. One was by reading an advertisement placed by the CRTC in a local newspaper of the area involved, and the second was by way of a CRTC notice circulated to Members of Parliament. How do we know now that there are rate applications before the CRTC? We know only by way of a notification to subscribers. I am not a subscriber of Shaw Cable of Trail, Castlegar or Nelson.

It is important to note the times that have elapsed. When I learned of the application in question, I was advised by my constituent, Alderman Eric O'Dell of Warfield, of the following. In a phone conversation with a staff member of the CRTC, whose name I have but will not at this time place on the record, Mr. O'Dell was advised that the closing date of August 20 for this particular rate application was no longer valid and was incorrect. The same day, this was reaffirmed by another staff member and the same information provided to Mr. O'Dell who has been actively assisting me in this rate application.

I then called the CRTC on August 21 to ascertain the closing date. I was advised by a staff member that I as a Member cannot intervene until the application has been gazetted. I would be advised of that date.

On September 4, I asked for additional information and was advised that it was the computer that would have to be accessed to provide it. On August 24, the same staff member advised that two key people in finance at CRTC had not been contacted but that I would have all the information the following morning.

On August 25, the same staff member phoned my office and said: "I am still waiting for the information, there are seven applications, I will get back to you tomorrow". On August 26, the same staff member phoned and said that Shaw Cable had followed all the regulations and the decision will be made on November 1, 1987, and that a letter should be sent if I want to object.

On August 27, on the assumption that I had time to read two volumes of data filed by Shaw Cable and to consult with my constituent, I arranged to meet with my constituent the following week.

On Friday, September 4, an official of the CRTC phoned me late in the afternoon to advise me that the closing date for filing was August 20, 1987 and that, no, they would not likely accept my intervention or comment. Recall that this was virtually two weeks after I had begun my initial inquiries. I advised that I would write the CRTC and request that they receive my submission. The letter was dictated, typed and mailed on Monday, September 7. I need not remind the Chair that September 7 was Labour Day.

On September 22, two weeks later, I received a written response from the CRTC, signed by Fernand Bélisle and dated September 17. The letter was received in my office on September 22. One paragraph of the letter is central to the issue and reads as follows:

> As you are aware, your first telephone call to the Commission expressing your intention to comment, on August 21, was made the day after the cut-off date for the receipt of comments. Furthermore, your letter asking for a time extension so that you might prepare a submission was sent 14 days after the period for comment, which is set out in the *Cable Television Regulations, 1986*.

The point is that I endured two weeks of delay by the CRTC in trying to obtain the very information that I sought the day after the closing date, after having been informed by my constituent who had been informed by two CRTC officials that the August 20 date was not valid.

The CRTC created the delays through its own abysmal record of disinformation or misinformation beginning on August 21 and ending on September 4, precisely 15 days later. It was like Big Brother, except nobody was listening.

I would like to end this litany at this point, but I must make one final comment. A cable company has months to prepare itself for an application. Once submitted and subscribers notified, the subscriber has 30 days to comment. The CRTC then has three months or more to provide a decision. The people most affected by the decision have 30 days, in theory. One of my constituents did not receive an undated notice of an application for a rate increase until July 30. That left 21 days to reply.

Municipal councils in my riding are voicing their concerns by way of a supplemental attached to the submission of Alderman O'Dell because they did not have an opportunity to deal with it earlier because of the timing of council meetings and the time allowed, 30 days, and in most cases less than 20 days. The CRTC has agreed to accept the supplementals of those municipal councils attached to the submission of Alderman O'Dell after August 20. It is not, however, prepared to receive my submission. That is the full measure of the issue and it speaks volumes on the cavalier and inefficient manner of the operations of the CRTC. It is, damn the public and full speed ahead.

In conversations, officials of the CRTC have told me that perhaps they should revert back to notifying Members of Parliament and perhaps they should make it the responsibility of the cable company to notify Members of Parliament. They are fully aware that the system that is now in place does not work. It works unfairly against a Member of Parliament and may well deny him the opportunity to represent his constituents. It works against the public and it works against municipal councils which also serve the public.

I am sure of one thing, Mr. Speaker, and that is that your ruling will be appropriate. I am not sure if I have a valid question of privilege, but I feel that you are the only one to whom I may appeal over the actions of a Government commission, which has in my view denied me my basic, natural rights to represent my constituents and, by doing so, has affected the rights of every Member of Parliament to do the same.

Mr. Speaker: I want to thank the Hon. Member for Kootenay West (Mr. Brisco) for the very clear and succinct way in which he put forward his argument on a matter that is of concern not only to the Hon. Member but obviously to his constituents. The Chair will consider carefully the Hon. Member's comments and I hope I will be able to return to the Chamber with a reply which will be helpful.

The Hon. Member has said that it may not be a question of privilege; it may not be. It most certainly is a complaint, and the Hon. Member has recognized that one of the few recourses available when one has such a complaint is to bring it the Chair. The Chair cannot always resolve the matter but I know the Hon. Member will appreciate that he has had an opportunity to set out the situation and the complaint with, I might say, great clarity. I will report back as soon as is reasonable.

ROUTINE PROCEEDINGS

[*Translation*]

COMMITTEES OF THE HOUSE

STRIKING—THIRTIETH AND THIRTY-FIRST REPORTS OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour to present the Thirtieth and Thirtieth-First Reports of the Striking Committee.

• (1540)

[*English*]

PRIVATE MEMBERS' BUSINESS—SIXTH REPORT OF STANDING COMMITTEE

Mr. Bill Kempling (Burlington): Mr. Speaker, I have the honour to present the sixth report of the Standing Committee on Private Members' Business in both official languages. This report deals with the selection of votable items pertaining to the sixth draw which took place on September 15, 1987.

Pursuant to Standing Order 36(1)(b), this report is deemed adopted when laid upon the Table.

[*Editor's Note: For text of above reports, see today's Votes and Proceedings.*]

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CREDIT CARD INTEREST RATE ACT

MEASURE TO ENACT

Mr. Reginald Stackhouse (Scarborough West) moved for leave to introduce Bill C-266, an Act to provide for the limitation of interest rates and fees in relation to credit card accounts.

Mr. Speaker: Is it the pleasure of the House that the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Stackhouse: Mr. Speaker, this Bill will provide for the imposition of a floating rate a certain number of percentage points above the Bank of Canada discount rate averaged for the previous month. The rate will vary depending on whether the company does or does not charge entry, renewal, and user transaction fees. There will be a different rate for petroleum product companies and retail and department stores.

This Bill is intended to provide the necessary protection to the millions of people who use such credit cards and is in line with legislation in other jurisdictions. Experience over the past several years has shown that moral suasion is not enough and such legislation is in order. I hope this Bill comes before the House for second reading before long and will receive all-Party support.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

PETITIONS

OPPOSITION TO BILL C-55

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, pursuant to Standing Order 106, I am pleased to present a petition on behalf of a number of Canadians concerned with the way the Government is dealing with Bill C-55.

They draw our attention to the fact that a standing committee of Parliament proposed a new procedure for refugees which, if adopted, would fairly and effectively solve the problems of both backlogs and unsubstantiated claims. They indicate it has the support of all Parties as well as the Canadian Council of Churches, the Canadian Bar Association, the

Canadian Jewish Congress, and a variety of other groups and individuals. They simply ask that the House withdraw Bill C-55 and substitute legislation which reflects the recommendations of the standing committee.

OPPOSITION TO DESTAFFING OF WEST COAST LIGHTHOUSES

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I have the duty and pleasure to present a petition concerning the government proposal to destaff West Coast lighthouses. The petition includes the signatures of residents from Port Hardy to Victoria. They have a serious concern about safety and other problems which will occur if the lighthouses lose their staff. They also ask that a moratorium be placed on any action by the Coast Guard on destaffing until such time as another and more impartial inquiry can be held into this matter.

OPPOSITION TO BILL C-55

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I have a petition signed by many people from the Windsor area of Ontario concerning Bill C-55. They say the Bill will end Canada's traditional commitment to assisting refugees and end up keeping most legitimate refugee claimants out of the country. They also dispute the procedures set out in Bill C-55 as not really being legally proper and suggest that the House adopt some of the recommendations of the standing committee.

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition from a number of residents of Edmonton, Banff, Saskatoon and other Canadian cities who are opposed to Bill C-55 on the ground that it will turn away many legitimate refugees. It ignores some of the main recommendations of the parliamentary committee report of two years ago which have the support of groups such as the churches and bar associations and the CLC.

They humbly pray that the Government will withdraw Bill C-55 and bring in legislation that will provide fair and quick oral hearings of all claims of refugees, a refugee board to hear the claims independent of the commission, and universal access to such hearings. In duty-bound, your petitioners will ever pray.

Mr. Sergio Marchi (York West): Mr. Speaker, I have the duty, pursuant to Standing Order 106, of presenting to the House for its swift consideration two sets of petitions.

• (1550)

The first petitions are from Canadians in the Cities of Chatham, Fredericton and Toronto and from the Kitchener-Waterloo area. The petitioners are very concerned about Bill C-55, the refugee determination Bill, as it presently stands. They are asking the Government to delete the safe third country and prescreening provisions and to amend the appeal mechanism by removing it from the Federal Court and placing it with a separate body or another member of the refugee board.

The petitioners believe that if the Government makes these three changes which have been requested by virtually every organization appearing before the committee, we will have a refugee determination system that will be effective and fair and will dissuade those who wish to abuse the system.

CONSTITUTIONAL ACCORD—RECOGNITION OF MULTICULTURALISM

Mr. Sergio Marchi (York West): Mr. Speaker, the second set of petitions I have comes from Canadians in Yellowknife, my own constituency of York West, other parts of Metropolitan Toronto, and from the Cities of Barrie, Woodbridge, and Richmond Hill. These petitioners address the Meech Lake Accord, specifically as it relates to multiculturalism. Multiculturalism was not recognized in Clause 1 of the Accord as a fundamental characteristic of Canada. One-third of Canadians are neither English nor French in origin. Since we have had a policy of multiculturalism since 1971, the petitioners are asking the Government, and particularly the Ministers, to ensure that our multicultural heritage will be properly recognized within Clause 1. They hope that the Liberal amendments presented this week will become reality.

* * *

[*Translation*]

QUESTION ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the following question will be answered today: No. 171.

[*Text*]

GOVERNMENT FUNDS ALLOCATED FOR RESEARCH

Question No. 171—**Mr. Howie:**

From January 1, 1986 to January 1, 1987, what amount of government funds was allocated for research into the causes and treatment of (*a*) cancer (*b*) multiple schlerosis (*c*) kidney disease (*d*) heart disease?

Hon. Jake Epp (Minister of National Health and Welfare):

In so far as the Department of National Health and Welfare is concerned:

(a)	Fiscal year 1986-87	$1,367,578.50
(b)	Fiscal year 1986-87	$ 14,561.00
(c)	Fiscal year 1986-87	$ 61,092.67
(d)	Fiscal year 1986-87	$ 747,821.99

In so far as Medical Research Council is concerned:

(a)	Fiscal year 1986-87	$4,722,238.00
(b)	Fiscal year 1986-87	$ 767,047.00
(c)	Fiscal year 1986-87	$2,152,082.00
(d)	Fiscal year 1986-87	$4,956,903.00

[*Translation*]

QUESTION PASSED AS ORDERS FOR RETURN

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, if question No. 170 could be made an order for return, that return would be tabled immediately.

Mr. Deputy Speaker: The question enumerated by the Hon. Parliamentary Secretary has been answered. Is it the pleasure of the House that question No. 170 be deemed to have been made an order for return?

Some Hon. Members: Agreed.

[*Text*]

NH&W—FUNDS FOR PUBLIC INFORMATION

Question No. 170—**Mr. Howie:**

1. From January 1, 1986, to date what public information in print form and on film or slides was produced by the Department of National Health and Welfare concerning (*a*) drug abuse, including alcohol (*b*) young runaways (*c*) family planning (*d*) venereal diseases (*e*) family violence (*f*) the causes of family breakdown (*g*) health concerns of senior citizens (*h*) special needs of the handicapped?

2. For each information package produced, what was its (*a*) availability to the public (*b*) corresponding French title (*c*) cost to the public to obtain or borrow a copy, if applicable?

Return tabled.

[*Translation*]

Mr. Lewis: I ask, Mr. Speaker, that the remaining questions be allowed to stand.

Mr. Deputy Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Mr. Deputy Speaker: Shall all notices of motions for the production of papers be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Tuesday, September 22, consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislation committee, and Motion No. 37 (Mr. Heap, p.9207), Motion No. 53 (Mr. Weiner, p.9207), Motion No. 57 (Mr. Weiner, p.9207), and Motion No. 70 (Mr. Weiner, p.9208).

Mr. David Orlikow (Winnipeg North): Mr. Speaker, during debate yesterday the Parliamentary Secretary criticized some remarks I made saying, in part, as reported on page 9178 of *Hansard*:

> A few minutes ago we heard the Member for Winnipeg North (Mr. Orlikow) casting aspersions on the Immigration Department and officers within it with regard to racism.

He went on to suggest that that was not becoming.

I did not cast aspersions on all members of the department, but I did say that some members, and certainly some former members, in particular the former director of the Immigration Service, John Kimble Abbott, who now heads up the so-called Immigration Association of Canada, have publicly said many things which can only be described as racist. I will quote from a questionnaire they put out which asked the following question:

> Absorptive capacity is the rate of immigration a country can absorb without dramatically changing its population composition and nature.

They are, of course, indicating that they do not want people who are not white. Another question asked was:

> Do you, yourself, think the size and content of immigration should be permitted to change our ethnic and cultural balance, or not?

What is the intent of that question, Mr. Speaker? Another question was:

> Would you, or would you not, favour a policy where the main selection of immigrants is made from countries with cultures similar to Canada to ensure compatibility and integration?

What else but opposition to non-white immigration could these questions indicate? I could go on, Mr. Speaker. This committee is headed by a man who, on an earlier occasion, suggested that if we permitted the entry into Canada of 50,000 Vietnamese boat people, since they would want to bring in their families, we would be facilitating the entry into Canada of 750,000 of those people. We know how ridiculous that charge was and of course that did not happen.

The fact that a former director of the Immigration Service, a former justice of the Supreme Court in British Columbia, J. V. Clyne, and Mr. Stephen Roman, himself an immigrant to this country, are expressing and publishing those kinds of opinions in newspapers across Canada shows that there were

and are some prejudiced people in Canada and in the department. They ought not be there. The Minister should take steps to ensure that such people are not in a position to keep people out of Canada for reasons of their colour or religion.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: Motions Nos. 37, 53, 57 and 70 have been grouped for debate but will be voted on separately.

The first question is on Motion No. 37 standing in the name of the Hon. Member for Winnipeg North (Mr. Orlikow).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: The recorded division shall stand deferred.

The next question will be on Motion No. 53, standing in the name of the Minister of State (Immigration) (Mr. Weiner).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

Motion No. 53 (Mr. Weiner) agreed to on division.

Mr. Deputy Speaker: The next question is on Motion No. 57.

Mr. Marchi: Mr. Speaker, I rise on a point of order. There were discussions yesterday with the Parliamentary Secretary and the Member of Parliament for Spadina (Mr. Heap). It was agreed that Motion No. 57 would be divided into two parts and we would take a separate vote on Motion No. 57(A) and (C) and on Motion No. 57(b).

Mr. Deputy Speaker: Is that agreeable to everyone?

Some Hon. Members: Agreed.

• (1600)

Mr. Deputy Speaker: Therefore, Mr. Weiner moved:

That Bill C-55, be amended in Clause 18

(a) by striking out line 35 at page 32 and substituting the following therefor:

"any representative or agent of the United Nations"

(c) by striking out lines 36 to 39 at page 39 and substituting the following therefor:

"40(1) has been issued, or".

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion 57(a) and (c) (Mr. Weiner) agreed to.

Mr. Deputy Speaker: Mr. Weiner moved:

Motion No. 57

That Bill C-55, be amended in Clause 18

(b) by adding immediately after line 16 at page 35 the following therefor:

"(12) If the Refugee Division determines that a claimant is not a Convention refugee and does not have a credible basis for the claim to be a Convention refugee, the Refugee Division shall so indicate in its decision on the claim."

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Weiner moved:

Motion No. 70

That Bill C-55, be amended in Clause 19 by adding immediately after line 38 at page 43 the following:

"(1.1) Notwithstanding subsection (1), no appeal lies to the Federal Court of Appeal from a decision of the Refugee Division under section 71.1 on a claim, if the Refugee Division, pursuant to subsection 71.1(12),

has indicated in the decision that the claimant has no credible basis for the claim."

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Friesen: Mr. Speaker, I rise on a point of order. Yesterday the Member for Spadina (Mr. Heap) raised a question about amending Motion No. 35. The Government would certainly be willing to accept his amended motion. I believe he left a copy with the Chair. There would be agreement on this side to accept that in the name of the Hon. Member of Spadina (Mr. Heap).

Mr. Deputy Speaker: Does the Hon. Member for Spadina (Mr. Heap) have the unanimous consent of the House to withdraw Motion No. 35 and replace it with the motion he is proposing?

Some Hon. Members: Agreed.

Mr. Dan Heap (Spadina) moved:

Motion No. 35A

That Bill C-55, be amended in Clause 14 in the English version, by striking out line 20 at page 16 and substituting the following therefor:

"is of the opinion that there is any credible or"

He said: Mr. Speaker, I wish to express my gratitude to a number of people, including some who are not here, for the Government's willingness to agree to include the word "any".

The concern here is that in the preliminary screening, where the credibility of the claimant is being examined, many Canadians felt that the wording was too restrictive. It states at page 16, at approximately line 20, that if the adjudicator or member of the refugee division, after considering certain facts, is of the opinion that there is credible or trustworthy evidence on which the refugee division might determine the claimant to be a Convention refugee, they shall determine that the claimant has a credible basis for the claim.

It was felt that in essence the hearing that was supposed to be done later, if the claimant was passed through to the refugee division, was being heard before the adjudicator and the refugee board member in the first instance. They had to decide whether he had a credible claim and that there was a danger, if not a probability, that in fact a refugee claimant might be rejected because his claim was not credible enough.

The Hon. Minister of State for Immigration (Mr. Weiner) has spoken on that matter very often since May, in public and sometimes in Parliament, and has said that if there is any shred of credible evidence that he has a claim he will be sent to the refugee division. The Hon. Member for Calgary West (Mr. Hawkes) made a very similar point yesterday in speaking to another motion.

I believe it is the contention of the Hon. Minister and other Hon. Members on that side that the intention of the clause always was to allow the person to proceed if any bit of credible evidence could be found in his testimony to support his claim. However, the feeling was that the judge will not decide, whenever this gets to court, as it will, on what is the Minister's intention, but will decide on what is written in the law.

Therefore, I am asking that the law be written so that the claimant will be sent on to the refugee division if there is any credible or trustworthy evidence to support his claim.

I point out that by agreeing to this, the Government has taken a further step to bring this Bill into line with the principles of the United Nations, as discussed with us by the representative of the United Nations High Commission for Refugees. He also explained this when he came before the committee as a witness.

A memoir of the United Nations High Commission for Refugees, dated June 18, 1987, states that if the notion of credible basis is retained for screening purposes, the UNHCR recommends that it be redefined so it preserves the relative weight of evidence concerning individual circumstances and concerning the human rights record and the disposition of similar cases.

In other words, they are asking that the individual be heard and if there is any shred of evidence given by the individual, as the Minister said earlier, that his case be sent on for review by the refugee board and not be found ineligible to appear before the board.

I appreciate the agreement of the Hon. Parliamentary Secretary to this amendment.

Mr. Sergio Marchi (York West): Mr. Speaker, I rise in support of the Hon. Member's motion, because it touches upon motions that we introduced in the last few days and discussions we had with respect to the prescreening stage and the problems one can envision with what is a credible basis.

What is the definition of a credible basis? How much weight should be placed on this particular aspect of the system, rather than allowing individuals to go directly to the refugee board?

Currently, there is no universally accepted definition under the Geneva Convention for a credible basis but there is a definition for "manifestly unfounded", which is very clear, precise, and well accepted.

I believe the Hon. Member is posing a motion that is valid and quite sensible. If there is a trace of credibility, if there is a trace of authenticity to an individual's claim, then that should automatically be the business and the subject of a review before the refugee board.

• (1610)

We have suggested in the past, as have organizations, that if a claimant comes to our shores and makes an application for refugee status, then that should be the subject of an oral hearing before the new refugee board. Groups and individual Members of Parliament, including myself, have advocated that, since it would be the most fair process to follow. It would ensure that we would not be barring or returning an individual who may be a legitimate and bona fide refugee.

When I say "may" I mean exactly that, since neither we nor the two officers at the border should be the judges of that claim. That should be a subject matter for the refugee board to determine with its two officers who are knowledgeable on refugee related matters to make a judgment. That is what the entire refugee determination system means. The word "determination" is critical. The critical aspect of determination should be handled by the refugee board which is knowledgeable and competent.

We also believe that it would be the expeditious thing to do, in order to alleviate the growing and very difficult backlog that has been created over the last number of years in which we see that the backlog becomes increasingly greater. As soon as the Government, as it has done in the past, invokes quasi-amnesty through an administrative review, then by the time we are finished debating Bill C-55 there will be another monstrous backlog that the Government will have to address in order to allow the new refugee determination system not to be paralysed from the very outset, but to start in fact with the decks cleared of this great and huge backlog.

We are therefore suggesting from the point of view of speed that it would be an additional bureaucratic layer to have a hearing or a prescreening at the outset and then, if it is determined that a person should move on, another oral hearing in front of the refugee board. We are suggesting that there is no need for the same claimant to have two separate hearings. We are suggesting that he should be able to tell his story once, that being before the competent board.

The Government argues that it wants this measure to expedite matters and suggests that it wishes to have it to deal with those who wish to abuse our system by having two hearings. No refugee coming to a refugee prescreening stage would want to give part of a story. If one is a legitimate refugee, then one will want to put all the facts, all the circumstances and all the other intervening variables on the table so that the case may have a good chance of being approved.

If that is the reality, and there is no doubt that that will be the reality for claimants at a prescreening process, then we are suggesting that there is no need for a prescreening. What we need is a competent board to offer a proper and effective hearing and to review the individual merits and circumstances of a case. If the individual is refused at that stage, then Parliament, the Government and Canadians can at least be assured that the decision was rendered by a competent body rather than having a guilty conscience by having two screening officers send an individual away from the country and us worrying about whether or not that individual was in fact a legitimate refugee.

The motion makes a great deal of sense. It speaks to the validity of having the refugee body be the judge and jury rather than having two officers at the border prescreening and making a judgment thus rendering the refugee board null and void with respect to that one claimant.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I want to speak briefly in support of Motion No. 35A and to express some appreciation for the willingness of the Government to include the word "any" in the wording. It is a rather crucial point. When we have a very bad piece of legislation, a piece of legislation that will screen out many people who will not have a chance to make their claims, what this wording will do is minimize slightly that screening-out procedure. Now, excessive procedures will not be even more excessive than they might otherwise have been.

What this means is that the issue of credibility will be given a fair chance. A refugee who supposedly has a shred of credible evidence will have a chance to present that evidence and to have it evaluated. It will not be excluded automatically. It will not be excluded on the say-so of officials. The intention, one which has been expressed by Ministers, is that refugees who do have some kind of supporting evidence will have that evidence evaluated and at least have a chance to make their case. It is a very small amendment. It does not change the nature of the Bill. However, we certainly welcome it in that it goes in the right direction.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 35A standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion 35A (Mr. Heap) agreed to.

Mr. Deputy Speaker: The next motion is Motion No. 40 standing in the name of the Hon. Member for Spadina (Mr. Heap).

Mr. Dan Heap (Spadina) moved:

Motion No. 40

That Bill C-55, be amended in Clause 14

(a) by striking out line 40 at page 16 and substituting the following therefor:

"their decision and their reasons in writing as soon as possible after"

(b) by striking out line 18 at page 17 and substituting the following therefor:

"and the reasons therefor in writing as soon as possi-"

(c) by striking out line 10 at page 18 and substituting the following therefor:

"decision and the reasons therefor in writing as soon"

(d) by striking out line 27 at page 18 and substituting the following therefor:

"decision and the reasons therefor in writing as soon".

Mr. Hawkes: Mr. Speaker, I rise on a point of order. I paid close attention to Motion No. 40. I think Your Honour might find that in subclause (b) and subclause (d) that the lines specified for removal cannot be correct. They do not sensibly fit in in the text. I think that if the Hon. Member for Spadina (Mr. Heap) has a correction to offer, then it might be appropriate to proceed. If he does not have a correction, then it might make more sense for the House to proceed to the next grouping while the numbers are looked at. If we are to accept the motion as it is presently written it would not make sense if it were adopted.

Mr. Heap: Mr. Speaker, I rise on the same point of order. I thank the Hon. Member for Calgary West (Mr. Hawkes) for bringing this matter to the attention of the House. He has told me that he reads over all the amendments very carefully, and he has just proved that.

Indeed, there is a typographical error here. I would ask for the unanimous consent of the House to amend my motion to read as follows:

(b) by striking out line 8 at page 17—

I think the Hon. Member for Calgary West will find the words he is looking for at that line. Part (d) should read:

(d) by striking out line 20 at page 18—

Mr. Deputy Speaker: Does the Hon. Member for Spadina (Mr. Heap) have the unanimous consent of the House to make the proposed changes to his motion?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: On debate, the Hon. Member for Spadina.

Mr. Dan Heap (Spadina): Mr. Speaker, I thank Hon. Members for their assistance. This motion obviously makes one point in four places, and there are more places in which it might be made, too, but these are the ones that came to my attention.

• (1620)

It is during the preliminary hearing or screening, as it is sometimes called, that people are to be tested for eligibility and credibility. We have, therefore, two pairs of alternate decisions that may be made by the adjudicator and the refugee board. They both may find him not to be eligible, or one might find him to be eligible. If he passed that test, they might both find him not to be credible, or one might find him to be credible. So there are four possible decisions reflected in Motion No. 40(a), (b), (c) and (d). The Government introduced the amendment with the underlying words, "that they shall give their decision and the reasons therefore", for which I am grateful, but I am asking also that the reasons be in writing.

My reason is that it is not only fairly customary in judicial or semi-judicial proceedings, but it will greatly expedite the action of review, if that is sought by the claimant. If the claimant receives a negative decision on either his eligibility or credibility, the Bill provides within very limited circumstances that he may have a review of that decision. However, his lawyer, the lawyer he has chosen or one provided by the Minister, unless he has chosen to go without a lawyer, will want to know the reasons for the decision in order to deal with them.

Rather than having to make a special application to get a copy of the reasons, I think it would be much more reasonable for the lawyer to receive them automatically. In other words, the reasons would be provided in writing. I am advised by persons experienced in cases before the Immigration Department that this is not an onerous requirement. I hope we will not hear from the opposite side of the House that this will cause weeks and months and years of delay and allow in 50,000 bogus refugees. I believe it is a very limited request we are making, and a very customary one.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I just want to put on the record that the Bill already requires that reasons be given. I think there was general agreement with the standing committee when it held its hearings in December that since we will have electronic recordings going on at the same time, that that would be adequate. Those who met at that meeting thought it would be adequate. Actually, that would be to the advantage of the claimant because he can use the recording immediately rather than waiting for a printed transcript. I do not credit the Hon. Member's premonition that we would be afraid of massive backlogs as a result of this. However, it would be to the claimants advantage to depend on the recording and be able to work with his counsel, who will be with him at the time in any case, and he could proceed with his appeal at any time. We think this particular amendment would work to the claimant's disservice and we should not support this motion.

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I do not see what the Government's problem is, if it wants to have the rule of law properly applied. If it simply wants to rely on a transcript, there may be delays in getting the transcript. The transcript may not be complete. Who pays for the transcript? How long would it take to get the transcript? If

one needs reasons at the end of the transcript that consist of one page, one might have to purchase the whole transcript of 100 pages, which becomes prohibitive. There are all sorts of technical points I could make to show why the Government is being unfair.

Why not allow this motion? Reasons in writing may force the person who is making the adjudication to actually put down full and complete reasons for the decision rather than dismissing the application too lightly. This is a quasi-judicial procedure in the sense that there is appeal from it, although it is limited as the Hon. Member for Spadina (Mr. Heap) pointed out. Appeal, of course, is a judicial procedure. One wants to have the proper means to make that appeal and part of having the proper means is to have a reason for the decision from which one can appeal. Does that not make sense? So why is the Government being so tight on this issue, or is it just part of the way it has approached this whole Bill, and that is to slam the iron fist down and to heck with the rule of law?

Mr. Sergio Marchi (York West): Mr. Speaker, I think it is bad enough that the Government is imposing a prescreening stage. It is bad enough that the Government is saying that, notwithstanding that we have a refugee board, it is going to make a judgment anyway before one even gets a chance to go to the refugee board. That is the larger problem. That is the area on which the Government should have moved.

Given that the Government seems determined to have a prescreening stage, a pre-judgment, if you will, at the very least what the Government should do is offer a written decision that would reveal the reasons for refusing that individual claimant to proceed any further in the refugee determination system. I believe that is the very least the Government can offer, given that there is a possible appeal and also given that the Government wishes to move so quickly at this stage that the claimant may not have the possibility of having his or her legal counsel of choice, but rather a counsel appointed by the Government.

One can envisage the circumstances. If I was a claimant and I had to go through the proceedings in a number of days, and my solicitor of choice was not available to defend me, then at the very least, following my particular case, I should be able to offer a written reason for the decision to my proper legal counsel so that he or she may prepare the defence at appeal time.

It is not a question of simply saying it is on tape and the claimant should be happy. I think if we are going to treat this matter in an acceptable way, with the possibility that the legal counsel of choice will not be present at the first stage, but may be in fact working on behalf of the claimant at appeal time, at the very least we should try to maintain the standards of our judicial system and have it applied to the prescreening stage so that all decisions may be routed in the written decisions, and have the Government stand by those remarks, if they are in fact appealed.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I am rather perplexed as to why the Government will not accept this very simple and staightforward amendment. It is necessary for reasons to be given both in the case of eligibility and credibility so the reasons will be there. The Government says they will be there on tape. What is the lawyer and the refugee to do, go around with a tape recorder with a little cassette if the decision is unfavourable and the matter will be appealed? Limited as the grounds of appeal are, there are some. The possibility of appeal is there. How is the refugee to take advantage of it?

Normally, one cannot proceed with a piece of tape. A transcript will be needed. Who is going to make the transcript? There is then going to be a delay to get a transcript. As has been mentioned, if the reasons are not given in some succinct fashion, the refugee may have to get a transcript over a very much longer period of the hearing, which will be expensive and cause further delays.

It seems to me there are very good reasons for ensuring that there are written reasons as to eligibility and credibility and that the claimant should have access to these. There is a possibility that the person will not have his or her preferred lawyer there, that they may have to make do with one appointed by the Minister since so little time is provided for the refugee to get legal assistance. There may then be a change in lawyer which will cause further complications.

This seems to me to be a very reasonable amendment to facilitate things. Poor as the procedure which is being allowed is, it should at least be made to be workable within the constraints. It seems to me this is a very simple and straightforward amendment and I would ask government Members to support it.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the Government has decided on prescreening. What the Hon. Member for Spadina (Mr. Heap) is trying to do with his eminently reasonable amendment is to make the best out of this decision of having the prescreening. In other words, he is saying let us have a prescreening system which is the fairest possible.

• (1630)

How can a potential refugee who does not speak or understand a word of English or French make out when a verbal decision is handed to him or her, without having an opportunity to show the decision to someone who may want to help? Therefore, the request for a written record seems to be eminently sensible and fair. If an officer at the border decides in the negative, the decision should be available not only by word of mouth.

After all, we are dealing with human lives in this Bill. All this amendment is attempting to put in place is a technique of putting on paper the thoughts of the representative of the Government judging the person. What is wrong with a request that says "put it on paper"? That is what makes it so difficult

to understand the answer given by the Parliamentary Secretary. It is a legitimate request because in the end the person can, if he or she wants help, at least show the grounds on which he or she was refused.

Therefore, the amendment ought to carry and not be rejected because it is so fundamental, simple, and reasonable. If the cause of refugees is close to the heart of the Government, as is being claimed, then it has an opportunity to prove that it wants to facilitate the system in its fairness as well. We cannot have a fair system if it is only based upon oral or verbal communications. There must be a little piece of paper on which the decision is recorded so that the life of the individual involved can be examined as to whether or not there should be a subsequent step by way of a decision which is not only communicated by word of mouth.

If anyone in this room were a potential refugee, I do not think he or she would want to be put in a position of having to face a decision which is only communicated by word of mouth and not on a piece of paper. That is not good enough, and that is why the amendment is sensible and desirable.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, two of the four clauses would require Canadian taxpayers to have typed up a transcript which would never be used for anything. This amendment would require us to give typewritten reasons for people to go forward to a *de novo* hearing. There is no place for such a transcript in that hearing. There is no need for it; it is an expenditure that is not worth-while.

The other two clauses would require the taxpayers of the country to have typed up reasons, which have been given orally or verbally in the presence of counsel and everyone else, and with cassettes being available, for abusers of the system. There is a certain direct cost involved in that, but there is even a larger cost in Canadian taxpayers continuing to support abusers over a longer period of time.

Surely the Chamber has come to the conclusion that abusers should be removed speedily. Every group that appeared before us testified to that effect. If there is any evidence that a person might have a credible claim, we put an amendment where the Crown does not even contest the issue of credibility. It can simply be asserted that it is credible, and it goes forward to a *de novo* hearing.

Why would we want taxpayers to pay for the typing up of a transcript which in half the cases—and hopefully it will be 90 per cent of the cases ultimately after we have removed the abuse—will never be used? Why would we go to the expense of keeping people in the country for an extra week or two weeks when there is no credibility to the claim, when a decision has been made and there is no evidence of any kind that is credible or trustworthy which might indeed enable us to classify them as refugees?

That is what this amendment deals with, and I urge Hon. Members to reject it.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, at times one gets the impression that the Government is committed to an almost infantile level of negativism. In rejection of a very simple amendment it gives bumbling, inarticulate, inexplicable, and incomprehensible reasons—"My God, somebody might have to type up something!"

Earlier I heard my colleague say that he hoped the Government would not suggest that the amendment would cause the appearance of a backlog of thousands of illegitimate refugees. What we hear is reasoning which demonstrates that the procedure the Government would adopt in lieu of written reasons would in fact cause precisely that kind of delay.

Then we have the Hon. Member for Calgary West (Mr. Hawkes) who is worried about somebody having to type; about the fantastic cost of typing up reasons which, by the way, would perhaps cost less than a whole tape; and about according to illegitimate refugees some special privileges in the context of a procedure in which he has utter trust, in spite of the fact that we assert that the pre-screening process, in and of itself, does not serve to establish what it claims will be established.

My colleague indicated that it was a method of imposing some means of discipline, of articulating, and of justifying reasons, and that it was necessary for people, in terms of the slight appeal procedures provided them, to have a clear statement for either himself, herself, or the person's lawyer.

This is elementary. What is wrong with the Government that it has such a total commitment to unfairness? What is the source of its congenital negativism? Surely it is a simple amendment which ought to be entertained with enthusiasm, if not with understanding.

I urge upon the other side to attempt to be just a little more understanding of what is being asked for here and the situation being created by this legislation.

I was just reminded of the utterances of Mr. Clyne whose point of view, if adopted by the country, may require me to seek refugee status someplace else. If I had to face that kind of set of requirements to gain admission, in those circumstances I think I would be frightened.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 40, standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: The recorded division shall stand deferred.

The House will now proceed to Motions Nos. 43 and 44, which will be grouped for debate but voted on separately.

Mr. Dan Heap (Spadina) moved:

Motion No. 43

That Bill C-55, be amended in Clause 14 by striking out line 2 at page 19 and substituting the following therefor:

"allowed to return and remain in that country."

Motion No. 44

That Bill C-55, be amended in Clause 14 by striking out line 3 at page 19 and substituting the following therefor:

"(2) Notwithstanding paragraph (1)(b), or (1)(d),".

He said: Mr. Speaker, I wish to speak to Motion No. 43 and, following our disposal of Motion No. 43, I would seek leave to withdraw Motion No. 44 since its effect is very close to that of Motion No. 43.

However, what I am seeking in Motion No. 43 is the safety of a person who is returned to the country from which he came to Canada. In the original version of the Bill it was called a safe third country. At page 14 of the Bill, Section 48.01, which is the description of a person who is ineligible, reads:

• (1640)

(1) A person who claims to be a Convention refugee is not eligible to have the claim determined by the Refugee Division if

—(b) the claimant came to Canada from a country, other than the country of the claimant's nationality or, where the claimant has no country of nationality, the country of the claimant's habitual residence, that has been prescribed as a country that complies with Article 33 of the Convention either universally or with respect to persons of a specified class of persons of which the claimant is a member;

The problem with that clause is that a person may be sent back to a country and not really accepted by that country. If the country bounces the person right back to Canada, the Government has introduced into the present version of the Bill a procedure for bringing him back into the process of refugee claim determination. That is good.

I am very glad the Government has made that amendment in the present version of the Bill, but it does nothing for the case of a person who is not accepted by a country and who is not returned to Canada. We do not know what is going to happen. We do know from the United Nations High Commissioner for Refugees, and from other sources, that there are currently thousands of refugees who are described as refugees in orbit. They are sent from this country to that, from that country to another, and so on. Refugees were sent from Denmark to Turkey. They had come from Turkey to Denmark. Turkey found out that they had come to Turkey from Iran and Turkey sent them back to Iran. Denmark did not send them to Iran directly. It was not expected that that Turkey would do what it did. People probably expected Turkey would allow them to stay there. But there is no guarantee.

I am concerned that it has not been possible so far to find an agreement within Parliament here, within the committee, between the Opposition and the Government on words that would ensure that, when a person is sent from Canada to the country from which that person came, the individual will either be allowed to remain in that country, meaning, in my opinion, allowed to live there, not to be detained as a prisoner or starved for want of being able to earn a living. In the previous amendment that was defeated I asked for those other points, but what I am asking now is that a person be allowed to remain in the country from whence he came and that Canada would then be responsible for making sure before long so that he would be allowed to remain.

This is a point on which the United Nations High Commissioner for Refugees commented in his *aide-mémoire* in June. In paragraph 6 he refers to Section 48.01 which sets out access criteria which must be met if an applicant for refugee status is to have his or her claim referred to the refugee division. He goes on to say:

In the general context of returns to "safe" or intermediate countries, UNHCR would reiterate the guiding principle that every State party to the 1951 Convention/1967 Protocol—

That is us, Mr. Speaker. We are party to it.

—should examine all such applications for refugee status as are made on its territory.

That is exactly what in this Section Canada would be choosing not to do, in Section 48.01(1)(b) which I read. Canada would be saying that it will not examine a person's claim. Canada will send him or her back to where they came from. Suppose the country a person came from takes the same attitude as Canada. Suppose it follows our lead, the country that was given the Nansen Medal last year for its good treatment of refugees. Suppose the country says "We won't keep the individual. We will send him somewhere else". It could be a country where the person fears persecution and where, in fact, he might be persecuted. Therefore, I am asking that we bring this law into some degree of compliance with the United Nations Convention, as asked for by its representative.

There is another point which the United Nations High Commissioner for Refugees has raised as well. In paragraph 17 of the same *aide-mémoire* we find:

UNHCR warmly welcomes incorporation of the principle of non-refoulement in Section 55, and trusts that its extension to all persons found ineligible will be considered.

Article 55 is a good article as the UNHCR has commented, but it does not go far enough. Article 55 says, in effect, that no person who is described in Section 48.01(1)(a) shall be

removed from Canada to a country where that person's life or freedom would be threatened and so on. That is good as far as it goes. It refers, and I quote Section 48.01(1):

> (a) the claimant has been recognized by any country, other than Canada, as a Convention refugee—

They are to send this person back to some other country but not to the country from which the individual has been found to be a refugee. The UNHCR has asked that that non-refoulement principle be applied to all people who are found ineligible under Section 48.01. Non-refoulement means that we do not send a person back to the country of persecution directly or indirectly, even through another country. It also means that we do not send him or her back when we have not determined that he or she is not a refugee. In other words, if we have not listened to the claim, we do not know if the individual is a refugee or not and we do not send him or her away if there is a chance that the country to which we send the person would send him or her back to the place where the individual was claiming to be persecuted.

I ask that we comply with the UNHCR's request based on the Convention which we signed 20 years ago.

The Hon. Parliamentary Secretary made much in the committee and in Parliament here of the fact that he asked the UNHCR representative whether UNHCR found Canada in contravention of the Convention. The answer was no, but the UNHCR representative did not say that this law fully complies with the Convention. The UNHCR representative made a number of requests that he said would bring the law into compliance. This is the diplomatic way in which the UNHCR normally deals with countries that are signatories to the Convention because it does not have any power of enforcement. It cannot take Canada to court and enforce a decision compelling Canada to comply with the Convention and its articles. It can only request, and it has requested us. I hope the Hon. Parliamentary Secretary will respect the request of the UNHCR. It simply means that Canada would have to find out whether a person will be allowed to remain in that other country.

We will hear from the Hon. Member for Calgary West (Mr. Hawkes), I am afraid, about all the bogus refugees who will be allowed to eat off the fat of the land here while Canada is trying to find out whether Germany, France or Sweden will take a person back. I think that will be stretching the point, but we will have to put up with it for a little while, I guess. I would ask that, after the Parliamentary Secretary has had his fun, he support this motion.

• (1650)

Mr. Deputy Speaker: Does the Hon. Member for Spadina (Mr. Heap) have the unanimous consent of the House to withdraw Motion No. 44?

Some Hon. Members: Agreed.

Motion No. 44 (Mr. Heap) withdrawn.

Mr. Deputy Speaker: On debate on Motion No. 43, the Hon. Member for York West (Mr. Marchi).

Mr. Sergio Marchi (York West): Mr. Speaker, before the Hon. Member for Calgary West (Mr. Hawkes) has his fun, let me add a comment to the debate on this motion on behalf of my Party.

No one disagrees that if a refugee claimant asks for protection in Canada and we discover that he clearly enjoys the protection of refugee status under another country, that person should be returned to the country that has offered him protection. If it is found, through the determination system, that an individual had access to the refugee determination system of another country and that could be proven, there would be no argument against suggesting that the claimant return to that country because we have a long enough list of individuals who do not have any protection from any country. I think it is our responsibility to offer protection to those who do not have any other protection. Those who seek protection for the first time should be the priority, and rightfully so.

In the course of debate, the Minister of State for Immigration (Mr. Weiner) said on a number of occasions, both in committee and in the House of Commons, that he would look for guarantees. If Canada were to send an individual back to his second country, the Minister said that there would be some kind of guarantee. He also used the word "agreement" in response to a question I put in the House of Commons, but later in committee changed his tune and said that he would be looking for arrangements. Quite obviously an arrangement is something very different from a guarantee or an agreement.

If all the countries on the list of safe countries guaranteed that they would respect the safety and protection of a claimant, then the Government would be able to sell its policy to Canadians from coast to coast. However, it simply wishes to have a safe country concept without telling us which countries will be on the list. It will not tell us how those countries will get on such a list. The Government will not tell us if the United States of America will be considered safe for Central Americans or if Great Britain will be considered safe for Tamil refugees. On top of that, the Government says that it will only return an individual to a country.

The Government is asking for too much. The Government is asking for our trust and confidence, but it is not deserving of that trust and confidence because there are too many questions and gaps and there are too many places where a fatal mistake could be made. One such mistake would be too many.

This motion suggests that the clause read that a person be returned to and remain in a particular country, rather than just be returned to that country. A claimant can be returned to West Germany, Holland or Great Britain, but those countries may not offer refugee status, may not offer a chance to apply under their refugee determination systems, may not grant visitor status or may not grant landed immigrant status. Upon a claimant's return, they may simply send him to another

country, and many refugee groups have called that sending refugees into orbit.

The United Nations High Commission for Refugees is not the only group that has asked for that clarification. If the Government does not like the word "remain", perhaps it might like the word "admitted". Many different witnesses in addition to the United Nations High Commission have promoted that concept. The Canadian Bar Association has commented on that concept. The Inter-Church Committee suggested that the word "arrangements" is vague and that refugees will be put in orbit.

The Halifax Refugee Assistance Group has spoken on this issue. The Mennonite Central Committee said that there would be a problem if claimants were sent back to these countries because they may not have access to the determination systems there and will not have to be away longer than 90 days.

Rabbi Plaut, Pierre Duquette, representatives of Amnesty International, Professor Hathaway and representatives of the Canadian Bar have all suggested quite strongly that simply returning someone is not a guarantee that that person will be able to stay, as the Minister of State suggested. Return is not necessarily admission to a country. When all the verbiage is stripped away, this is in essence a lack of commitment on behalf of the Government to go the extra distance that would ensure that a returned person would not be put into an eternal orbit or sent back to the very land from which he wished to escape.

Through this motion, we are asking the Government to live up to its commitments and not simply state that it has good intentions. It should put its intentions into law so that the legislation will match the intentions. Canada is not governed by intentions or by speeches made by the Minister; it is governed by the letter of the law.

As Bill C-55 stands, it leaves a lot to be desired. It is not enough to say that we are protecting refugees by returning them to a safe country. The concept is weak and the terminology is weak. I hope that the Hon. Member for Calgary West will clarify the Government's position on that.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, I would have thought that someone from the Opposition would have mentioned the reality, which is that this clause is very, very positive for Convention refugees. We are putting into statute law the right of anyone determined to be a Convention refugee to apply for landed immigrant status in this country.

Historically, such applications have been made, but no one has ever had the right to make them. Relatives will not have that right. The only ones who will have the right by statute law to apply for landed immigrant status in Canada through an immigration officer will be those we determine to be Convention refugees. That is the essence of the clause.

One begins to wonder if anyone read the clause or attended the hearings to hear the testimony on it. The Bill is very complex.

The amendment proposes that we add to the clause the word "remain". What does that mean? Does it mean remain for 10 minutes, for 10 days, for 10 years, for 10 lifetimes? Is the addition of the word "remain" a clarification or an added confusion? I simply suggest that it is an added confusion. The amendment would provide a legal opportunity for someone to have a right whom we do not want to have that right for a particular reason.

Let us say, for example, some persons are born in a country like the U.S.S.R. They lived there on a Green Card for 40 or 50 years. Then they decide all of a sudden they would like to be Canadian citizens. They come across the border, where we conduct a refugee hearing. We say we cannot send them back to the U.S.S.R. Should we immediately give them the very special privilege to apply for landed immigrant status in Canada? Or should we have the power under the Act simply send them to the U.S. where they have a viable Green Card? That is the kind of situation we are dealing with.

• (1700)

Citizenship in many nations of the world is conferred at birth. It exists for life and cannot be revoked. You cannot even deny it or give it up. Whatever your country of origin, you will have a right to the Canadian refugee determination system. That is appropriate and that is what universality is all about. We may indeed decide it would be inappropriate and a default under the Convention to send them back to the country of origin. Yet surely we should retain the right to send them back to the country they lived in permanently, which they have not fled, and in which they make no claim to be persecuted. They make no claim on us to protect them from that country and that country is willing to have them back.

This would not be a large category. It may never be invoked. However, do you want to leave another loophole that will perhaps turn Canadians against refugees because they do not understand the difference between people who need protection and those who do not? Or should we try to close off all the loopholes so that we are left with a system which helps us determine who is a Convention refugee so we can offer them the very special privilege of this clause, new in Canadian statute law, of applying for landed immigrant status inside the country?

I suggest to Members of the House that we do not need the word "remain". By putting it in we simply create another loophole for a bogus claimant to make a legal argument on what the word "remain" means. Without greater specificity, it means a lack of clarity for the clause. It does not change the nature of the clause, it simply adds another loophole. On that basis I think we should reject it.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, this amendment is crucial to the Bill and the change

to the refugee determination system. A number of years ago Canada signed the UN Convention on Refugees. We undertook certain obligations. We have an obligation not to send people back to countries where they have reasonable grounds to fear persecution. We are not to do that directly or indirectly. Because the Government is not prepared to look at other measures to do what it should be doing, stopping bogus refugee claimants, it is trying to stop certain people from being able to make refugee claims and send them back to a so-called safe third country. The argument is that genuine refugees are not being sent back to a place where they will be tortured or murdered. The Government is doing indirectly what it will not do directly, and that is not acceptable.

Mr. Friesen: You are totally wrong.

Ms. McDonald: My colleague from Spadina gave an example of a refugee turned back from Denmark to Turkey and then from Turkey to Iran. Denmark would not have sent the refugee directly back to Iran, but it did indirectly. Closer to home we have plenty of examples. Canada will not send refugee claimants back to El Salvador or Guatemala, but will send them back to the U.S. and the U.S. is sending refugee claimants back to those two countries. We know that some people being returned are tortured and killed. It is inexcusable for the Government to hide behind this indirect procedure.

We have had some people say "remain" may not be the right word. What does that mean? How long do we mean? If the Government has a better word, let us hear it. This is absolutely crucial. We are serious about this amendment. If the Government agrees on the principle but just quibbles with the word, let us have a better word. We are certainly willing to listen. What I fear is that it is not just a quibble about the word, it is a quibble about the real intent of having proper protection for refugees. This strawman of someone being born in the Soviet Union and coming via the United States to Canada is a preposterous example. The U.S. would not return such a person to the Soviet Union, but it does return people to Latin American countries which are run by dictatorships and which are torturing and killing civilians.

Obviously this Bill was designed with geography in mind. Latin American refugee claimants are very likely to come through another country, namely the U.S. Just look at the map. They are not very likely to be coming directly. Yet their needs are just as great. They are just as genuine refugees because they come from another country as they would be if they came directly.

We should not be doing indirectly what in conscience we could not do directly. That is why this amendment is absolutely crucial and if the Government has any intention of living up to its word not to send back refugees to countries where they will be liable to torture and murder, then it ought to accept this amendment as well.

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I want to adopt the very reasonable words and logical argument used by the Hon. Member who just spoke. I found the comments of the Hon. Member for Calgary West (Mr. Hawkes) to be rather picky. Quite frankly, I thought it was rather hypocritical to say that this amendment would create another loophole which would turn Canadians against refugees. It is the Government that tried to ride this wave of hysteria, which came over this country after the East Indian boat people landed in the Maritimes, to a higher standing in the Gallup poll. It never got anywhere. It was shameless. Thankfully, Canadians have not rewarded them for it.

Part of the Government's reaction to this clause is indicative of the way it has approached this Bill. It is not a fair Bill and it has been approached with hysteria and panic. That is reflected in the Bill to the point where a nun even appeared on television and suggested that through this Draconian Bill she might have to go to jail if she continued to help South American refugees. That is the end of the road this Government is on. The Canadian people will subsequently reward government Members in the election for that direction.

It is preposterous to make these picky arguments about whether a person remains for 10 minutes or 10 generations. "Remain" means stay. That is pretty obvious.

As to the Hon. Member's example of the Green Card, that reminded me of the song "Back in the U.S.S.R.". What did that mean? I think that was a strange example. The reality is what is happening with the Central American refugees. They are the ones who will be hurt and may die as a result of unamended clauses like this. In order to get rid of bogus refugees the Government could have adopted the system suggested by the Commons committee.

• (1710)

This clause should be adopted. The Government is being picky in not doing so. The Government's example is bad. This is a good amendment and the remarks of the Member for Broadview—Greenwood (Ms. McDonald) were right on. Let us get on with it and adopt this small but very important amendment.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: The recorded division stands deferred.

Motions Nos. 45, 47, 48 and 49 all deal with Clause 14 and will be grouped for debate but will be voted on separately.

Mr. Dan Heap (Spadina) moved:

Motion No. 45

That Bill C-55, be amended in Clause 14 by striking out lines 20 ands 21 at page 19 and substituting the following therefor:

"that neither the applicant nor the applicant's spouse, dependent child nor dependent parent is a person".

Mr. Fernand Jourdenais (Laprairie) moved:

Motion No. 47

That Bill C-55, be amended in Clause 14 by striking out line 22 at page 19 and substituting the following therefor:

"described in paragraph 19(1)(c),"

Mr. Dan Heap (Spadina) moved:

Motion No. 48

That Bill C-55, be amended in Clause 14 by striking out lines 22 and 23 at page 19 and substituting the following therefor:

"described in paragraph 19(1)(b), (c), (d), (e), (f), (g) or (j), or 27(2)(c) or (a)".

Motion No. 49

That Bill C-55, be amended in Clause 14 by striking out line 29 at page 19 and substituting the following therefor:

"(b) five years or more may be imposed, but the Minister may issue a permit or permits to enable the applicant, with his family if accompanying, to enter and remain in Canada for such period of time as the Minister may determine."

He said: Mr. Speaker, we now get away, for a while at least, from the technicalities of this law and get to a fairly simple point, that is, whether a person who otherwise would be landed will be barred because of his family. This amendment asks that we correct that type of injustice part way. I would like to correct it all the way, but I failed in committee. In committee I wanted to amend page 19 at lines 20 and 21 by dropping the reference to the family so that it would say "if the immigration officer is satisfied that the applicant" is not a person described in paragraph 19(1)(a), (b), (c), (d), (e), (f), (g) or (j) or 27(2)(c). However, I was defeated in that. I am not now asking for the same thing, only for part of it.

With some regret I suggest that we replace the words "that neither the applicant nor any member of the applicant's family is a person described" in that way, with the words "that neither the applicant, nor the applicant's spouse, dependent child nor dependent parent" is a person described in that way.

The term "family", referring to any member of the applicant's family, is a rather flexible term even within the Immigration Act and regulations because the Minister may, from time to time, add to or take away from the term "family" a certain family category. He has that power under the regulations. There is immediate family as well as more distant relatives.

Therefore, I am suggesting that we should make this exclusion applicable only to a person whose spouse, dependent child or dependent parent falls under these prohibitions. We do not want to break up husband and wife or separate parent from dependent child or adult child from dependent parent. Others are more separable. I will, therefore, for the purpose of this motion, concede that if a person who individually should be landed, which is what this clause is dealing with, has a dependent of that sort, that dependent may exclude the person from being landed. Surely it should not be applied to anyone who is not a dependent in that specified sense.

I agree with the Hon. Member for Calgary West (Mr. Hawkes) that this Bill, on this and one or two other limited points, is a distinct advance in humaneness over the previous legislation. The finding that once a person is found to be a refugee he has the right to be landed is an advance. However, we do qualify and limit that right. This paragraph reads:

> Notwithstanding any other provision of this Act, an immigration officer to whom an application is made under subsection (1) shall grant landing to the applicant—

That is good, but it goes on to say:

> —if the immigration officer is satisfied that neither the applicant nor any member of the applicant's family is a person described in paragraph 19(1)(a), (b), (c), (d), (e), (f), (g) or (j) or 27(2)(c)—

What are Subparagraphs 19(1)(a) and (b)? They are grounds, in the present legislation, upon which a person may be found inadmissible. Section 19(1) provides that:

> No person shall be granted admission if he is a member of any of the following classes:
>
> (a) persons who are suffering from any disease, disorder, disability or other health impairment as a result of the nature, severity or probable duration of which, in the opinion of a medical officer concurred in by at least one other medical officer,
>
> (i) they are or are likely to be a danger to public health or to public safety, or
>
> (ii) their admission would cause or might reasonably be expected to cause excessive demands on health or social services;

If a refugee's dependent is suffering from some illness of this sort the refugee cannot be landed.

Such a case, to which I have referred before, has been brought to our attention. It was brought to our attention by the Mennonite Central Committee in correspondence in the spring and was reiterated by them when they were testifying before the committee two weeks ago. In Southeast Asia a family had waited for some years in a refugee camp and had finally been selected to be brought to Canada. About two days before they were to take a plane to Canada, an X-ray revealed that one adult son of the family had a spot on his chest that might indicate tuberculosis. Therefore, he and the rest of the family were excluded from coming to Canada. I am not sure whether the rest of the family had the choice to leave him behind and chose not to, or whether they were not given that choice. In

effect, it would be a pretty poor choice for them. After living as a family of refugees, to leave one of their members behind is almost no choice at all.

• (1720)

A few weeks later, that young man hanged himself so as not to be the burden preventing his family from being relocated to Canada.

The Mennonite Central Committee, which has a great deal of experience in handling refugee affairs, pointed this out as a very tragic application of our law in this respect, especially in comparison to the United States where, in a case like that, they would have brought the person along and given him treatment since tuberculosis of that small degree can usually be treated with today's modern methods. That deals with one of the clauses of exclusion.

Another clause is 19(1)(b) which states:

> Persons who there are reasonable grounds to believe are or will be unable or unwilling to support themselves and those persons who are dependent on them for care and support, except persons who have satisfied an immigration officer that adequate arrangements have been made for their care and support;

Therefore, either sickness or any kind of disability resulting in an inability to earn a living can be a ground for excluding a refugee if such a person is in the refugee's family.

While I would like to wipe out that whole exclusion, I cannot do so because of the action of the committee. However, I hope we would not exclude such a person if the sick person or person unable or unwilling to earn a living is not at least a dependent parent or dependent child. This is a matter of simple humanity.

We are not supposed to be dealing with regular immigrants. In fact, it seems that the practice of our overseas officers, with whatever instructions they have from headquarters, is increasingly to treat refugee claimants as though they were simply applicants for immigration to Canada. They are being asked about their education, skills and health, and whether they will be economically advantageous to the Canadian economy. Rather than that they are supposed to be considering human need.

Sometimes a refugee or members of a refugee's family have suffered very severely. Sometimes they have been wounded or tortured, physically or mentally. Sometimes they are half starved and have not had proper health care to prevent infections and so on. Not all refugees are in perfect shape when they apply to come to Canada. It is inhumane to exclude a *bona fide* refugee because a son, daughter, husband or parent is sick. That is bad enough, but it would also be inhumane to exclude a person because one's brother falls under one of these other categories under paragraphs (c), (d), (e) and so on.

When one considers the situation in the world now, we must follow the United Nations request and treat the case individually rather than collectively. Some of us joined the Army in the 1940s to fight against this kind of collective treatment, and we would like to defend the rights of the individual as in this clause.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I wish to support the amendment moved by my colleague, the Hon. Member for Spadina (Mr. Heap). It involves a very important principle and I heartily concur with his analysis in terms of individual rights and the importance of dealing with people as individuals. It is quite spooky when one considers people being condemned on the basis of the situation of a relative.

The Member for Spadina has already pointed out how he was unsuccessful in achieving significant amendments on this point in committee. What he is trying now, and what I am supporting, is a much lesser amendment. However, something is better than nothing in order to reduce the damaging effect of the Government's intentions to proceed in this respect.

This Bill is primarily a disaster. It is an extremely unfortunate Bill which will cause a great deal of harm. However, scattered throughout the Bill are some good points in its various clauses.

One of them is the right to landed status for people who are judged to be refugees. While there will not be many people judged to be refugees because many will be screened out before they even have a chance to make an application, they will have a little more protection than they received in the past. They will have the opportunity to apply for landed status.

However, what will happen next? The situation of family members then comes into play. As the Hon. Member for Spadina has noted, refugees who come to Canada to apply for refugee status are often in very bad shape. They have been through a great deal in their own country and may have suffered further in transit to Canada. It should not be surprising that some relatives will not be in the best of health and could be suffering from torture or physical and mental abuse. I believe a bit of compassion is in order at this stage.

I heartily urge the Government to see the merits of this amendment, in one area where it has done something right in permitting landed status to a certain, albeit small class of people. It should not close the door to them on account of the status of a relative.

Why should the Government not go the next step in this very limited area and accept the amendment of the Hon. Member for Spadina?

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I too wish to speak in favour of the amendment. However, I have some misgivings due to the nature of the Government's legislation. It is disgusting that the Government would deny refugees from landing in Canada by claiming that a family member had a disability or an illness, especially a treatable illness. The Member for Spadina (Mr. Heap) used the example of a minor case of tuberculosis.

Members opposite preach about the sanctity of the family. It is absolutely astounding that they can turn around and destroy an individual and a family unit on the basis that a qualified refugee cannot enter the country because a family member may not meet a requirement that is defined in the legislation. The Government ought to rethink its position completely.

Conservative candidates will eventually have to justify this disgusting aspect of the legislation that discriminates against families and places in jeopardy people who would qualify but for the status of a family member. There is not a single Member in the House who for years has not fought the iniquitous sections of this legislation that separate families. There are cases in which an individual member of a family has come here, has worked and has attained citizenship and who attempts to unite the family in Canada, and is sometimes successful. Sometimes in the long timeframe, in attempting to accomplish that end, several of the children, or even one of the children, may be barred because of age. In such a case one of the children must be left behind. These are tragic situations which happen to those families.

• (1730)

I notice that the Government when proposing these Draconian pieces of legislation concerning immigrants and refugees was proposing to remove that one very, very grim piece of the Immigration Act. At the present time I have some misgivings in supporting my colleague's amendment. It really is a second-best situation. The Government has forced a situation in which the House would consider passing legislation that would not allow families to be united when, say, the head of the family can be established. We will wind up not permitting that because another member of the family may have some problem that could be and is accommodated easily in Canada.

I support the amendment, but it is with a great deal of sorrow. What we should be doing is putting forward a first-class piece of legislation which supports the family unit and which allows a person who qualifies as a refugee not to be rejected on the basis that he cannot bring his family in because of some obscure problem in that particular section of the Act which excludes individuals.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, I see that my colleagues were very anxious to hear my remarks. Hopefully they will accept what I have to tell the Canadian people.

[*English*]

As far as I am concerned, the more I listen to the debate on Bill C-55 the more I think that the Bill is not the proper tool needed for the fair, fast and efficient refugee determination system that we need in Canada. Just to give an example, the pre-screening test is inhumane since we will know in advance whoever comes in will not be—

[*Translation*]

—will not be—I am switching to French, I lost the English text—will not be selected because they have already been mentioned in the Bill. They will not want to hear a claimant whose refugee status has already been recognized in another country, they will not let him plead his case to show that he is a genuine refugee. There are four or five different categories. Surely those who have read the Bill are aware and know that this measure is inhumane. The Bill is so very much unlike what it should be, and again I use the famous words fast, fair and efficient.

I will give an example to show how this 62-page Bill is not what is required for a claimant, for someone arriving from a country he had to flee lest he be killed, tortured, or threatened with death.

On page 44, for example, a clause provides: You may—if you have been rejected in terms of the new refugee classification—you may apply for leave to appeal after 15 days after appearing before a judge if, for very special reasons, he has ruled that you were not in a position to file an appeal within the prescribed 15-day delay. The other clause, on page 4, stipulates 15 days.

Mr. Speaker, we sat on the committee and heard many department officials, and if ever a refugee is turned down and department officials have done their work very quickly and issue a deportation order against the claimant, I wonder what will happen when he will appear before a judge and give very specific evidence that he was unable to appear before the famous 15-day delay, as specified in the clause on page 4, which is contrary to the clause on page 44.

Again I say that this Bill is not what we need to judge or select genuine refugees seeking asylum in Canada.

Again, Mr. Speaker, Bill C-55 includes something like 20 to 25 per cent of the contents of the Fifth Report of the Standing Committee on Labour, Employment and Immigration. As a Member I would like to know who suggested to the Government the other clauses, the other provisions in this disputed Bill. The Department's senior officials, the Deputy Minister? His assistant or assistants? Having been here for three years now, a question comes to my mind, Mr. Speaker: Why do we have committees? Why do we sit on committees, call witnesses, experts? Is it to be told how we should make laws for the well-being of the Canadian people? For hours and hours on end, we heard experts, witnesses who have been working for years on refugee or immigration matters, people like Rabbi Plaut, lawyer Pierre Duquette, and many others.

Since the very beginning, Mr. Speaker, I have been suggesting that the legislation should be rejected. I sent to many non-Government organizations, and to many Members of this House a document entitled "An Alternative Formula for Refugee Determination". I am convinced, after hearing experts, after sitting down, after discussing, I can guarantee you—not because it comes from me—that the new formula I

will put forward would have been accepted by everyone. When I say everyone, some 150 to 175 organizations are opposed to our legislation, Bill C-55, because it is an inhumane legislation, a legislation that should never have existed.

Mr. Speaker, this morning I received a telegram from an organization which I respect and which all of us in this House should respect—it came from Mr. Donald Anderson, Secretary General to the Canadian Council of Churches. That message, that telegram did not come from a nobody. He suggests, concerning Bill C-55:

[*English*]

> We appreciate government work to try to improve Bill C-55. Unfortunately our deep concerns remain. How can we know if a person claiming to be a refugee needs our help if we do not hear their problems? Each person claiming to be a refugee should have a right to have their individual circumstances assessed and their case decided on its merits before competent independent decision makers. To us, this is the intent of the Convention and Protocol.
>
> Immigration programs may legitimately choose who comes on humanitarian grounds and may set priorities on countries they may come from. We understand the attractiveness of this approach. Bill C-55 provides for exclusion of people not on the basis of their individual circumstances, but by a political cabinet decision that the country they transited before arriving in Canada is deemed to adhere to Clause 33 of the Convention, that is, it is deemed the transit country will not return the person in any manner whatsoever to a country where he or she may face persecution.
>
> This is a far shot from our obligation to give an individual who arrives in Canada a fair hearing of his or her claim to need our protection.
>
> Also, there is no meaningful appeal to any of the critical decisions made which can remove claimants from Canada in proposed inquiries or hearings.
>
> We cannot accept legislation which sets aside a claimant's right to just procedures in the name of administrative convenience. We urge you to reconsider, to abandon this Bill C-55 and to speedily replace it with one conforming with the principles of allowing every claimant a hearing on the merits and a meaningful appeal. There are alternative processes we can surely all support.

[*Translation*]

Mr. Speaker, thank you for signalling that I have little time left. I would have appreciated having 45 or 50 minutes. But when we see people, organizations like The Coalition for a Just Immigration and Refugee Policy state:

• (1740)

[*English*]

The coalition for a just immigration and Refugee Policy sees the approach to Bill C-55 as incorrect because it is not workable, it puts genuine refugees in danger and will not survive challenge in the courts.

[*Translation*]

We have already been told on four, five, six, seven, ten occasions that this famous Bill will be challenged in the courts. I can already foresee a backlog of some 25,000, 30,000 or 40,000 claimants seeking refugee status. I will refrain from trying to make political gains with this, Mr. Speaker, although I am very tempted to do so, but it will be very nice, come election time, to have some 50,000 people claiming refugee status—their brothers and uncles will love us.

To return to Motion No. 47—

[*English*]

People determined to be Convention refugees in Canada may nevertheless be denied landing on the grounds that they are medically inadmissible or because they have reasonable grounds to believe they will be unavailable or unwilling to support themselves.

[*Translation*]

To expedite matters, I should like everybody to vote on Motion No. 47.

[*English*]

Mr. Neil Young (Beaches): Mr. Speaker, my intervention is going to be rather short. I think my colleagues have covered the arguments in support of this amendment which stands on its own. My contribution, as I look at the existing language used in reference to the new language we are being asked to consider today, is where it states that neither the applicant nor any member of the applicant's family is a person described in paragraphs 19(1)(a),(b), and so on. The definition of "member of the family" which the Government appears to find offensive in terms of determining who can or who cannot come into the country, is defined under Section 19 of the present Act. It refers to an individual with a disability. I want to read it because the existing language is extremely insulting, if not insensitive, to disabled people. It says: "Persons who are suffering from any disease, disorder, disability or other health impairment". That in itself flies in the face of everything that has been said about the nature of disabled Canadians since I came into this House.

There was an all-Party committee that still exists in the House, with the agreement and support of all Members on all sides of the House, and which has been in existence since 1980. That committee produced a report, and I could show you stacks of subsequent reports, which all argue that there must a change in the attitude of people in society towards those individuals who are disabled.

The key argument which we had been using to try to persuade policy makers is that people who are disabled are not ill. All disability is not related to health problems necessarily. A person with a physical disability should not be considered someone who, for some reason, has a disease, disorder or other health impairment. Very often that disability is not even related to a health problem. It is certainly not related to a disease or disorder very often. Many people are born with disabilities and they are not health related. More often than not an individual can quite properly function in the mainstream of Canadian society if we give them some assistance.

I would certainly urge the Government—and the present Prime Minister (Mr. Mulroney) has clearly stated his commitment towards improving the lot of disabled individuals in Canadian society—to take a hard look at how it has defined disability under the existing Act which, of course, will be

incorporated into this new piece of legislation that the House is being asked to consider.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, the clause is being misinterpreted. What the clause says is that we will confer on immigration officers in Canada the same duties and powers that they would have if they were serving abroad, specifically for the purpose of dealing with refugee claimants. The clause says nothing at all about refusing landing to a handicapped person or an indigent person. It simply confers powers on immigration officers inside the country to act as if they were abroad for the purpose of granting a landed immigration visa.

The powers of the Minister to issue permits are the same as if the situation were abroad or in Canada. The power of Cabinet to land someone on a permanent basis is not disturbed. All the clause does, I repeat, is to confer on officers in Canada the same powers they would have if they were abroad to issue a landed immigrant visa for a specific class of persons who are determined to be Convention refugees.

It is in accord with the committee's desire and idea that people who are determined to be Convention refugees do not have to wait a year and a half or two years for the normal process under the law, but that we find a faster way for them to be landed. That is the purpose of the clause.

The first amendment promoted by the Hon. Member for Spadina (Mr. Heap) would make it more difficult for more people because of the definitional change. I would urge Hon. Members to keep it as it is. It does a very positive thing for people who are refugees. It does nothing negative to anyone. It simply makes a more positive world for people who need our help, humanity and compassion. That is what it does. That is what it says.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question will be put separately on Motions Nos. 45, 47, 48 and 49. The first question is on Motion No. 45 standing in the name of the Hon. Member for Spadina (Mr. Heap).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five members having risen:

Mr. Deputy Speaker: The recorded division stands deferred.

[*Translation*]

The next question is on Motion No. 47 standing in the name of the Hon. Member for La Prairie (Mr. Jourdenais). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Shall the recorded division be deferred?

Some Hon. Members: Yes.

• (1750)

[*English*]

Mr. Deputy Speaker: The next question is on Motion No. 48, standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: The recorded division shall stand deferred.

The next question is on Motion No. 49, standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: The recorded division shall stand deferred.

We will now deal with Motions Nos. 55 and 56, which will be debated together, and a vote on Motion No. 55 will be applied to Motion No. 56.

Mr. Dan Heap (Spadina) moved:

Motion No. 55

That Bill C-55, be amended in Clause 17 by striking out line 27 at page 25 and substituting the following therefor:

"48.01(1)(a) and (b) shall be removed from".

Motion No. 56

That Bill C-55, be amended in Clause 17 by adding immediately after line 3 at page 26 the following:

"55(2) Subsection 55(1) does not apply to persons found to be not eligible on the basis of paragraph 48.01(1)(b) if they are subsequently determined under this Act not to be a Convention refugee."

Mr. Hawkes: Mr. Speaker, I rise on a point of order. Earlier in the House today we approved Motion No. 53. I think it was carried unanimously. Since I think it takes care of the concerns contained in Motions Nos. 55 and 56, I wonder whether the Hon. Member for Spadina (Mr. Heap) might in fact withdraw the motions with unanimous consent of the House.

Mr. Heap: The Hon. Member for Calgary West (Mr. Hawkes), being younger than I, got up faster than I did.

I was about to say that in view of the fact that Motion No. 53 has been adopted and that I believe it covers the same ground and accomplishes the same purpose, I seek leave to withdraw Motions Nos. 55 and 56.

Mr. Deputy Speaker: I gather the Hon. Member has leave to withdraw Motions Nos. 55 and 56.

Some Hon. Members: Agreed.

Motions Nos. 55 and 56 (Mr. Heap) withdrawn.

Mr. Deputy Speaker: We will now deal with Motions Nos. 65 and 67 which will be debated together but voted on separately.

Mr. Hawkes: Mr. Speaker, I rise on a point of order. I think I withdrew Motion No. 65 at an earlier point, so we are just dealing with Motion No. 67 now.

Mr. Deputy Speaker: The Hon. Member is correct. We will now deal with Motion No. 67.

Mr. Sergio Marchi (York West) moved:

Motion No. 67

That Bill C-55, be amended in Clause 19 by striking out lines 23 to 45 at page 43 and lines 1 to 25 at page 44 and substituting the following therefor:

"83.3 An appeal lies to the Federal Court of Appeal from a decision of the Refugee Division under section 71.1 on a claim or under section 71.3 on an application, on any ground of appeal that involves a question of law, a question of fact, or a question of mixed law and fact."

He said: Mr. Speaker, Motion No. 67 addresses the third area of major concern of the Liberal Party in respect of Bill C-55.

Most of the organizations and countless numbers of witnesses who appeared before the committee basically articulated their concerns on three elements—pre-screening, safe country, and appeal. Motion No. 67 deals with the appeal mechanism. The current appeal as proposed would have an appeal with leave to the Federal Court only on points of law. Not only is the Federal Court the wrong body—and that belief is universally held—but it is also wrong to suggest that it only be done with leave, at the choice of the court. To make matters worse, it will only be on points of law rather than on points of fact and points of circumstance surrounding the claimant.

Therefore, Motion No. 67 is a secondary motion. The first motion which was defeated earlier would have suggested a different appeal mechanism, that is to say, an appeal to a separate body, to the deputy chairman of the refugee board, or to a group of refugee board members who did not hear the particular claim. We were trying to ensure that there would be maximum opportunity for the claimant to make a proper appeal. We must keep in mind that we are—

Mr. Hawkes: Mr. Speaker, I rise on a point of order. I am sorry to interrupt the Hon. Member for York West (Mr. Marchi), but I think the content of Motion No. 68 is very similar to the content of Motion No. 67. I wonder whether those two motions could be debated together, and that is why I thought it was best to interrupt with that suggestion. They are almost identical in some of the wording, and I think it might be appropriate to consider the two ideas in the one debate.

Mr. Deputy Speaker: Of course to do that I would need unanimous consent.

[*Translation*]

Mr. Jourdenais: Mr. Speaker, amendment No. 68 is standing in my name. Personally, I see no objection.

[*English*]

Mr. Deputy Speaker: Is there unanimous consent to group Motions Nos. 67 and 68?

Some Hon. Members: Agreed.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie) moved:

Motion No. 68

That Bill C-55, be amended in Clause 19 by striking out lines 28 to 38 at page 43 and substituting the following therefor:

"any ground of appeal that involves a question of law, a question of fact, or a question of mixed law and fact."

[*English*]

Mr. Deputy Speaker: The Hon. Member for York West (Mr. Marchi) on debate.

Mr. Marchi: Mr. Speaker, the appeal mechanism should reflect the life and death situation with which we are dealing. As the Hon. Member for Davenport (Mr. Caccia) reminded the House moments ago, we are dealing with human beings. We are dealing with a situation where a mistake could possibly end up being a fatal mistake, and no one in the House would like to be in the business of making such mistakes.

From time to time we pass legislation or motions which can be corrected later and therefore are not as important, but in this case we are dealing with a system which should ensure the safety and lives of human beings, the essence of existence on this planet. Therefore I think it is worth-while for a progressive society like Canada to ensure that its system and process, leaving aside the substantive elements of the circumstance, places the highest and best morality on the preservation of one's life and safety.

Having had the first motion defeated, we are at least suggesting that the Government should amend its procedures for appeal to the Federal Court. Effectively it should do two things. First, it should remove the words "without leave" which would make an appeal automatic. Second—

Mr. Deputy Speaker: I regret to interrupt the Hon. Member, but the Parliamentary Secretary is seeking the floor on a point of order.

Mr. Friesen: Mr. Speaker, I am sorry for interrupting the Hon. Member, but I would like to point out to my colleagues that if we could grant unanimous consent not to see the clock for a little while after 6 p.m., I think we could at least take care of the motions through to Motion No. 74.

Mr. Marchi: No.

Mr. Deputy Speaker: It being six o'clock p.m., this House stands adjourned until eleven o'clock a.m. tomorrow.

The House adjourned at 6 p.m.

HOUSE OF COMMONS

Thursday, September 24, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

CANADA PENSION PLAN

TABLING OF CONSULTATION PAPER—SURVIVORS' BENEFITS

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, on behalf of the Government I am pleased to table in both official languages the Survivors' Benefits under the Canada Pension Plan Consultation Paper.

With the consent of the House I would ask that this consultation paper be referred to the Standing Committee on National Health and Welfare for further study.

Mr. Speaker: The House has heard the request of the Hon. Minister. Is there consent?

Some Hon. Members: Agreed.

* * *

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Pursuant to Standing Order 106, Mr. Speaker, I have the pleasure and honour today to present petitions which bear the signatures of a great many residents of my Ottawa-Vanier riding and who humbly sheweth that:

Whereas, since September, 1984, the federal Government has imposed on Canadian taxpayers 24 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

Whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food; and whereas food constitutes a vital element of day-to-day life and imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers, such as the aged, families, the unemployed, low income taxpayers, youth;

Wherefore your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

[*English*]

OPPOSITION TO BILL C-55

Mr. Neil Young (Beaches): Mr. Speaker, I have a petition signed by residents of Ottawa and area. The petitioners call upon the Parliament of Canada to ensure that the Government withdraws Bill C-55 and substitutes legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board that is independent of the Immigration Commission. The petitioners feel that universal access to such hearings should be assured for every applicant in Canada, and also the right to appeal on the basis of fact.

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition from a number of residents of Canada that has been duly certified by the Clerk of Petitions. The petitioners request that Parliament reverse the new restrictive immigration regulations and allow all legitimate refugees to find asylum in our democratic country, and be granted an oral hearing before an independent judicial body that will determine the legitimacy of each claim.

Therefore, the petitioners humbly pray and call upon Parliament to do these things, and in duty bound your petitioners will ever pray.

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I, too, rise to present a petition from Canadians who note that Bill C-55 threatens Canada's traditional commitment to assisting refugees. It sets out measures designed to keep most refugee claimants out of the country, as opposed to ensuring that genuine refugee claimants are given protection.

Therefore, the petitioners call for withdrawal of Bill C-55 and request that other measures be implemented to assure quick oral hearings in order that refugee claimants can appeal to a refugee board which is independent of the Immigration Commission, and that there is universal access to such hearings for every applicant in Canada with the right of appeal.

• (1110)

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have two petitions to present, the first of which is the first in a large number of petitions. In this case it is signed by 258 people from my constituency who are protesting the Fermi II nuclear reactor which is just 10 miles from their border and has an abysmal safety record.

They demand that the Government interact with the U.S. Government in order to establish a fair and safe review process which will include Canadians and operate independently before Fermi II is allowed to operate at full capacity.

OPPOSITION TO BILL C-55

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the second petition is in reference to Bill C-55 and is signed by residents of Vancouver.

It objects to many of the principles within the existing Bill and calls upon the Government to withdraw Bill C-55 and to substitute therefor legislation which would see to it that fair and quick oral hearings of claims are available for all potential refugees.

REQUEST FOR MORATORIUM ON AUTOMATION OF LIGHTHOUSES—WEST COAST

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I have the honour and duty to present a petition from residents of Sointula, British Columbia who indicate a serious concern about the bias and inaccurate reporting produced by the Leblond Commission into the automation of West Coast lighthouse stations.

They request a moratorium on any action by the Coast Guard to proceed with automation. They also request the appointment of a truly independent commission of inquiry with terms of reference drawn by user groups in consultation with the Government of Canada.

UNEMPLOYMENT INSURANCE BENEFITS FOR FISHERMEN

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, I have a petition which I want to present on behalf of several hundred people on the northern peninsula of Newfoundland in the area of St. Anthony.

Because of the repeated failure of the inshore fishery over the past five years, they call upon the Government and Parliament to support an amendment to the Unemployment Insurance Act whereby their best 10 weeks of benefits can be counted, rather than their last 10 weeks, for the purposes of unemployment insurance.

CANADA-FRANCE FISHING AGREEMENT

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, ironically enough, I have a further petition from hundreds of people from all over the riding of Grand Falls—White Bay—Labrador, calling upon the Government to cancel immediately the present agreement with France which will see the disposition of fish off the coast of Newfoundland and Labrador.

They also call upon the Government to find immediately other means to come to an agreement with the French other than the giveaway of fish which are so important to these people.

CANADA POST—OPPOSITION TO CORPORATE PLAN

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, I have a further petition from residents of Grand Falls—White Bay—Labrador, calling upon the Parliament and Government of Canada to reject the corporate plan proposed by Canada Post Corporation, and to instruct that corporation to proceed with mail delivery to all Canadian taxpayers without discrimination and to concentrate its efforts on improving service.

OPPOSITION TO BILL C-55

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure and, indeed, it is an honour to rise pursuant to Standing Order 106 to present a petition on behalf of a number of residents of British Columbia who are asking the Government to allow all legitimate refugees to find asylum in our democratic country of Canada.

After a number of "whereases" in the petition, which I will not take up the time of the House by reading—Your Honour can look at them later—they ask Canada to allow all legitimate refugees from Chile and other hostile countries to gain asylum here.

Mr. Sergio Marchi (York West): Mr. Speaker, pursuant to Standing Order 106, I have the pleasure and duty to present petitions concerning two very important issues. The first one concerns the refugee system and Bill C-55.

I have petitions signed from residents of Edmonton, Toronto, Ottawa, Vancouver, and the City of Mississauga, concerning the prescreening stage, the implementation of a safe third country concept, and a weak appeal mechanism to the Federal Court with leave on only points of law.

The petitioners ask the Government to amend or eliminate the conditions of its refugee legislation and to eliminate the three elements of prescreenng, safe third country, and the Federal Court appeal. They ask for a refugee determination system which is fair, accessible, and expedient.

CONSTITUTIONAL ACCORD—RECOGNITION OF MULTICULTURALISM

Mr. Sergio Marchi (York West): Mr. Speaker, the second set of petitions is from residents of St. John's, Newfoundland; the City of Sudbury in northern Ontario; the suburbs of Don Mills and the City of Scarborough in the Metropolitan Toronto region.

These residents are concerned about the lack of recognition of Canada's multicultural heritage and reality as a fundamental characteristic of the country in the opening clause of the Meech Lake Accord.

Given the fact that a third of Canadians are of neither French nor English origin, they ask the Government to urge the Prime Minister (Mr. Mulroney) to amend the constitutional accord by entrenching our nation's multicultural heritage as a fundamental characteristic in the opening clause of the Constitution.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board): Mr. Speaker, the following question will be answered today: No. 184.

[*Text*]

U.S. SUPERCOMPUTING RESEARCH CENTRE

Question No. 184—**Mr. Nunziata:**

Has the Government been approached by the United States Government with respect to participating in the United States Supercomputing Research Centre, and, if so, what are the terms of this arrangement?

Mr. Gordon Towers (Parliamentary Secretary to Minister of State for Science and Technology): In so far as the Ministry of State for Science and Technology is concerned, the Canadian Government has not been approached by the United States Government regarding participation in a United States Supercomputing Research Centre. In fact, we have no knowledge of the existence of such a centre. However, the U.S. National Science Foundation supports a national network of supercomputers for advance scientific and engineering research, principally in the academic community. In addition, several U.S. government departments maintain supercomputer facilities for in-house research. Notable among these is the Department of Energy, which maintains a number of national laboratories equipped with supercomputers. More recently, the Department of Defense has proposed a domestic effort to establish a supercomputer "test-bed" for advance systems associated with the Strategic Defense Initiative. This proposal has not yet received funding.

Canadian government officials are aware of the importance of supercomputing in large scale scientific and engineering problems and are actively considering our national needs for such computers.

[*Translation*]

Mr. Lewis: Mr. Speaker, I ask that the remaining questions be allowed to stand.

Mr. Speaker: The question enumerated by the Parliamentary Secretary has been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

* * *

[*English*]

MOTION TO ADJOURN UNDER S. O. 29

SUSPENSION OF FREE TRADE TALKS

Mr. Speaker: I want to bring to the attention of Hon. Members the fact that the Chair has received two applications under Standing Order 29 for a motion to adjourn the House for the purpose of discussing an urgent matter.

I should advise the Hon. Member for Essex—Windsor (Mr. Langdon) that his application was received first and that I will hear him. However, naturally I want to extend courtesy to the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) whose application came in only a few minutes later. I will certainly hear him as well.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, under the provisions of Standing Order 29, I seek leave for an emergency debate on the suspension of the free trade talks.

The Government has made a free trade agreement the heart of its economic policies. Now the chief negotiator, Simon Reisman, says that in his view the talks are over. This has crucial significance for the country. In effect the Government has hit a brick wall.

I believe that we must debate what the Government plans to do next to stop any desperate last minute give-aways to the United States. We must also debate the new trade directions which we should take to make up for the wasted time this free trade thrust has cost Canada.

In short, we need an emergency debate to inform the country and to start the process of repairing the damage.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I do not think I have to express to Your Honour the importance of the subject. The Government itself has identified free trade negotiations as its number one economic priority and has heralded it as the one and only economic program which it has put forward in a significant way to try to deal with the questions of unemployment and other economic problems in the country. The fact that the talks were halted yesterday, and as far as the chief negotiator is concerned they are over, obviously throws everything into total confusion and chaos.

• (1120)

Your Honour will recognize that over the past several months we have attempted in this House to ask the Government constantly, publicly and in Parliament to share its knowledge and information, to tell us what the demands were, what the negotiated stances were and what those unacceptable essential ingredients were that were the stalling point in the talks. It is very important that information be shared with Canadians.

It is our understanding that the Prime Minister (Mr. Mulroney) or his Ministers spoke to the provincial Premiers. It would seem, for the honour and dignity of this House, that we should be given the same opportunity to understand at least what it is and why it is that the Government has taken this drastic and Draconian step.

I simply bring to your attention, Sir, that there is no other opportunity other than the time afforded to us in Question Period, and while that is an event of great interest and undertaking, it is not always designed to get the fullest exposure of ideas or the proper dialogue. There is no Bill in the House that will allow us to debate the subject. No opposition days have been called and we have no opportunity at this immediate time to address this very crucial and very singular issue.

It is also fair to say that there is no topic dominating the Canadian consciousness more at the present time than this, and there is no question respecting our international standing with greater significance. Therefore I think the matter is very clearly an issue for Parliament to exercise its rightful obligations, and this is the forum where the proper expression and exposure can take place.

Mr. Speaker: I want to thank both the Hon. Member for Essex—Windsor (Mr. Langdon) and the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) for bringing the matter to the Chair's attention yesterday and for their comments this morning.

As Hon. Members know, the reform committee insisted that it was inappropriate for Speakers to give reasons for their decisions on these applications. I might say to Hon. Members that that does not mean that within the head of the Speaker there are no reasons. Naturally, these decisions are not made on a whimsical basis.

I have given this matter a great deal of consideration and I agree with both Hon. Members that the issue is of extreme importance. At the moment it is not my disposition to order an emergency debate for today, but that does not mean it might not be ordered at some other time. I think it is fair to say that I might be in a better position to consider the matter again after today's proceedings.

POINTS OF ORDER

ALLEGED FAILURE TO COMPLY WITH S. O. 99(2)—MR. SPEAKER'S RULING

Mr. Speaker: I want to draw to the attention of Hon. Members that the Chair is now ready to rule on a point of order raised on August 12, 1987, by the Hon. Member for Hamilton East (Ms. Copps) about the Government's response to the report of the Special Committee on Child Care and the point of order raised by the Hon. Member for Mount Royal (Mrs. Finestone) on September 9 last relating to the Government's response to the fifth and sixth reports of the Standing Committee on Communications and Culture. Because both points of order deal with the interpretation of Standing Order 99(2) the Chair wishes to comment on both points in the same ruling, but because of certain differences of form and content, I will deal with them in the order in which they were raised.

On August 12, the Hon. Member for Hamilton East took the position that the document tabled by the Minister of National Health and Welfare in response to the Special Committee on Child Care and entered in *Votes and Proceedings* of Tuesday, August 11, 1987, did not meet the requirements of Standing Order 99(2) which reads as follows:

> Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto.

The Hon. Member for Hamilton East claimed that the response of the Minister was interim in nature and did not fulfil the essential condition of the standing order that it be comprehensive. A number of other Hon. Members expressed the same concern.

[*Translation*]

The question before the Chair is whether the Minister's response adequately meets the requirements of the Standing Orders, namely whether or not it is a comprehensive response. This is not the first time the Chair has been asked to rule on the quality of a Government response. In earlier rulings on similar points of order the Chair expressed the view that the very fact of establishing what constitutes a comprehensive response would be tantamount to ruling on the acceptability of the response, something which the Chair simply cannot do.

[*English*]

There are, however, certain details of this matter which differentiate it from previous cases. The Chair has read the letter from the Minister of National Health and Welfare (Mr. Epp). It plainly states at the beginning that it is an "interim response" and goes on in the second to last paragraph to affirm that a "comprehensive announcement" on the National Strategy on Child Care will be made in the fall. In essence, this is an open admission that the response in question is not as comprehensive as required by the terms of Standing Order 99(2).

The Chair finds itself in some difficulty on this matter since there has obviously been a specific and clear breach of rules by

the Minister. Nonetheless, there are reasons in this particular case why the Chair feels inclined to give the benefit of the doubt to the Minister.

As the Minister pointed out to the House, divided constitutional jurisdiction and unresolved intergovernmental discussions and negotiations are involved in this issue. This would suggest that the Minister is not entirely at fault in these particular circumstances and that efforts are being made to address the committee's recommendations. Furthermore, the Minister did report back to the House within the specified period, albeit in a form not provided for in this standing order.

Having said that I would like, however, to remind all Hon. Members that government responses to committee reports are an important element of the reform process and one which the Chair feels should be respected.

The Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie), a distinguished member of the Special Committee on Reform of the House of Commons, in his intervention on this matter, made the point that having the Government make its position clear at a predetermined time with respect to the recommendations of particular committees is an essential ingredient of the reform process. He went on to argue that if technical responses became the habit in this place then the spirit of reform will have been lost. The Chair feels that there is considerable merit to this observation and reminds all Hon. Members of the need to make every effort to interpret our rules in as reasonable and as straightforward a way as possible.

[*Translation*]

The Chair wants to make another comment which was not made in the course of the debate. The Committee on Child Care was a special committee and, unlike a standing committee, it was dissolved after tabling its final report to the House, pursuant to the current practice. Committee Members, therefore, had no recourse other than raising the issue in the House. Although the rule does not provide for sanctions against Ministers who would choose to disregard these provisions, the Chair considers that breaching this rule with respect to a special committee report is more serious, for it might enable the Government to delay indefinitely its response to special committee reports.

[*English*]

The point of order raised by the Hon. Member for Mount Royal on the surface seems to be a similar case. But a close scrutiny of the issues demonstrated fundamental differences. First, the matter pertains to a standing committee of the House and not a special committee. Second, the Minister of Communications (Miss MacDonald) in tabling a response to the fifth and sixth reports of the Communications Committee was not offering to give an interim response but attempting to comply with the provisions of Standing Order 99(2). Third, the complaints of the Hon. Member for Mount Royal, the Hon. Member for Edmonton South (Mr. Edwards) and the Hon. Member for Broadview—Greenwood (Ms. McDonald) revolve around the issue of the "lack of comprehensiveness" of the Minister's response.

The Hon. Member for Edmonton South, who is the Chairman of the Standing Committee on Communications and Culture, eloquently summarized the frustration of the committee members and urged the Chair to reconsider an earlier ruling of June 29, 1987, when the Chair ruled that:

> —the nature of the response must be left to the discretion of the Government. If Hon. Members are dissatisfied, there are other avenues available to them through which they can pursue the matter.

[*Translation*]

The Hon. Member for Edmonton South would know that the Chair is always reluctant to reconsider earlier rulings. Still I can elaborate on what I said in June by attempting to be more specific and providing an explanation which might be more useful in this case.

• (1130)

[*English*]

What I said on June 29, 1987, and what Mr. Speaker Bosley said on April 26, 1986, still applies to this case. It is not for the Chair to pronounce on the quality of the government response. The word "comprehensive" in the standing order is not without meaning, however. A simple yes or a curt no to all of a committee's recommendations could be a comprehensive response indeed. Neither response might be satisfactory, depending on one's point of view.

Under the new rules, and particularly Standing Order 96(2), standing committees now have extensive new powers and the Committee on Communications and Culture can pursue the matter of the quality of the Minister's response with her. I understand that that process has already begun.

The statute law, the programs and policy objectives, the expenditure plans, management and organization and operation of government departments are permanently and fully accessible to the committee. That is the other avenue to which I alluded on June 29, 1987. No longer do standing committee members need to raise in the House such issues and no longer do they need a specific House order to proceed. The proper place to raise these matters is in the committee which ultimately can use its power to report to the House if it feels its privileges have been offended.

The reform of the standing committees is an important and fundamental aspect of the renewal of our parliamentary system of Government. The principle of accountability has been enhanced to a degree never achieved before. Having been given such enlarged mandates, committees should proceed judiciously and responsibly. Standing Committee members should avoid raising disputes in the House unless a standing committee has reported that its business is being systematically frustrated and its privileges are consequently affected.

[*Translation*]

As to special committees, since their mandate expires with the tabling of their reports the Chair will always be prepared to entertain such grievances as that submitted by the Hon. Member for Hamilton East even though the Chair has no direct authority to order the Government to provide comprehensive responses.

[*English*]

These are very important matters that relate to our new rules and the Chair hopes its comments can and will be helpful.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Wednesday, September 23, consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee, and Motion No. 67 (Mr. Marchi, p. 9261), and Motion No. 68 (Mr. Jourdenais, p. 9262).

Mr. Sergio Marchi (York West): Mr. Speaker, when we left off yesterday we were discussing Motion No. 67 which stands in my name. Motion No. 67 was moved after the defeat of a number of other motions designed to upgrade the appeal mechanism. Motion No. 67 attempts to have the Government reconsider the appeal mechanism.

The Government currently favours an appeal mechanism whereby an appeal may be made to the Federal Court only by leave and only on points of law. We suggest that that needs to be upgraded. After all, we are dealing with appeals that affect the life and safety of claimants. Motion No. 67 would have the end result of having appeals go to the Federal Court automatically without the need for leave and, perhaps more important, it would have the end result of allowing the Federal Court to deal with appeals on points of circumstance and fact rather than on points of law only.

If the Federal Court were only allowed to deal with appeals on points of law, then the stories of refugee claimants and possible errors that may have been made by the refugee board in analysing those stories would not be taken into consideration. The appellant would not be allowed to tell the Federal Court his or her own story. His or her solicitor would not be able to present new evidence to the Federal Court.

As it stands now, the Federal Court will only be allowed to determine whether or not points of law have been followed by the refugee board in making its ultimate determination. However, points of law are not the real crux of the matter. The significant element of any appeal is a review based on a claimant's story or on new evidence which has come to light since the hearing before the refugee appeal board. This new evidence may be much more convincing and may lead to the rendering of a different determination. That is why Motion No. 67 asks the Government to try to put itself in the place of a refugee claimant who has gone through the refugee board process and been refused by the refugee board but who knows deep inside that his story is in fact true. That individual would want a second attempt to present his version of the truth. If we allow for appeals on points of law only, we will not put into the system the safeguard which may prevent the horrible torture, persecution, imprisonment or death of an individual who will be sent packing.

This motion meets with the approval of virtually every witness who came before the legislative committee studying Bill C-55. Most organizations wanted a second appeal structure and favoured a separate appeal body within the refugee division rather than appeal to the Federal Court. Some even favoured a written review by a refugee board member who did not hear the claim but was part of the refugee division.

It was the agreement of the greatest number of witnesses who came before us that there was a need to place importance on the appeal system. Many judged the fairness and compassion of the system on how it treated appeals. They felt that a system was only as good and as foolproof as its appeal mechanism. Therefore, Motion No. 67 deals with the appeal mechanism.

Motion No. 67 is the last motion we on the Liberal side have placed on the Order Paper. It was the feeling of our Party that if this legislation was to stand and the Government would not follow the advice of the many groups that suggested that the Bill was too badly drafted, we must make significant and substantial changes to three particular areas of the Bill.

The three areas of the Bill that require modification are the prescreening mechanism, the safe third country concept and the appeal mechanism. It is our contention that by changing those three areas, this piece of legislation will be made much more acceptable.

It is also our contention that if there are not substantial changes to these three areas, the other amendments that are to be debated and the other amendments that have already been approved are secondary. They are important and valuable in their own right, and the drafters of various amendments did put in time and energy to draft them, but in comparison to the larger premises of the Bill, they are of secondary importance.

If we are to keep applicants away from the refugee board, if we are to send them into orbit through a safe third country and if we are not to offer them a proper appeal, what is the value of crossing the t's and dotting the i's on other parts of the Bill? Having said that, it is my hope that government Members see fit to accept Motion No. 67.

• (1140)

Mr. Dan Heap (Spadina): Mr. Speaker, I rise to support this motion because, as the Hon. Member for York West (Mr. Marchi) said, it has the support of the great majority of witnesses who came before the committee. One of the most important of those was the representative and legal advisor of the UNHCR. The UNHCR reminded us that the Convention we signed asks that when a claim is heard and the decision is to reject it, the person shall have a chance for a review. It used the word "review" in a very general sense because it is dealing with 100 or more signatory countries and it is not trying to fit in with the precise technical terms of any one of those countries.

However, the main element in any refugee case is not a point of law, it is a point of fact: did certain things happen to that person; are certain things in danger of happening if they return to their country, and so on. Those are questions of fact, not law. Therefore, when the Convention asks for a review it does not mean just a technical review on points of law, which is all that the present Bill provides.

I want to refer to what the UNHCR said on this point. First, it credits some of the points that the Hon. Member for Calgary West (Mr. Hawkes) and the Hon. Parliamentary Secretary have made. It said:

> UNHCR notes with appreciation that unanimity is required for negative decisions on admissibility. The Office nevertheless again recalls Executive Committee Conclusion No. 30(XXXIV) in which the substantive element in screening processes was recognized; it was there recommended that unsuccessful applicants be enabled to obtain review, even if in a simplified procedure, before rejection at the frontier or removal from the territory.

That means review by a body authorized for that special purpose as explained elsewhere, such as a review of the decision by the refugee board. That is, if the refugee division's decision were reviewed. It also points out:

> The Office recognizes that this is compensated for to a degree by the requirement of unanimity for negative decisions, and by the availability of judicial review, at least in respect of those claimants who, having reached the Refugee Division stage, may remain in Canada pending a final determination.

It continues:

> The Office observes that decentralization of the refugee process and increased resources should expedite decision-making. Yet, in the absence of some central review, these advantageous developments may be dissipated through loss of consistency and uniformity, with an increased possibility of erroneous decisions.
>
> For these practical reasons, UNHCR would urge that further attention be given to ways and means of institutionalizing central review, for example, by drawing on current practices in the Immigration Appeal Board and other tribunals.

In other words, a mere review on points of law is not enough when we are going to have decision makers spread all across this country, each one doing the best he or she can but with no mechanism for ensuring conformity and therefore equity in their decisions.

This question was raised not only by the UNHCR but by a great many witnesses before the committee. There was a rather disconcerting moment in committee when it was considering another amendment relating to this section which would have deleted certain words that restrict the scope of the hearing, words relating to a capricious decision. If there was an error in fact caused by a capricious decision, I asked that the court be allowed to review it. The Government refused to accept that amendment and in explaining the refusal the Hon. Parliamentary Secretary referred to the section which deals with a decision based on an erroneous finding of fact that the refugee board made in a perverse or capricious manner or without regard to the material before it. The Parliamentary Secretary said:

> This particular section is lifted right out of the Federal Court Act, and if you took away the phrase Mr. Heap wants us to delete then it would change the parameters.

Whatever that means.

Whether intentionally or unintentionally, I do not know, the remark by the Parliamentary Secretary, no doubt on the advice of Mr. Gerrard and Ms. Beaupré, the department staff present, was misleading because the words he refers to in the Federal Court Act are words for judicial review. Yet the Government is calling this an appeal. Judicial review is limited, yes, by the Federal Court Act to points of law and to a point of fact that becomes a point of law. Yet when I asked for further explanation, Ms. Beaupré could not tell me all that was in the Act. She said that the words I wanted to take out are definitely in the section dealing with judicial review, and to quote:

> I am not aware that the provision on appeals to the Federal Court of Appeal from trial division decisions has those words.

The Government makes a statement which turns out to be inaccurate, and when we ask the staff the Government brings to the hearing, the experts, Mr. Gerrard and Ms. Beaupré, to give us the details, they say they do not know. That is not a very fair way to argue.

I appeal to the Government to reconsider its position on this point. The UNHCR has asked that we have a review. The Government turned down all requests for a system of review on the grounds that it would lengthen the process. We heard a speech many times from the Hon. Member for Calgary West about how such a change would open the door to thousands of bogus refugees who would delay the whole process for weeks and months and years and cause it to break down again. By his own words that is not true. He has told us that about 80 per cent of the applicants would be found to be bogus at the screening stage, not at the end. Only a relatively small number of applicants will get to the refugee division. Of those, some will be found to be genuine and they will not appeal. Some may accept a negative decision. There will not be a huge number appealing.

I am asking that they be given a fair appeal, not one chopped, changed and turned into a mere judicial review by the legalities introduced by the staff and defended by the Hon. Parliamentary Secretary. I am asking that the Government

accept this motion and allow appeal on questions of fact or mixed law and fact and that it do so without the restriction of having to appeal for leave to appeal. Let the Federal Court itself judge the case before it.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, again today I rise in the debate on certain amendments to Bill C-55, but I am still firmly convinced that even if the 77 amendments were to be accepted, which will certainly not be the case, Bill C-55 is not what Canada needs to ensure the well being of refugees. What we do need is fair, fast and equitable legislation, and Bill C-55 does not fit this description. The legislative committee heard a number of expert witnesses who told us why this measure is worthless. Mr. Speaker, allow me to recall some of the comments of these experts.

• (1150)

[*English*]

The Canadian Bar Association is, I believe, made up of a very responsible and respected group of Canadian citizens. They claim that Bill C-55 violates the three basic principles of a proper refugee system; universal access, oral hearings for all, and review on the merits. They also said that the screening process and the lack of discretion for the immigration adjudicator and member of the refugee division concerning access criteria prevent a complete evaluation of claims and do not comply with the Convention in allowing *refoulement* without inquiry on the merits. They recommend full universal access before two members of the refugee division. They think the board should have the capacity to recommend to the Minister that a person be permitted to stay in Canada on humanitarian and compassionate grounds.

Furthermore, a no less respected organization, the Canadian Council for Refugees, also says that ultimately the only way to have a workable system is to have one that is fast and fair. C-55 will be challenged in every way possible. They predict that significant parts of the Bill will be struck down and the backlogs will be enormous.

Professor Hathaway, a well-versed expert on the matter said that after all the studies which have preceded it, it is disappointing to find that Bill C-55 has gone in this direction. The Eelam Tamil Society, a group which represents many refugees, says that Bill C-55 has the purpose to change Canada's approach to refugees to one consisting entirely of overseas selection. This is very unfortunate.

The Canadian Jewish Congress believes very strongly that C-55 will set up an unworkable process which will, in some cases, turn away genuine refugees. The system will create as many backlogs as the system it replaces.

I could express the views of many more experts, Mr. Speaker, all of whom say the same thing—Bill C-55 should be scrapped and replaced by a more adequate and humane law.

[*Translation*]

As I said before, Mr. Speaker, there has to be an alternative to this Bill. I gave all interested parties a document to replace this highhly controversial measure and I am convinced that a study of the proposed amendments would have enabled one and all to understand the reasons why Canada must now amend the Immigration Act of 1976 with respect to refugees, while at the same time honouring the Geneva Convention and remaining the world's most humanitarian country.

As far as amendment No. 68 goes, I urge my colleagues to follow the dictates of their conscience. Motion No. 68 is aimed at ensuring that the appeal be made in accordance with a rule and that it become a true appeal. To this end, the clause must read as follows. The motion reads, and I quote:

Motion No. 68

That Bill C-55, be amended in Clause 19 by striking out lines 28 to 38 at page 43 and substituting the following therefor:

"any gound of appeal that involves a question of law, a question of fact, or a question of mixed law and fact."

I hope Hon. Members will support it but I have my doubts, Mr. Speaker, as in the case of all the other amendments.

[*English*]

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, as a result of the initiative of the Member for York West (Mr. Marchi) and the Member for La Prairie (Mr. Jourdenais) we are discussing a very important principle, that is, what appeal mechanism ought to be available in a society like ours for people who apply to remain in Canada as refugees. Therefore, the technicality of the proposal should be seen against the background of the desire of those who are speaking in favour of this motion to have a fair system of appeal.

We have grown accustomed to not seeing either Minister of Immigration in the House during this debate on report stage. Today we are treated to the unusual spectacle of the absence of the Parliamentary Secretary as well. This is an all-time low in the presentation of any Bill by any Minister in the history of this Government. No one representing either Minister of Immigration, not even the Parliamentary Secretary, is here to listen to the debate.

I want to reinforce what the Member for La Prairie just said, and what the Member for York West said today and last night, namely, that it is important to design an appeal mechanism which will take into consideration not only the law but also the facts, which sometimes the law does not take into consideration. This point was very well covered by the Canadian Bar Association when it said that an appeal on legal grounds alone does not permit a review of the merits.

That is the substance of the issue being advanced by the Member for York West. Under the Bill as now written the merits of a case will not have one iota of effect on the mind of the judge because they will not be taken into consideration. From a human point of view this law is a very weak instrument

for the consideration of the case of a human being in desperate circumstances applying for refugee status.

The Canadian Bar Association went on to say that the absence of review of the merits may permit different decisions in different regions of the country. This is why the conclusion of the Canadian Bar Association, which has unfortunately been ignored by the Government, is to have a more open appeal system. That is the obvious conclusion because we need an appeal system which considers the merits of a case. That is the purpose of this amendment.

On September 3 Amnesty International appeared before the committee and said that the appeal system in this Bill is woefully inadequate. They pointed first to the fact that after the refugee division decision is made the Federal Court will not be accessible because most refugee claims are made on facts and not on law. That is what this motion is all about. It highlights the importance of considering the merits and the facts.

Amnesty International points out as well that after the screening the United Nations High Commissioner for Refugees recommends that the decision should be reviewed on the merits. This is not in Bill C-55. This is a deficiency in the Bill which we are trying to point out through Motions Nos. 67 and 68. We bring it to your attention in the hope that the Government will come to its senses and see the merits of this proposal, as it will do if it is, as it claims, a humanitarian government and one that will take into consideration the particular situation of individuals who knock at our doors.

• (1200)

This deficiency in the Government's Bill must be corrected, and that is why the motion was supported, not only by opposition Members but by the Member for La Prairie who is the Chairman of the Standing Committee on Labour, Employment and Immigration. In your experience as a politician, Mr. Speaker, when have you heard a government Member criticize a Bill from his own Government as the Hon. Member did a few moments ago?

Mr. Gormley: Is there something wrong with that?

Mr. Caccia: It only happens when such a Member is genuinely upset and believes the legislation is so deficient that he or she must rise to criticize it. That has happened very rarely in the history of this Parliament.

Mr. Robinson: It never happened with the Liberals.

Mr. Caccia: It has nothing to do with the Party. I applaud the Member for La Prairie for having the guts to say what he did. It could apply to the Tory Party, the Liberal Party or the New Democratic Party. I am simply saying that if he finds the courage to get up and make the points he made, there must be something profoundly wrong with the Bill, particularly this clause. Yet we still do not see the two Ministers of Immigration here to defend this lousy Bill C-55. At least we see the weak Parliamentary Secretary to the Minister coming in at the last minute, without extending the courtesy of hearing what his colleagues say on this measure.

Motions Nos. 67 and 68 are very important because they represent a fundamental element of the design of the appeal system. They are more than just motions, they represent a desire and intent to design a fairer system of appeal. That is why we want the Parliamentary Secretary to reply to the interventions made on this, and give us the reasons why the Government is not paying attention to these two motions.

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I could not pass up the opportunity to comment during the debate on these motions. I want to personally offer my congratulations to the Hon. Member for La Prairie (Mr. Jourdenais) for the vigorous contribution he has made to the House with respect to this particular Bill. One rarely sees a situation in which a government Member of Parliament finds that he or she must divert from cabinet policy or government legislation. Members of Parliament sometimes find themselves opposed to a certain policy, but government Members in particular may feel compelled to support legislation no matter how the principle may affect them personally or their constituents.

Opposition critics have done a good job on this legislation. I am particularly proud of the vigorous work of the Member for Spadina (Mr. Heap) whose efforts have been acknowledged by people in my riding.

I believe Hon. Members should recognize the job done by the Member for La Prairie who has taken a principled and I believe honourable position on this legislation. He has made a very humanitarian contribution and provided thoughtful criticism of the legislation. I believe many Members can learn a lesson from the Member for La Prairie in the way he has acquitted himself in taking a stand against his Party on the basis of a firm humanitarian principle.

The Member for Davenport (Mr. Caccia) said that a certain disciplined approach must be taken in order to carry out an action once it has been decided upon. I have had eight years experience in the House and would note that the Liberal Party members never suffered from those pangs of conscience when they were in government. There was no wavering or criticism once their leader decided on a course of action.

Mr. Allmand: Not true.

Mr. Caccia: You were not even here when that happened.

Mr. Skelly: The Liberal Government never yielded and I think that Party has a lot of gall to take such a sanctimonious stand.

Mr. Caccia: Don't give us that smoke and mirrors.

Mr. Skelly: I think we have hit a nerve in the Hon. Member.

The Liberal Party governed with an iron fist. The voices of criticism in their own ranks were few and far between no matter how deficient the legislation. It is somewhat surprising to see Members and cabinet Ministers of the former Government advocating that government Members break ranks when it never happened when the Liberal Government ruled with an iron fist. One can only hope that these recent conversions may be a permanent feature of that Party.

This legislation should not be passed by the House. I believe that the Members who have worked diligently in opposition to this Bill have done a great service to the country and I congratulate our critic and the Member for La Prairie who, finding himself at odds with his Party and the Government's position, acquitted himself very well in the House.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on the Motion No. 67 standing in the name of the Hon. Member for York West (Mr. Marchi). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

[*Translation*]

The next question is on Motion No. 68 in the name of the Hon. Member for La Prairie (Mr. Jourdenais). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: The recorded division stands deferred.

• (1210)

[*English*]

I have been asked to remind the House of the motions that are left on Bill C-55. We have Motions Nos. 73, 74, 75, 76 and 77 which will be debated separately and voted on separately.

Mr. Hawkes: Mr. Speaker, having examined Motions Nos. 73, 74, 76 and 77, I find they have the common characteristic that they essentially clean-up the Bill in a number of different areas the committee did not quite get to. I wonder if it might be the general feeling in the House that it would be wise to deal with these motions as a group because they have a similar purpose? We could vote on them separately but debate them together.

Mr. Deputy Speaker: There has been a proposal to group Motions Nos. 73, 74, 76 and 77 together for debate but to vote on them separately.

Mr. Marchi: Mr. Speaker, my only concern is that the last five amendments are Government amendments. I would like to have a proper hearing for each of those motions. I think it would be good if the House knew exactly the intentions of each of those amendments. That is why, while they may be similar, if we group them I do not think we will have a proper individual positioning by the government Members. Therefore, I would favour an individual debate.

Mr. Hawkes: Mr. Speaker, if that is the concern of the Hon. Member opposite, perhaps we can start with the Parliamentary Secretary, who could go through the four motions and tell us why they are necessary for clean-up. Then we might proceed from there. I wonder if that would be satisfactory to the Member from the Liberal Party?

Mr. Marchi: Perhaps we might find another compromise. If the Parliamentary Secretary wants to deal with the four motions, perhaps we can extend the time for debate from 10 minutes to 15 minutes, or up to 20 minutes, so that all of these matters will be properly aired and save time in the end as well.

Mr. Hawkes: I think, Mr. Speaker, with the consent of the House, that would probably be acceptable. It would enable us to keep our heads on that matter and it would still leave Motion No. 75 for subsequent debate.

Mr. Deputy Speaker: Is there unanimous consent that Motion No. 73 to Motion No. 77 be grouped for debate—does the Hon. Member for Calgary West (Mr. Hawkes) include Motion No. 75 in that group?

Mr. Hawkes: No.

Mr. Deputy Speaker: The unanimous consent required, therefore, would be to group Motions Nos. 73, 74, 76 and 77 for debate, but they would be voted on separately. The speaking time allowable for a Member would be 15 minutes

per Member. Is there unanimous consent to proceed in that way?

Some Hon. Members: Agreed.

Hon. Barbara McDougall (for Minister of State (Immigration)) moved:

Motion No. 73

That Bill C-55, be amended in Clause 23

(a) by striking out line 29 at page 48 and substituting the following therefor:

"graph 115(1)(p), (s), (bb), (cc),"

(b) by striking out lines 24 to 26 at page 50 and substituting the following therefor:

"(9) In this section,

"court of appeal" means, in the province in which an order under this section is made, the court of appeal for that province as defined in the definition "court of appeal" in section 2 of the Criminal Code; "judge" means

(a) in the Province of Quebec, a judge of the Superior Court for the district in which the vehicle in respect of which an application for an order under this section is made, was seized,

(b) in the Provinces of Ontario, Nova Scotia and British Columbia, a judge of the county or district court of the county or district in which the vehicles was seized,

(c) in the Provinces of Newfoundland and Prince Edward Island, a judge of the Supreme Court thereof,

(d) in the Provinces of New Brunswick, Manitoba, Alberta and Saskatchewan, a judge of the court of Queen's Bench thereof, and

(e) in the Yukon Territory and the Northwest Territories, a judge of the Supreme Court thereof."

Motion No. 74.

That Bill C-55 be amended in Clause 25

(a) by striking out lines 19 and 20 at page 51 and substituting the following therefor:

"person under this Act, an offence under section 96 or an offence under section 99 in relation to the coming into Canada of that person or an examination of that person under this Act, if that person came to Canada"

(b) by striking out lines 30 and 31 at page 51 and substituting the following therefore:

"tion of that person under this Act, an offence under section 96 or an offence under section 99 in relation to the coming into Canada of that person or an examination of that person under this Act, that took place".

Motion No. 76 (Revised).

That Bill C-55, be amended in Clause 35

(a) by striking out lines 4 to 8 at page 56 and substituting the following therefor:

"35.(1) If Bill C-84, entitled An Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, is assented to during the second session of the thirty-third Parliament and section"

(b) by striking out lines 33 to 37 at page 56 and substituting the following therefor:

"(2) If Bill C-84, entitled An Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, is assented to during the second session of the thirty-third Parliament and".

Motion No. 77

That Bill C-55 be amended in Clause 43

(a) by striking out line 5 at page 61 and substituting the following therefor:

"decision and the reasons therefore as soon as possible after making the"

(b) by striking out line 15 at page 61 and substituting the following therefor:

"decision and the reasons therefor as soon as possible after making the".

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): I thank Hon. Members for their co-operation. I think they will find that the motions are by and large consequential and, as my friend the Hon. Member for Calgary West (Mr. Hawkes) indicated, simply clean-up the terms. Therefore, it may not be necessary for me to use the total 15 minutes. I will however, deal with them clause by clause.

Motion No. 73 deals with Clause 23. This amendment is a clerical correction in that it deletes a reference to a provision of Bill C-84. All of the consequential amendments flowing from Bill C-84 are dealt with conditionally in Clause 35.

The reported Bill refers to a provision of Bill C-84 to provide definitions of "judge" and "court of appeal" for the purposes of Section 94.1. Because of the possible anomaly that would result if Bill C-84 were delayed beyond the date of proclamation of this Bill, it is preferable that these definitions be spelled out here.

These definitions are identical to those found in proposed Section 103.2 of Bill C-84, and this amendment has no substantive impact on the operations of the mechanism to protect third-party rights in the event of a seizure of a vehicle under Section 93.

Motion No. 74 deals with Clause 35(a) and (b). While Section 96.1 protects refugee claimants and Convention refugees from prosecution for many offences committed in order to flee to safety in Canada, it did not cover offences punishable under Section 99 of the Act. The offences covered under Section 99 include infractions such as the failure to have necessary passports and visas.

Since lack of documentation is a chronic problem among refugee claimants who flee their country of persecution on short notice, it would be inappropriate to commence prosecution until the claim has been determined.

Further, there will be no prosecution of those determined to be Convention refugees for passport and visa violations provided they have made their presence in Canada known to an immigration officer in a timely fashion provided for in Subsection 96.1(3).

Motion No. 76 deals with Clause 35(a) and (b). These amendments correct grammatical errors in the clause as reported from the committee. The reported wording appeared to make the operation of this clause conditional on the proclamation of the relevant sections of Bill C-84 during this session. With this amendment, the operation of the clause is conditional on Bill C-84 receiving Royal Assent during the present session and will operate whenever both this Bill and the relevant clauses of Bill C-84 are proclaimed.

Motion No. 77 deals with Clause 43(a) and (b). The committee amended Clause 14, subsections 48.02(1) and (2)

to confirm that the adjudicator and the refugee division member will provide reasons with respect to their decision not to refer a claimant to the refugee division. These amendments to Clause 43 provide a consistent requirement on the adjudicator and refugee division member to give reasons with respect to transitional cases.

With those remarks, Mr. Speaker, I think you will agree that many of these motions deal with clerical and consequential amendments and, therefore, I would move their acceptance.

Mr. Dan Heap (Spadina): Mr. Speaker, I agree that several of these amendments are clerical in nature and, therefore, I do not think it is necessary to comment on them. To begin, I think Motion No. 73 is probably technical and, as far as the substance goes, not controversial, or at any rate not harmful. However, I do wish to comment on Motion No. 74.

Motion No. 74 reflects a new policy that the Government has adopted in Bill C-84 and in Bill C-55 to create or intensify a condemnation or an offence that is a matter now of new policy. We are reminded that under Section 99, referred to in the amendment, infractions such as failure to have the necessary passport or visa are included.

It is well known that many people have come to Canada and obtained refugee status without a visa to enter Canada and sometimes without a passport from their own country, whichever country that may be. It is well known that some of those people had passports, but destroyed them. It is also well known that some of those people were not able to obtain a passport or a visa. Yet of those who were not able to obtain a passport or visa but claimed refugee status, some have been found to be refugees.

• (1220)

The majority of people who came from the Central American countries of Guatemala, El Salvador, and Chile, have been found to be bona fide refugees. However, a substantial minority were not. On humanitarian grounds some of those people have been allowed to stay. The amendment and the previous passages to which it refers are silent on whether the punishment will be inflicted against those who were not found to be refugees, but who may be allowed to remain on humanitarian grounds. The Hon. Member for Calgary West (Mr. Hawkes) made much of the humanitarian provisions in the existing law, and at least one humanitarian type provision in the Bill as revised after committee. We have not been told if those people will be prosecuted. We are urged to rely on the good judgment of the Minister.

This means, of course, we must rely on the good judgment of Santa Claus. In this country, children under five tend to believe that Santa Claus comes to their house on Christmas Eve, and every house in the country, between the time the children go to bed and the time they wake up in the morning. We are asked to believe that the Minister of Employment and Immigration (Mr. Bouchard) will do something much more marvellous than that. He will be in every port of entry in Canada, not only on Christmas Eve, but every day of the year, and into the evening if there is an evening shift. Of course, it will not be the Minister but some overworked immigration official. I say "overworked" because we have received a complaint from the president of the local union in Toronto on the reduction of staff. Certainly, there has been no news of reduction in the work-load.

The humanitarian work is left in great doubt. We do not know what will happen to people who go through the process and who are found not to be refugees, but perhaps have a humanitarian claim, and if at some point their claim may be noticed. We do not know if they will be charged, as in Motion No. 74, and as is reflected in other parts of the Bill.

In discussions on Bill C-84 we have been assured that there will be no prosecutions of church people or other supposedly well-intentioned people who have assisted people to come to Canada to claim refugee status when they had no documents. That was a personal opinion given to us by the Minister of Employment and Immigration. Once he ceases to be the Minister, that opinion is worth nothing. No matter how long the Minister wishes to stay in office, he certainly will not last forever. There will come a time when there is a new Minister. For that matter, there may well come a time when that Minister changes his mind. What he thinks is a good thing today, tomorrow he may feel is a bad thing.

There is no law to protect people who in good faith came to Canada claiming refugee status but do not have the required passports or visas. Therefore, there is a great danger that some people will be punished twice. They will be punished once by being denied refugee status, and will be punished a second time by being prosecuted for having come without visas. They may be jailed and then deported.

To leave it so wide open is monstrously unfair. There will be people who come from a country like El Salvador who think that they have a reasonable claim to refugee status who may be excluded. The Hon. Member for Calgary West stated that a great majority of the people presently coming and claiming refugee status are bogus claimants. The Hon. Member also indicated that a large majority of those who go to the determination process will be weeded out. They will not be sent to the refugee division, they will be excluded and considered to be ineligible or not credible at that first screening of the type that is considered unsatisfactory by the United Nations High Commission for Refugees. Then those people who have come without visas or passports may be prosecuted. According to the remarks of the Hon. Member for Calgary West, probably the great majority of those who apply will be subject to prosecution as reflected in this clause.

I believe that it is not merely a technical matter. I recognize that it puts up front the argument that we will not prosecute people immediately. The explanation of the representative of the Minister is that since lack of documentation is a chronic problem among refugee claimants who flee their country of

persecution on short notice, it would be inappropriate to commence prosecution until the claim has been determined.

If that is all the Minister means, we would all wish to vote for that. He also states that there will be no prosecution of those determined to be Convention refugees for passport and visa violations, provided they have made their presence in Canada known to an immigration officer in the timely fashion provided for in Subsection 96.1(3).

The emphasis in the first two paragraphs is that there will be prosecution of those who are found not to be refugees. While proposed Section 96.1 protects refugee claimants and Convention refugees from prosecution for many offences committed in order to flee to safety in Canada, it does not cover offences punishable under Section 99 of the Act which is the passport and visa clause.

As stated by the Hon. Member for Calgary West, the unfortunate implication of this clause is that only a small number of those who may come without documentation will be exempted by this clause. The others may have their prosecution delayed, but they will be prosecuted.

Therefore, I have strong doubts about supporting this motion. By strong implication, it seems to condemn a person who in good faith comes to Canada believing that because he had trouble in El Salvador he should be a refugee. Perhaps he comes through the United States and does not trust his luck to the 2 per cent chance that they give Salvadoran claimants. But he comes to Canada, makes his claim and is perhaps ruled out at the first screening or the inquiry, or perhaps at the refugee division hearing. Perhaps he is given humanitarian consideration, we do not know, but on a technicality he may be punished. He may come to the border and state that he is a refugee with no passport. For having the nerve, for example, to come across the bridge from Buffalo into Fort Erie and claim refugee status he may be punished. In my opinion that is unreasonable.

The previous speaker stated that this clause "cleans up" that section. It makes clear what the Government is doing, even though this section would undertake to give protection to those few, according to the Member for Calgary West, who will be found to be genuine refugees within the narrow definition of the United Nations Convention.

I am willing to hear further comments from the representative of the Minister, or from the Member for Calgary West, but at the present time I have great difficulty in supporting this motion.

• (1230)

Finally, passing over Motion No. 76—and I agree that in subclauses (a) and (b) we appear to be correcting grammatical errors—we come to Motion No. 77. Here again I believe that the request to have the reasons given in writing is reasonable. I really hope the Hon. Member for Calgary West will not again play the record about thousands of bogus refugees delaying the whole process for months and years and so on. We are at a late stage of the process, as described, and only a few people have got through this far. Yes, they can listen to the reasons but they should be given them in writing. It is the practice in most courts, if any sort of appeal is to be made, to expect a written statement of a decision and the reasons for the decision. It is not the practice in the courts to have the appellant or his lawyer say that he heard the refugee division say thus and so and thus and so. It is the practice to say, let's have it in writing.

The Hon. Member for Calgary West tried to make out that we were asking in a motion yesterday to have the whole transcript transcribed. That is quite untrue. That was never part of the motion yesterday, and it would not be what I would request today.

If it would be in order, I would move:

> That Motion 77 be amended by adding the words "in writing" after the word "reasons" in section (a) and in section (b).

If such an amendment would be in order, I would write it out and give it to the Clerk.

Mr. Deputy Speaker: It is moved by Mr. Heap that Motion No. 77 be amended by adding the words "in writing" after the word "reasons" in section (a) and in section (b). I will reserve decision on this for a few minutes.

Mr. Friesen: Mr. Speaker, I rise on a point of order. We dealt with the same issue yesterday. In light of the fact that we have already had a division on this particular principle, I wonder whether the amendment is in order.

Mr. Heap: Mr. Speaker, the vote yesterday concerned a different section of the Bill. Therefore I think that to introduce this amendment into this section is not prohibited by the decision on the other section.

Mr. Deputy Speaker: We will proceed with the Hon. Member for York West (Mr. Marchi) on debate now, and I will make a decision as soon as possible.

Mr. Sergio Marchi (York West): Mr. Speaker, Motion No. 73, unless I hear something otherwise from government Members who speak to it in the future, does not cause us too much concern. However, there is cause for concern when we come to Motion No. 74.

If we look at proposed section 96.1 at page 51 of the Bill, we find the word "Deferral" in the left-hand margin. I think that defines the entire intent of that particular motion. I think line 14 is the operative line. It reads:

> No person who claims to be a Convention refugee and has notified an immigration officer of the claim shall, pending disposition of the claim, be charged with,—

I think the operative word is "Deferral", and I think the operative line is "pending disposition of the claim".

Bill C-84 is currently being debated in the Senate and that debate is concentrating on a lot of problematic areas including the operative word in the documentation and the whole construction of the Bill.

I should like to refer to an individual claimant who comes to this country, makes an application, and tells an adjudicator or member of the refugee board at the border that he is fleeing his country. He may say, "Here are my credentials. By the way, I didn't have time to line up and wait for two months for a visa. I didn't have the luxury of approaching the Canadian Embassy because I knew the Chilean police and others were on the watch. I didn't have the time when they burned my home and ransacked my business to pick up the proper documents".

If those reasons are clearly stated, then we would have through Motion No. 74 a Government saying, "While the claim is being dealt with, we will not prosecute". However, it is not prepared to say that the individual will not be prosecuted because he did not have a proper visa or proper documentation, which is contrary to the reality of the plight facing refugees.

When we debated Bill C-84 we did not suggest that individuals should fraudulently mislead authorities or that they should push fraudulent documentation on Canadian authorities, in that perhaps it may have been necessary to escape the country which was torturing them to pick up documents which might not have been legitimate. However, once they arrive in Canada and make a claim, obviously they should be forthright with Canadian officials and explain the documentation if they have any. We suggested that it would be counterproductive for a claimant to destroy the documents on an airplane enroute to Canada and illegal for anyone to counsel a claimant to rip up his documentation.

We have said to the Government that ripping up documents and the counselling of claimants to rip up documents should be illegal, and that it should be illegal to continue to press fraudulent documents, misleading birth certificates, passports, or social insurance numbers—the whole gambit. We admit that, but time after time we have asked the Government, if a refugee claimant explains that he or she does not have a document, and if the reasons are legitimate ones, why should there be the possibility and probability that despite those accounts the individual will face prosecution under the new offence created in Bill C-84?

If a priest or nun were to help an individual claimant who does not have documentation in place to come into the country, it stands to reason that if the claimant is prosecuted the probability is that the individual priest or nun will also face prosecution of some kind.

An Hon. Member: Do you know the law?

Mr. Marchi: Mr. Speaker, the Hon. Member from Saskatchewan is yelling from his desk but does not have the courage to stand up when he has 10 minutes—

• (1240)

Mr. Gormley: Mr. Speaker, I rise on a point of order. The record might show that, with his usually fervent histrionics, the Hon. Member for York West (Mr. Marchi) named a Member from Saskatchewan when, in fact, I was working at my desk. A couple of colleagues from other western provinces did heckle, but on this occasion, as he has been the case many other times in the House, the Member from York West is wrong. The heckling was done elsewhere.

Mr. Marchi: Mr. Speaker, the Hon. Member still does not have the courage to stand up and speak for 15 minutes. I encourage him to do so and I will give him my word that I will not heckle, as he does. The Government, and the Hon. Member from Saskatchewan again—Meadow Lakes, Bow River, whatever it is—

Some Hon. Members: Oh, oh!

Mr. Marchi: —cannot understand the plight of legitimate refugees. We are not looking at individuals who have the luxury and the time to get documents. The plight of true refugees is one of disorder; it is of fleeing without having packed your bags properly. That is the life of legitimate refugees. The Hon. Member for Calgary West (Mr. Hawkes) knows that that is the order of the day for legitimate refugees, so why are we so obsessed with the idea that if a person does not have a document right off the bat he or she may face prosecution? In Bill C-84 we have created a new offence. We also slam the organizations, churches, priests, rate-payer groups and community associations which voluntarily, moved by gut feelings, help individuals enter Canada who may not have proper documentation.

I believe I explained yesterday a case of an El Salvadoran mother with three children whose husband was killed because he was part of the labour movement in El Salvador. She was told in no uncertain terms that she and her children had to flee or face the same fate as her husband. They did not have time to go to our embassy or consulate. They escaped as fast as they could and went to the United States. They were hidden in an Anglican church. Churches are not allowed to promote compassion for refugees publicly for some unknown reason. The Anglican Church in Canada was successful in bringing that family to the border. If those individuals—and I am not sure about the documentation, quite frankly—did not have proper documentation then that mother and three children who were escaping possible death would possibly be prosecuted, along with the Anglican Church officials. To make a long story short, Mr. Speaker, that would simply run counter to a Canadian sense of justice and fair play.

No one is advocating rewarding fraudulent schemers and people who produce social insurance numbers and false passports, which is an industry unto itself. Immigrants do enter countries perhaps with fraudulent documentation and business entrepreneurs may not always be telling the whole truth of the matter. I do not think we find in legislation governing those

individuals such a piece of legislation that is as regressive as this. This Bill hits the people who are less able to prepare and defend themselves, those without homes, without roots. Those individuals are the brunt of a Government which all of a sudden wants to show its macho image rather than dealing toughly with the United States on a number of other issues. In the International Year of Shelter for the Homeless, on whom does the Government pick to show its macho image? It is the refugees, Mr. Speaker.

Concerning Motion No. 74 we cannot and will not accept it because we believe that the premise of it is incorrect.

With respect to Motion No. 76, I think what I said relating to Motion No. 73 is applicable. With respect to Motion No. 77, we had a debate yesterday about decisions being written. We do not think that is too much to ask. I am pleased that the Hon. Member for Spadina (Mr. Heap) moved the amendment that decisions be written and reasons be given. We agree with the government amendment in part suggesting that the reasons be given, but we do not want things to stop there. We cannot see why the Government cannot agree to our amendments which have suggested that reasons be written and presented to the claimant and the claimant's solicitor. That is done in virtually every other sphere of our system in the federal Government whether it be dealing with pension disputes, immigration appeal boards or workers' compensation cases. Even when we respond to our constituents, many times we give reasons for decisions. If the reasons are complicated, we document the case and go into detail. We try to provide in written form the complete parameter of the decision. We do these things in virtually every sphere of public policy. Why set a precedent? What happens when a life and death situation is facing someone who deserves human rights and respect? Is it so onerous to ask that those decisions be written? We have a Government that wants to turn boats back.

This is a matter of some semblance of balance. While the amendment is better because it forces the adjudicator and the immigration refugee board member to provide reasons, we are simply asking to have those reasons in written form so that the claimant, the solicitor and other interested parties may review the decisions and have some kind of intelligent response rather than carrying a video cassette or a tape recorder around saying, "Here is what was said". The expense is borne by the claimant but at the end, perhaps in a court, those transcripts will not be deemed official. They may be incorrect and an interpretation of a claimant or solicitor. The Government could say that it is not official; it was not said that way. Then we will have a mess. Rather than simplifying things, we would, in Fotheringham's words, be mudifying the situation needlessly.

Therefore, we believe that when a decision is made the reasons should be given, written and defended. I cannot respect a system that says, "Here is our decision but we will not write it down and you can do what you want with it". That is neither legitimate nor logical. I hope that on Motions Nos. 74 and 77 we will have some clarification by a member of the Government, perhaps the Hon. Member for Calgary West.

Mr. Deputy Speaker: The Chair finds the amendment moved by the Hon. Member for Spadina (Mr. Heap) in order.

On debate, the Hon. Member for Calgary West (Mr. Hawkes).

Mr. Jim Hawkes (Calgary West): Mr. Speaker, I will try to make a short intervention. I want to talk about Motion No. 74. I hope the Official Opposition and the New Democratic Party vote against this amendment. That would be the clearest indication to the general public that perhaps they do not understand as much about the Bill as they should.

It might help the public to understand that the thrust of most of the amendments with which we have dealt proposed by the Opposition provide a bonus for bogus claimants. Every argument we have heard on Motion No. 74 is on behalf of bogus claimants. It is very consistent with a series of amendments that would attempt to provide a better world for people who are not refugees in need of the protection of Canada but who abuse our laws.

• (1250)

In particular, I would like to focus on the fact that the Hon. Member for York West (Mr. Marchi) has made a very forceful presentation condemning his own political Party for decisions taken back in 1976. At that time, it foisted on this nation, through closure, an Immigration Act that is responsible for the current backlog and problems.

This clause deals with allowing the Crown to lay charges and perhaps to secure convictions when people break the provisions of the Immigration Act. The law as it exists today, passed by the Hon. Member's Government through closure, allows us to prosecute every refugee and every human being who breaks Canadian immigration law. This clause gives effect to something the Ministers have said again and again and something to which opposition Members have refused to listen.

The Ministers have said that it is not the Government's intention, never has been and never will be, to prosecute a legitimate refugee for breaking Canadian immigration law. In the context of Bill C-84, they have said that it is not the Government's intention to prosecute human beings who counsel and aid legitimate refugees. The power to do so exists under the law passed by the Liberal Government, but we will not exercise it.

Bill C-55 contains a clause which will put into statute law the provision that we cannot charge or convict a refugee claimant and if that claimant is determined to be a refugee, we can never charge or convict him for breaking Canadian immigration law. It is a special privilege we confer on the people who need our help and protection. The proposed amendment broadens that privilege and gives effect to the reality that exists.

Members of the Opposition have been told time and time again that it is not the Government's intention to prosecute those who help real refugees. This Bill along with this amendment makes it illegal to try to charge them or convict them. I hope that opposition Members vote against this amendment. If they do, it will be a clear-cut signal that they care only about bogus claimants and do not care for legitimate refugees.

The other day, opposition Members tried to amend the Bill so it would give the same privileges to those who abuse Canadian immigration laws and are not refugees. I think the House should remain consistent. We do care about legitimate refugees. They deserve our protection. However, bogus claimants deserve to get it in the neck.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The first question is on Motion No. 73 standing in the name of the Hon. Minister of State for Immigration (Mr. Weiner). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion No. 73 (Mr. Weiner) agreed to.

Mr. Deputy Speaker: The next question is on Motion No. 74 standing in the name of the Hon. Minister of State for Immigration (Mr. Weiner). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed pleased say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it. The motion is carried on division.

Motion No. 74 (Mr. Weiner) agreed to.

Mr. Deputy Speaker: The next question is on Motion No. 76 standing in the name of the Hon. Minister of State for Immigration (Mr. Weiner). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion No. 76 (Mr. Weiner) agreed to.

Mr. Deputy Speaker: The next question is on the amendment to Motion No. 77 moved by the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded divisions on the proposed amendment and on Motion No. 77 stand deferred.

The last motion is Motion No. 75.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie) moved:

Motion No. 75

That Bill C-55, be amended in Clause 29 by striking out lines 42 to 49 at page 53 and lines 1 and 2 at page 54 and substituting the following therefor:

"(*r*) prescribing, for the purposes of paragraph 48.1(1)(*b*), any country with which Canada has a written arrangement with respect to persons who are or who claim to be Convention refugees as a safe third country for all persons or for persons of a specified class of persons, having regard to the record of that country with respect to human rights and to expulsion of persons who are or who claim to be Convention refugees."

[*English*]

Mr. Hawkes: Mr. Speaker, I rise on a point of order. I wonder if the Hon. Member for La Prairie (Mr. Jourdenais) would like to withdraw his motion. It refers in part to the notion of a safe third country and other amendments have taken those words and concepts out of the Bill. The motion would not fit within the context of the Bill any longer. For that reason and because of previous decisions, I wonder if the Hon. Member might seek the unanimous consent of the House to withdraw his motion.

[*Translation*]

Mr. Jourdenais: No, Mr. Speaker, you will note that I moved this amendment because I want to express my personal opinion, and I should like to have the opportunity to explain it.

Mr. Deputy Speaker: The Hon. Member for La Prairie (Mr. Jourdenais) has the floor.

Mr. Jourdenais: Mr. Speaker, did you ever wonder why we have so many phoney refugees, those we call economic refugees? Well, I will tell you why, Mr. Speaker: the 1976 Immigration Act no longer serves the purposes for which it was adopted.

Mr. Speaker, have you ever tried to help people seeking to have brothers, sisters, friends or others gain entry into

Canada? In many cases we are turned down for all sorts of reasons which might easily be changed and accepted.

Mr. Speaker, one would think that the motto of officials who accept or reject immigration applicants in other countries outside Canada is no. Then they decide and analyze.

This reminds me of an anecdote. Before going into politics I was an insurance broker and when we used to call insurance companies to file claims, instead of answering: Hello, yes, good morning, or good afternoon they would say: No, we are not going to pay! This reminds me of the same thing. They have already made their decision even before we can do anything at all, or before the applicant has had a chance to explain why he would like to become a Canadian citizen.

If we made coming to Canada easier without allowing just about everybody seeking to make a home for himself in Canada, if we increased the quotas from 250,000 to 300,000 persons per year, we could change or increase the categories, the refugees in camps, the family reunions, the independent immigrants, the entrepreneurs, *et cetera*, and I am sure that for those who are trying to enter Canada illegally through the political asylum system, the Geneva Convention process would not exist, for they could ask to come legally to Canada as immigrants.

I thank you for indicating the time, Mr. Speaker; I shall continue after the lunch break.

Mr. Deputy Speaker: It being one o'clock, I do now leave the Chair until two o'clock later this day.

At 1 p.m., the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

HAZARDOUS SUBSTANCES

PRESENCE OF DIOXIN IN PAPER PRODUCTS

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, this week it was reported that low levels of the dangerous chemical dioxin have been found in a wide range of finished paper products, including disposal diapers, food containers, towels, tissues, and office paper.

The U.S. paper industry and Environmental Protection Agency have known of the problem for at least 18 months but have not made it public. David Paavila, a spokesman for the Canadian Pulp and Paper Association, said dioxin contamination was identified in Canadian mills several years ago.

Dioxins are not washed out of the pulp using conventional chlorine bleaching. However, oxygen bleaching, now used extensively in Europe, substantially reduces the problem and, according to some experts, also reduces production costs. The health of Canadians is being unnecessarily threatened. I urge the Government to move swiftly to force industry to abandon the chlorine bleaching process in favour of the safer and cheaper oxygen process.

* * *

CANADA POST CORPORATION

UNION'S OPPOSITION TO FRANCHISING OPERATIONS

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, Canadians want and deserve reliable postal service. A postal disruption is looming on the horizon, this time involving the 23,000 member Canadian Union of Postal Workers. CUPW is firmly opposed to the franchising of post offices while Canada Post management says franchising is absolutely necessary in order to reduce costs and get the corporation back in the black.

In changing times it is essential that companies have the authority to manage effectively and efficiently. At the same time, there is also a great responsibility to protect the rights of workers. I urge the corporation and the union to continue with their negotiations.

It is encouraging to note that both chief Canada Post negotiator Harold Dunstan and CUPW President Jean-Claude Parrot have said they are looking for a settlement. The Canadian public will not tolerate a breakdown of service.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

ALLEGED INFILTRATION OF LABOUR UNIONS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, reliable sources have said that the Canadian Security Intelligence Service has used agents and paid informers to infiltrate various organizations such as the CEQ, the Public Service Alliance, the Canadian Auto Workers Union and, most recently, the British Columbia Federation of Labour. Members of that respected Federation find this snooping to be unethical, illegitimate, completely inappropriate, and unacceptable. It casts an unwarranted pall over the Federation's membership.

We have seen this type of behaviour before. The McDonald Commission report warned about: "The chilling effect that the indiscriminate use of informers can have on the free flow of ideas within institutions such as labour unions." It went on to point out that there is "far too little government direction and review of the security service policies with regard to unions."

I urge the Minister to meet with federation representatives, release all relevant documentation, and launch a full parliamentary inquiry into the activities of CSIS. Considering the growing list of serious allegations and the increasing lack of public confidence in the service and the Minister, anything less would be unacceptable.

* * *

POLITICAL PARTIES

NEW DEMOCRATIC PARTY'S POSITION ON TRADE NEGOTIATIONS WITH UNITED STATES

Mr. Gerry St. Germain (Mission—Port Moody): Mr. Speaker, the people of Mission—Port Moody, indeed all British Columbians, are concerned about recent statements made by NDP Members of this House and their fellow travellers regarding the Prime Minister's (Mr. Mulroney) bold trading initiative with the United States. Their attitude is indicative of the fact that these socialists are insensitive, inward looking, and incapable of governing.

The Prime Minister engaged in trade negotiations with the U.S. for the well-being of all Canadians, despite incredible odds. Our Prime Minister has a vision, that all regions and all the people of Canada will share the wealth and prosperity that a successful trading agreement would bring. He shares the foresight that Lord Macauley displayed over a century ago when he said: "Free trade, one of the greatest blessings which a Government can confer on a people, is in almost every country unpopular."

I urge all Members of this House, indeed all Canadians, to encourage our Prime Minister to continue to pursue this goal vigorously with the intensity, courage, and wisdom that he has displayed thus far as Prime Minister of this country.

* * *

ATLANTIC CANADA OPPORTUNITIES AGENCY

ALLOCATION OF FUNDING

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, Atlantic Canada is very concerned that the federal Government is again playing games with the region and is not at all concerned about its economic development.

Just recently the Atlantic Provinces Chamber of Commerce requested assurances from the Prime Minister (Mr. Mulroney) that established regional development programs like the Atlantic Enterprise Program, and ERDA sub-agreements will be maintained and not starved of funding in favour of the new Atlantic Canada Opportunities Agency. What they suspect is that the $200 million per year budgeted for the Agency may be the only funding allocated for regional development. Although the Chamber applauds the creation of the Agency, as do we, it wants assurances that the money allotted is truly new money and not just old money being shuffled around.

• (1405)

My Party and I share the concerns of the Atlantic Provinces Chamber of Commerce. We fully realize that the Tories are doing a lot less for regional development, and find this completely unacceptable.

* * *

[*Translation*]

NATIONAL DEFENCE

GOVERNMENT'S PERFORMANCE

Mr. Marcel Tremblay (Quebec East): Mr. Speaker, allow me to say that the defence policy of the Progressive Conservative Party is a realistic policy economywise, considering the 9.4 per cent of estimates earmarked for military operations out of the whole 1987-88 budget. Those figures are below the percentages maintained by other NATO countries with comparable areas, taking into account the percentage of those credits of 9.4 per cent earmarked for supervision and defence of our territorial waters, purchase of equipment, staffing, operational training of our forces in this country or abroad in peacekeeping operations.

I wish to insist on the realism of our defence policy by pointing out that the costs incurred to keep our commitments to NATO are quite reasonable and more especially since we should remember that large expenditures are made in Canada by other member countries to train their forces.

Our Government's policy for the defence of our country is realistic and no other party has ever proposed such a fine one. Moreover, Mr. Speaker, I have serious doubts as to the defence policy advocated by the New Democratic Party.

A policy advocating that Canada remain alone and isolated considering the political and military reality of today is senseless. I feel, Mr. Speaker, that NDP means: No, to defence!

* * *

[*English*]

AGRICULTURE

MEAT GRADING SYSTEM

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, the meat inspection policy of the country changed significantly when the Government took over. It changed from using department personnel to more reliance on in-plant personnel to apply the very crucial stamp which indicates the level of

quality of meat. These grading stamps are a very important part of the system.

You may remember an affair in Montreal a number of years ago when some meat which was only supposed to be fit for pet food ended up bearing an official stamp.

The stamps get lost or are stolen on occasion. Through the Freedom of Information Act the Kitchener-Waterloo *Record* and certain people have been attempting to find out how long some of these stamps have been lost and what happens in such circumstances.

The stamps of one of the largest plants in the country recently went astray. We want to know what happened to them, when they will be recovered, and what status the stamped meat from that plant has in the meantime. We think it is time that glasnost came into the meat-grading system of our country.

* * *

POLITICAL PARTIES

NEW DEMOCRATIC PARTY'S POSITION ON TRADE NEGOTIATIONS WITH UNITED STATES

Mr. Gordon Taylor (Bow River): Mr. Speaker, trade is the life blood of Canada and the United States. The more trade, the more jobs, and the more buoyancy in the economy. While the Prime Minister (Mr. Mulroney), the Minister for International Trade (Miss Carney), and their negotiators have been working their hearts out to get 100,000 jobs for Canada the protectionists of the U.S.A. who, without a free trade agreement have the power to warp the industrial life of Canada, have been raising their ugly heads.

In Canada Shirley Carr and the NDP have acted like a fifth column for the protectionists by spouting untruths. "Mulroney is selling out Canada" Carr cries, and the Leader of the NDP parrots her in the House. "Sovereignty will be lost", "the Americans will take our jobs", "the Auto Pact is on the table", the NDP wrongly insinuate. And now the negotiations have been suspended.

Both Canada and the United States need and will profit from a fair trade agreement and neither will lose any sovereignty. Negotiations, if they are recommenced, can succeed, particularly if the NDP and Shirley Carr stop acting like a fifth column for the protectionists of the United States.

* * *

ENERGY

PROPOSED CAPE BRETON COAL-FIRED POWER PLANT

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, I rise today on a matter which is of great concern to the people of Nova Scotia. The Province of Nova Scotia has planned to build a new pollution-free coal-fired power plant on

Cape Breton Island. The Government of Nova Scotia has requested that the federal Government assist in the funding of this project. This plant will be utilizing the circulating fluidized bed technology that treats coal to reduce the sulphur dioxide emissions which are responsible for acid rain. Yesterday the Premier of Nova Scotia stated that he has given up requesting that the federal Government commit itself to the project as it appears that it is not interested.

• (1410)

The Government should be ashamed of itself in light of the supposed commitment it has made to the environment. Here is an opportunity for the Government to demonstrate its concern for the environment, create employment, and increase the markets for Cape Breton coal.

I urge the Government to reconsider its decision and notify the Premier of Nova Scotia today that it will be committing funds to this very worth-while project which will use the latest coal technology and pollution-free controls.

* * *

[*Translation*]

TRADE

FREE TRADE—AUTO PACT—GOVERNMENT POSITION

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, the free trade issue has been on the mind of many people these last few days.

In an interview with reporter Pierre Nadeau yesterday evening on *Le Point*, Mr. Gordon Ritchie, Assistant Chief Negotiator for Free Trade, finally enlightened us about certain false allegations made by the two opposition Parties. He confirmed the statements made by the Prime Minister (Mr. Mulroney) to the effect that the Auto Pact had never been on the table.

Mr. Speaker, after such a clear statement by someone who is directly involved in the process, I believe that both the Leader of the Official Opposition (Mr. Turner) and the Leader of the NDP (Mr. Broadbent) should immediately apologize for having questioned the comments of the Prime Minister.

* * *

[*English*]

VOCATIONAL TRAINING

FUNDING OF COMMUNITY COLLEGES IN NORTHERN ONTARIO

Mr. Maurice Foster (Algoma): Mr. Speaker, the Government's attitude toward funding for community colleges in northeastern Ontario is simply atrocious. A recent letter I

received from Glenn Crombie, President of Cambrian College, points this out. In the last three years, since the Government came to power, the amount of funding has been reduced by 40 per cent, from 100,000 training days to 61,000 training days for that college which not only serves Sudbury but the Manitoulin district as well.

That is happening to colleges throughout northern Ontario, which represents 90 per cent of the land mass of Ontario. We have a large native population who require extra assistance for training and upgrading. Yet the Tories have cut funding by 40 per cent. It is totally unacceptable to the people of northeastern Ontario and all of northern Ontario.

I call on the Minister and the Government to reinstate the full funding which was in place three years ago when the Government came to power.

* * *

[*Translation*]

TRADE

IMPORTANCE OF FREE TRADE WITH UNITED STATES

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, the breaking off yesterday of the free trade negotiations with the United States could be a national tragedy. Canada now exports a quarter of its national production, and 80 per cent of this goes to the United States. This means that one out of four jobs would be threathened without a free trade agreement.

The Quebec Region needs a free trade agreement for its major industries. One of them, Lauzon Shipyards, needs for its long-term development to have the Jones Act repealed as this Act prohibits bids by foreigners on the building of ships used in the United States.

Free trade is essential if the Lauzon Shipyards are to bid on American Government contracts, which could be worth $740 billion. Quebec as a whole, on both the south and north shores, must now support our Government. Our parliamentarians and politicians must look beyond Party politics and everyone must act in a spirit of co-operation.

Our region and all its industries need free trade.

* * *

[*English*]

WINTER OLYMPICS

GOVERNMENT ADVERTISEMENTS—LACK OF REFERENCE TO CALGARY

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I am sure I speak on behalf of all Members in the House today when I say that it has been brought to our attention that the Government of Canada will soon be running two television advertisements promoting the February Winter Olympics. However, there is no mention in those ads of the City of Calgary, the home of the Olympics. There is no film footage of the City of Calgary or the Province of Alberta.

Even the advertisements that private sponsors are running give a profile of the City of Calgary and the Province of Alberta. But the Government of Canada does not. This is highly insensitive.

Can you imagine the Los Angeles Olympic Games being advertised with no reference to Los Angeles? Can you imagine the Montreal Olympics being advertised with no reference to the city of Montreal?

Presently, all Members of Parliament from Alberta are Tories. It is hard to imagine that a Government with so many Members from Alberta can be so insensitive to the City of Calgary and to the Province of Alberta.

• (1415)

I call upon the Government to correct the error, redo the ads and give Calgary the due it deserves and Alberta the just credit it deserves.

* * *

TRADE

THREAT CAUSED BY AMERICAN PROTECTIONISTS

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, as a citizen of Saskatchewan I am concerned about the suspension of the free trade talks. We began these talks two years ago because of a growing threat to our trade by American protectionists. The Prime Minister (Mr. Mulroney) had the courage and foresight to seek a trade agreement in an attempt to prevent U.S. protectionism.

During the past two years Saskatchewan has seen first hand what happens when U.S. protectionism runs rampart. We have been seriously hurt in my province in grains, potash, and uranium. This kind of trade abuse by the Americans must be stopped now. It can be stopped by free trade.

To suggest, as many on the opposition side have, that the trade talks have somehow caused protectionism is so inaccurate it can only be described as silly. The Prime Minister said that Canada would walk away from any deal that was not in the best interests of our nation. We have walked away. On behalf of the Saskatchewan people, our farmers and resource producers, I speak fervently in hoping a trade agreement can still be found.

CANADA POST CORPORATION

POSTAL BOX RENT INCREASE

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, inflation is alive and well at Canada Post. This morning the people of Lancaster in my riding received their new postal box rental rates. Until today they were paying $6.75 per year for a mailbox. It will now cost $25.44. In one case the rate went up from $13.88 to $50.88.

My constituents are upset and they just will not take that kind of nonsense from the Tories any longer. The Tory Government should put an end to this kind of gouging. This is highway robbery. If the Government of Canada were to spend less time using taxpayers' money to reward its friends, there would be a lot more money to go around to help the people of Canada and the good people of Lancaster in the riding of Glengarry—Prescott—Russell. Shame on the Tories.

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HOUSE OF COMMONS

PRESENCE IN GALLERY OF PARLIAMENTARY DELEGATION FROM CZECHOSLOVAKIA

Mr. Speaker: Before commencing the Oral Question Period I wish to bring to the attention of Hon. Members the presence in the gallery of a parliamentary delegation from Czechoslovakia led by the Honourable Alois Indra, Chairman of the Federal Assembly.

Some Hon. Members: Hear, hear!

ORAL QUESTION PERIOD

[*Translation*]

TRADE

FREE TRADE—SECURING OF BINDING TRADE DISPUTE SETTLEMENT MECHANISM—EXEMPTION FOR CANADA FROM AMERICAN COMMERCE LAWS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, an over-all free trade agreement with the United States would compromise Canada's political or cultural sovereignty. Yet during more than two years the Prime Minister forged ahead on the basis of the naive hypothesis that such a free trade agreement would shelter Canada from the protectionist approach of the American Congress.

Will the Prime Minister now admit that his initiative did threaten the Canadian economy? Will he tell us why he thinks he can secure a binding dispute settlement mechanism between the two countries? And how can he obtain and manage to have Canada exempted from American trade laws?

Right Hon. Brian Mulroney (Prime Minister): First of all, Mr. Speaker, the answer to the question is no! In this morning's *La Presse* one could read, and I quote: "The Americans have often pointed out to what extent Canada was better prepared than the United States to hold these negotiations and that Ottawa had appointed many high-calibre officials to lead them. It may be that discussions came to bear on a subject about which the American delegation was not sufficiently prepared to respond." That, Mr. Speaker, is a very interesting explanation concerning the important problem of the negotiations.

With respect to our intention to try to shelter Canada from protectionist attacks, of course, that is the basis of our initiative. This position has gained widespread support among many Canadians, including the provincial premiers and particularly Premier Bourassa of Quebec who, speaking on behalf of the Government of Quebec yesterday, emphasized again the extent to which a free trade agreement with the United States would indeed shelter Canada from unwarranted attacks on the part of protectionist elements. So in a way such is the rationale which has inspired us and which still inspires us as we try to reach a valid agreement between the two countries.

• (1420)

[*English*]

GOVERNMENT ECONOMIC POLICY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the naive assumption that somehow Canada could be exempted from the protectionist sentiment in the United States Congress would only be valid if we were to obtain a binding trade dispute settlement mechanism with the United States, and a meaningful exemption from American trade law.

A year and a half ago in the House I warned the Prime Minister that any trade agreement at all, let alone a comprehensive free trade agreement which we opposed, speaking for the Liberal Party and for most Canadians, I tell you—

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): —that any trade agreement at all without a binding dispute mechanism would not be worth the paper it was written on.

Two months ago in the House I again said to the Prime Minister that, on the basis of statements made by the Chairman of the U.S. Senate Committee on Finance, and the leading Republican Senator, and leading Congressmen, a trading dispute mechanism was not on.

Despite that, the Prime Minister went ahead and continued his giveaways, and in a most vulnerable manner for Canada opened all its books to the United States. That is what happened.

Mr. McDermid: Talk about naive!

Mr. Turner (Vancouver Quadra): If the negotiations are over—and we believe that they should be over—when will the Government and the Prime Minister present to the country an intelligent national economic policy that, complemented with a useful trade policy, will bring the country back to what it should be?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we are in the process of presenting a comprehensive economic policy to the people of Canada which has resulted in 907,000 new jobs since the Government was sworn in.

Some Hon. Members: Hear, hear!

Mr. Mulroney: This is the highest rate of growth of all the OECD countries, the 24 industrialized countries in the world.

Mr. McDermid: You should be up cheering.

Mr. Mulroney: Now my right hon. friend tells the House that a year and a half ago he spoke about the need for a binding mechanism to settle disputes.

Two years ago Friday, in speaking to this issue on behalf of the Government, I said, "The answer to this problem lies in sound agreement legally binding between trading partners to secure and remove barriers to mutual trade".

Mr. Turner (Vancouver Quadra): That is not a dispute mechanism.

Mr. Mulroney: "That is our approach to world trade, and it is obvious that we must find special and direct means of securing and enhancing the annual $155 billion of two-way trade with the United States".

From the very beginning, Mr. Speaker, we recognized that this may not be easy, and indeed it may be very difficult to obtain a comprehensive trade agreement with the United States. We believe that a good deal can also be a fair deal, one that benefits Canada very much, and one that also benefits the United States. That is the type of liberalized trading instrument that we were seeking that could benefit both countries and serve as a model for the world.

It is with regret that we have noticed that the United States has not yet followed through in making that a reality.

CANADA-UNITED STATES RELATIONS

Right Hon. John N. Turner (Leader of the Opposition): During the course of negotiations over the past two and a half years, the Prime Minister has caved in again and again on specific issues.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Whenever we asked the Prime Minister what Canada would get out of this deal, the Prime Minister stated to us, to the House, and to the country, "Wait until you see the deal".

The Prime Minister caved in on lumber, shakes and shingles, potash, and on book publishing. I ask the Prime Minister what did we get out of this negotiation?

Mr. Riis: Disaster.

• (1425)

Mr. Turner (Vancouver Quadra): What did we win?

Some Hon. Members: Nothing.

Mr. Turner (Vancouver Quadra): Now that the negotiations appear to have collapsed, does he intend to get anything back of what we lost over the last two and a half years during the course of these negotiations?

Won't the Prime Minister, instead of trying to wrap himself in the Canadian flag, admit candidly to the House and to the people of Canada that we are now worse off in our relationship with the United States than when we began these negotiations?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I wouldn't have mentioned this but, inasmuch as my right hon. friend does, I have in front of me *The Toronto Star* of March 22, 1987, where the headline says "Liberal Donald Johnston urges fellow Liberals to back free trade", one of the very key members of the Liberal caucus who has been speaking out on this. The Liberals have been—

Mr. Turner (Vancouver Quadra): How about your quote in 1983, Brian?

Mr. Riis: What was your position in 1983, Brian?

Mr. Speaker: I know Hon. Members would want to hear the answer of the Right Hon. Prime Minister.

Mr. Mulroney: Mr. Speaker, another one of the most distinguished Liberals in Canada chaired the Royal Commission which set an objective, and I think it is important to mention it. The Macdonald Royal Commission said: "The negotiations with the United States are a prudent course which will help us to make Canada richer and, by making us richer, strengthen the fabric of our country and increase our self-confidence".

The Liberal Party does not have to convince Canadians. They already know of its antipathy and its bitterness toward the United States.

Some Hon. Members: Oh, oh!

Mr. Mulroney: Everybody knows that. That is not the position of this Government. We believe that there can be co-

operation with the United States of America to generate jobs, wealth, and prosperity for all Canadians.

We are not going to hide in the 19th Century; we are going to lead Canada to a brilliant 21st Century.

[*Translation*]

FREE TRADE—ALTERNATIVE POLICY

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I would like to come back to the Prime Minister and perhaps attempt to elevate the debate to a somewhat higher level. I think—

[*English*]

An Hon. Member: Correct, carry on.

Mr. Speaker: The intention of the Hon. Member is to be complimented, but it will take some silence here.

[*Translation*]

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I think it can be said that the failure of the free trade negotiations will lead the Government willy-nilly to reconsider its economic policy.

For the past two years, we have heard free trade described as this Government's number one economic priority, as the cure-all that would create thousands of new jobs, as the miracle solution to unemployment problems. No later than yesterday, the Prime Minister implied that in his view—and this is beyond me—a free trade agreement would help solve the economic disparities affecting certain regions in this country.

I would therefore ask the Prime Minister, since a free trade agreement seems increasingly hard to reach: What alternative economic policy does he have to propose to Canadians?

I ask the question because to this day, the Government's economic policy has been to rule out intervention and let the marketplace take care of economic development in this country. Therefore, what will be the Government's economic policy, since free trade does not work?

The Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member is quite off the mark! Because since we came to power 907,000 new jobs have been created, of which almost 250,000 were in Quebec. Interest rates are declining, but all the same we are looking to the future.

There are significant disparities—for instance, the unemployment rate in southern Ontario is 5.8 per cent, while in Newfoundland it hovers around 18 per cent to 19 per cent. Those are unacceptable regional disparities.

And as Mr. Bourassa, Quebec's Liberal Premier, indicated: Whithout a free trade agreement, there is the threat of irreversible economic decline in Quebec.

As a Quebecer and a Canadian, I am surprised to see the Liberal Member dead set against an instrument that would be of benefit to Quebec and Canada.

TEMPTATION TO CONCLUDE CHEAP AGREEMENT—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, you have certainly noticed just how careful the Prime Minister was when he referred to the 900,000 jobs which have been created. He did not dare brag that his Government had created them. And that, without any free trade agreement.

Politically speaking, Mr. Speaker, the Government has invested so much in these free trade negotiations over the past two years by putting all its eggs in the same basket . . . The Government has stated that a free trade agreement was the corner stone of its economic policy. It will be therefore greatly tempted to come to an agreement at all cost or to sign a cheap agreement, in order to be able to claim openly: Victory! We have an agreement!

I want to ask the Prime Minister whether he can assure us that the Government will resist the temptation to have a settlement for a settlement's sake, in other words, to sign a cheap agreement merely to save its face.

Right Hon. Bran Mulroney (Prime Minister): Mr. Speaker, we have never hesitated over major decisions in favor of Canada, even when the initiatives were risky. For instance, the free trade agreement or the Meech Lake Accord. It is not easy, but it is necessary for a government to make a stand on behalf of Quebec and the rest of Canada, but we just went ahead knowing fully well that each major undertaking is risky.

If I may, I should like to quote in part a statement made last night by Ambassador Reisman. He said:

• (1430)

[*English*]

> The Prime Minister made it plain to me when he hired me. He said, "Look, Simon, what we need is good access to the American market. What we need are good rules. What we need is certainty of access to that market and if there is any difficulty about interpreting the rules, we want to have an objective, bi-national dispute settlement mechanism to deal with differences between us . . . You know and I know that we may not get an agreement. It has to be a good agreement or there will be no agreement at all".

That is what has motivated the Government of Canada and we have not hesitated to take risks on behalf of building a more powerful and prosperous Canada.

POSSIBILITY OF POLITICAL SETTLEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is for the Prime Minister. He has just mentioned that some 900,000 jobs have been created since his Government took office. I would add to that that we have a current surplus with the United States in trade in excess of $8 billion. Perhaps the Prime Minister should note that this has all been done without a free trade agreement. He should just ponder about that for a moment.

There was a report before noon today that the Secretary of the Treasury of the United States suggested that the two countries, Canada and the United States, will set aside the

bargaining teams on each side that have been involved in the complex negotiations, in favour of reaching a political settlement between the President of the United States and the Prime Minister before October 5. Will the Prime Minister tell us whether this is a serious option?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend says that 907,000 jobs have been created since the Government was sworn in. He is right. And that it was done without a free trade agreement. He is right again. Does he not think that Canada should try to do even better?

Mr. Broadbent: Yes. That is why you don't want a free trade agreement with the United States now.

Mr. Mulroney: I didn't want to induce a cardiac arrest here, Mr. Speaker.

Some Hon. Members: Oh, oh!

Mr. Mulroney: Be careful, it might affect your popularity.

Some Hon. Members: Oh, oh!

Mr. Speaker: Perhaps the Right Hon. Prime Minister could answer the question.

Mr. Mulroney: I will be happy to try, Mr. Speaker.

Pursuant to that, the Economic Council of Canada—the very impartial national economic think-tank and research instrument—indicated in its judgment that 350,000 new jobs could be created.

We have in this country an important problem of disparities where the unemployment rate, for example, in my hon. friend's hometown, is down below 5 per cent and it is as high as 20 per cent elsewhere. What we need is a free trade agreement to ensure greater fairness, greater equality of economic opportunity for all Canadians. We do not want a concentration of wealth only in one region, even though we are pleased with that growth. We want to share that wealth across the country from Vancouver to Newfoundland. A comprehensive free trade arrangement can make that happen. That is why we have been pursuing it with courage, vision, and vigour for two years.

Mr. Broadbent: Mr. Speaker, I had a five-minute dissertation on the preamble and no reply to the question at all.

Mr. Speaker: Which shows the great danger of long preambles.

Some Hon. Members: Oh, oh!

Mr. Speaker: Will the Hon. Member please put his question?

[*Translation*]

Mr. Broadbent: You are right, Mr. Speaker, as we say in Oshawa!

[*English*]

POSSIBILITY OF MEETING BETWEEN PRIME MINISTER AND UNITED STATES PRESIDENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the possibility has been raised in the United States that the complexities of the discussion in which Mr. Reisman for the Canadians and his counterpart for the Americans have been involved will be set aside in favour of a last-minute political settlement to be reached between the President of the United States and the Prime Minister of Canada before October 5—is this a serious option, Mr. Speaker? Is the Prime Minister considering having a special summit meeting with the President of the United States?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I indicated yesterday, and Ambassador Reisman indicated again on behalf of the Canadian Government, that the ball is very much in the American court. We have fulfilled all of the responsibilities. We have indicated and spelled out very clearly the position in regard to all outstanding issues. It is our judgment, and Ambassador Reisman has spelled it out, that there is an urgent need for a response from the American side. That is why, in the absence of that, he suspended negotiations. It would be, I think, inappropriate at this time and perhaps unhelpful at this very moment for the President and myself or anyone else at that level to get involved.

RESULT OF IMPASSE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the date of October 5 is looming quickly, as the Prime Minister knows. It has been said by negotiators on both sides, as I understand it, that the Americans wanted to discuss the automotive industry, regional development and cultural policy, all of which would have immense complicating and, for us, almost inevitably negative consequences for Canada. Will the Prime Minister assure us that there will not be a last minute political deal negotiated between himself and the President of the United States on these important matters, because such a deal at this point could only be reached in desperation and such a deal could only be bad for the future of Canada?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, this is typical NDP policy. In the question just before that the NDP Member was urging me to meet the President and then in the last question he was saying: "Whatever you do, don't do it."

Mr. Broadbent: No, I wasn't. Start listening to the questions.

Mr. Mulroney: This is typical consistency.

My friend refers to the automotive industry. Ambassador Reisman has made very clear the position in that regard, that it was never put on the table, notwithstanding the very mischievous comments by Mr. Bob White who is consistently identified as a Canadian labour leader. Perhaps the journalists

could also identify him by the other hat he wears, that of Vice-President of the national NDP.

POSITION OF CANADIAN NEGOTIATOR

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Prime Minister. I think the Prime Minister would quite understand that there are a number of Canadians who are concerned about the events of the last 24 hours and would like some straight answers from the Government for a change.

Last night we had Simon Reisman, the chief negotiator, saying that as far as he is concerned the negotiations are finished. They are over. The game is over. The Prime Minister met with the Cabinet this morning and had briefings with Mr. Reisman.

• (1440)

Does the Prime Minister and the Cabinet now confirm Mr. Reisman's analysis that no deal is possible and the negotiations are over or is the Prime Minister continuing to contradict Mr. Reisman as he did yesterday by saying that there are still possibilities for a deal? Canadians would like to know, is the deal over or is the Prime Minister still planning some scheme in his mind to get a deal and shift his position as he has done so often in the past?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think I answered that yesterday and I think Ambassador Reisman put his position as well. Ambassador Reisman said this morning, by the way, the following:

> —I want to tell you that in 40 years of work in the Public Service and in negotiations of at least a dozen or more major agreements I have never had a better team, I have never put into it more professional, analytical, scientific work. I have never had better direction and better leadership from any of the Governments I have served.

POSITION OF CABINET

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, what does the reading of Simon Reisman's requiem have to do with the question I asked? I think Canadians want to know the answer. The Government has said that this is the most important priority. The chief negotiator has said that it is all over. Cabinet met this morning. What did the Cabinet decide? Is it all over or is the Prime Minister going to try to weasel himself into another deal?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we have indicated that there are items that are very important and have to be resolved, from the beginning. We do not think they are outrageous. The dispute settlement mechanism to which we referred earlier, for example, is one of them.

I would give my hon. friend the following analogy, though not a perfect one. Tonight the Blue Jays and the Tigers begin a four-game series which is pretty crucial. How would the Detroit Tigers like it if the Blue Jays named the officials? They would not like it at all. We believe that there should be an impartial designation of officials. We want an impartial dispute settlement mechanism.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

ALLEGED INFILTRATION OF LABOUR UNIONS

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Prime Minister. According to news reports yesterday, CSIS has infiltrated not only the CNTU in Quebec but also the Quebec Teachers Federation, the Public Service Alliance, the B.C. Federation of Labour and the Canadian Auto Workers' Union. Given the Prime Minister's remarks on Bob White, we must ask ourselves if CSIS now sees Bob White as a threat to the security of Canada.

In view of the fact that this would in fact constitute a massive assault on the democratic labour movement in Canada, reminding Canadians of the worst abuses of the RCMP Security Service, will the Prime Minister order the Solicitor General to meet immediately with the leaders of the unions involved? Will he finally order a full parliamentary inquiry into these very, very serious allegations?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I think this is basically a repetition of questions that have been asked of the Solicitor General over the course of many days now. The Solicitor General has answered these questions with distinction, with candour and with honesty.

The Solicitor General has indicated two things. One is that of course under the legislation the targeting of trade union organizations in Canada is outside the law. He has been advised and in fact has satisfied himself, on the basis of information received after inquiries, that these organizations are not being targeted. Nothing could be clearer. Either the Hon. Member is trying to create mischief or he comes here with malice—

Mr. Speaker: Hon. Members will know that it is improper to impute motives to other Hon. Members in this place.

ALLEGATION OF INTERFERENCE IN LEGAL PROSECUTION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, this reminds us of answers given by Liberal Solicitor Generals in the 1970s. Labour unions may not be targeted but if there are sources within those unions that is an attack on the trade union movement in Canada.

[*Translation*]

Yesterday, Mr. Speaker, we learned that the CSIS had tried unsuccessfully to prevent the Quebec Polic Force from laying criminal charges against Marc Boivin, a CSN informer paid by the CSIS. Since this clearly shows that the QPF has no

confidence in the CSIS, will the Prime Minister finally admit that there is a crisis in the Canadian secret services and order a parliamentary investigation immediately?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I would like to respond to those two untrue allegations as follows: one, the fact is that the Solicitor General has made inquiries with respect to this allegation made by a journalist on *Le Point* last evening. On the basis of information provided to the Solicitor General, he is satisfied that there is no interference in the police investigation or in the laying of charges against Mr. Boivin.

Second, I would point out that the other allegation that was made in a general way on the basis of unnamed sources is the kind of material the Hon. Member persists in bringing before the House without any backing. Nothing could be further from the truth. The co-operation between CSIS and the QPF is at a very high level. Officials from both organizations have worked in a very professional way. Any suggestion to the contrary, without using legitimate and specific instances and examples, is only mischievous. I would suggest to the Hon. Leader of the New Democratic Party that he consider replacing his critic.

* * *

[*Translation*]

SECRETARY OF STATE

PROMOTION OF WOMEN—STANDING COMMITTEE'S RECOMMENDATIONS—GOVERNMENT POSITION

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, my question is for the Secretary of State. Last June, the Standing Committee on the Secretary of State published its first report on the Equal Opportunities for Women Program. In this report, the Committee recommended changes to extend the eligibility criteria of the program to provide access for organizations which provide a direct social service, such as counselling or child care. The Committee also recommended operational financing subsidies for organizations which meet a special need. Can the Secretary of State tell us whether he intends to follow up on these recommendations?

Hon. David Crombie (Secretary of State of Canada and Minister responsible for Multiculturalism): Mr. Speaker, I thank the Hon. Member for his question and I can assure him that I shall give the matter full consideration. The Government response to this report is being prepared and will be presented in mid-November.

[*English*]

CANADIAN SECURITY INTELLIGENCE SERVICE

ALLEGATION OF INTERFERENCE IN CRIMINAL PROCEEDINGS

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Prime Minister and concerns the Canadian Security Intelligence Service. It is obvious that the Security Service is out of control. There has been bungling, incompetence, negligence and false affidavits, and now there is a very serious allegation that the Security Intelligence Service interfered in criminal proceedings.

It has been indicated by the Minister of Justice that there has been an investigation into these allegations. I would ask the Prime Minister what the nature of the investigation was, if the Quebec Provincial Police were asked to comment on this particular matter, if an independent source investigated the allegations, or if the Solicitor General has simply asked the Security Intelligence Service whether it acted accordingly and appropriately.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, regardless of the nature of the question, this is simply a restatement by the Solicitor General critic of the Liberal Party of the question asked by the NDP Solicitor General critic. The answer remains the same.

I would remind the Hon. Member that his reputation as a legitimate critic in the area of senior law enforcement—

Some Hon. Members: Order.

Mr. Hnatyshyn: I was going to mention the word "reputation".

Ms. Copps: Don't be so ignorant.

Mr. Speaker: The Hon. Member for York South—Weston, second question.

REQUEST FOR INDEPENDENT INQUIRY

Mr. John Nunziata (York South—Weston): Mr. Speaker, we are talking about the Canadian Security Intelligence Service. The Security Intelligence Service is fast losing the confidence of the people of Canada when it ought to have the confidence of the people of Canada. I submit that CSIS is out of control because the Government has not provided the necessary direction and control. It appears that CSIS is ignoring the law which created it. I know the Prime Minister's mind is preoccupied with other matters but this matter is just as important.

• (1450)

Mr. Speaker: The Hon. Member will put his question.

Mr. Nunziata: Does the Prime Minister understand that we need an independent inquiry into the conduct of CSIS in order to restore confidence in that agency?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I want to make it quite clear that CSIS was based upon Liberal legislation passed just before we came into office. Since that time successive Solicitors General of this Government have been working to improve the operation of that important agency. They have done an outstanding job in building upon the legislation we inherited. I can only tell the Hon. Member that as far as we are concerned CSIS is developing into an agency of which all Canadians are proud. It will not do him or his Party any good to make general and unsubstantiated allegations to the contrary.

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AGRICULTURE

GRAIN FARMERS—DEFICIENCY PAYMENT QUERY

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is directed to the Prime Minister. At last summer's Humboldt Conference of the Western Premiers they established that a deficiency payment of between $1.6 billion and $3 billion is needed by Canadian grain farmers over and above existing stabilization programs. Since Premier Grant Devine was in Ottawa yesterday and since this issue is a high priority with him as well as the federal Government, does the Government have an announcement today concerning the size of the pay-out for this year?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I appreciate the Hon. Member's question. He should realize that my colleague, the Minister in charge of the Canadian Wheat Board and the Minister of State for Grains and Oilseeds, held a third meeting with 50 farm leaders. Those leaders presented to us what we think is a sound and sensible proposal. I answered questions in this House on the same issue last week, I believe, and at the moment we are running the numbers to satisfy ourselves that it is fair and equitable. When that process is complete we will more than likely be meeting farm leaders again.

ROLE OF PREMIERS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, can the Minister tell us the role the Premiers are playing? Could he tell us whether in the meetings yesterday Mr. Devine played his trump card? Did he threaten another provincial election?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, the Hon. Member will realize I was not part of those discussions. I can tell him what the provinces could do. If you compare expenditures by this Government, particularly on grains and oilseeds, we are outspending the provinces many, many times. The provinces could play a greater role in assisting agriculture by joining with us in a new financial arrangement for crop insurance.

PUBLIC WORKS

LEASING OF OFFICE SPACE FOR TRADE NEGOTIATORS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is directed to the Minister of Public Works. It pertains to the enriching experience we raised in the House yesterday concerning the receipt of some $50,000 by one Gervais Desrochers, a well-known Conservative. Yesterday in the House the Minister said all negotiations with officials of Public Works were directly with Met Life. Met Life has already acknowledged they hired Mr. Desrochers to help with the lease of their building, and the former Minister also publicly admitted meeting with Mr. Desrochers over this issue.

Could the Minister explain to the House why Mr. Desrochers received $50,000 if he did nothing, as the Minister claims he did? Otherwise, could he explain to the House if he was telling us the truth and nothing but the truth yesterday?

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, allegations have been made which are being investigated by the proper authorities. I am instructed by my officials that at no time was any third party involved in the negotiations they had directly with officials of Met Life to conclude the lease.

Mr. Boudria: That is a little different from what we heard yesterday. The least that could be said is that this $50,000 gives Mr. Desrochers a new lease on life.

[*Translation*]

MINISTER'S POSITION

Mr. Don Boudria (Glengarry—Prescott-Russell): Mr. Speaker, Mr. Smith of the Metropolitan Life has confirmed yesterday that he has hired Mr. Desrochers to arrange the leasing of the building.

The present Minister says the negotiations were held between his staff and the Department of Public Works. Is he now denying that the previous Minister of Public Works met with Mr. Desrochers concerning this transaction?

Can he confirm or deny this fact immediately in this House so that Canadians can be clear about it once and for all?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, if I may be permitted to answer on behalf of the Government, the Hon. Member is asking questions with respect to a matter he knows is under investigation by the police. I wonder if the Hon. Member would not agree with me that in those circumstances it would be inappropriate for us to comment with respect to the facts of the matter in order to allow the police to carry on their investigation. The Minister has responded with respect to information contained in his files dealing with the administration of his Department.

I can only refer the Hon. Member to the words of his own Leader who said in the House on November 30, 1984, that the rule with respect to investigations should be that we should not comment or pass judgment in the House on these matters while they are under investigation because that is contrary to our principles of justice.

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AIRPORTS

VANCOUVER AIRPORT—PUBLIC SAFETY

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, my question is directed to the President of the Treasury Board. Vancouver Airport is the most dangerous airport in the country. Can the Minister indicate when the Government will spend a few dollars to protect the hundreds of thousands of people moving in and out of this airport each year?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, if the Hon. Member wants to make that charge, perhaps he should back it up before he raises such an issue on the floor of the House of Commons.

LACK OF PARALLEL RUNWAY

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, is the Deputy Prime Minister prepared to ignore the fact that people have already been killed in Vancouver because of the lack of a parallel runway? Is he indicating also that the Government refuses to do anything constructive to build that parallel runway to protect the lives of Canadians moving in and out of that airport?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, now I know what the Hon. Member is getting at. If that is the position of the NDP, I will certainly convey it to the Minister of Transport and take it as a representation.

* * *

[*Translation*]

REGIONAL ECONOMIC EXPANSION

MATANE PAPERMILL—REQUEST THAT GOVERNMENT ANNOUNCE GRANT

Mrs. Lucie Pépin (Outremont): Mr. Speaker, my question was meant for the Prime Minister but in his absence I will direct it to the Deputy Prime Minister.

Yesterday, over 4,000 people attended a solidarity rally to obtain a papermill in the town of Matane. That papermill would create 350 jobs et would preserve 1,000 more.

Can the Deputy Prime Minister tell us why his government does not announce immediately the grant necessary to carry out this project, knowing that unemployment is over 25 percent in this area?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, as recently as last week, I have met with representatives of the area who have made representations to me. I emphasized at that time that we had received the latest information from the promotors of the project only 10 days earliers, that is some 15 or 18 days ago now, and that we would act very quickly, that all studies were completed, that documents to be submitted to Cabinet were being prepared, that they had to be translated and that these documents will be submitted to the Cabinet in the course of next week. I committed myself to give them an answer in one way or the other within three weeks.

That is as quick a process as we can have and that is the process that is being followed presently.

REQUEST THAT MINISTER RESPECT HIS COMMITMENTS

Mrs. Lucie Pépin (Outremont): Mr. Speaker, will the President of the Treasury Board tell us whether his Government is prepared to honour its commitment to the people in the Matapédia—Matane area, yes or no? Will you honour your commitment to the people in that area?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, first of all I would like to remind my hon. colleague that since about a month, I am no longer President of the Treasury Board but rather Minister of Regional Industrial Expansion, and it is in this position that I am acting in this matter.

Mr. Speaker, we will honour our commitments to all communities facing difficulties because of regional disparities. Our Government is giving a high priority to the Matane dossier. We are dealing with it as quickly as possible. I said—and I believe it was well understood by all—that an answer would be given within three months, that the answer would be announced as soon as Cabinet Ministers have read the documentation that I will be submitting to them as soon as next week or the week after.

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LABOUR RELATIONS

SITUATION IN PORT OF MONTREAL—ESTABLISHMENT OF COMMISSION OF INQUIRY—GOVERNMENT POSITION

Mr. Robert Toupin (Terrebonne): Mr. Speaker, my question is for the Minister of Labour. During a press conference last Monday the port of Montreal longshoremen's association denounced the slow negotiation process and the unacceptable

state of labour relations in this case, and they asked the federal Government to appoint a commission of inquiry on this situation and on the ambiguous role played by President Arnold Master of the employers' association.

Here is my question: Does the Minister intend to act on the longshoremen's request and appoint a commission of inquiry on labour relations in the port of Montreal and on the ambiguous role of President Arnold Master of the employers' association?

Hon. Pierre Cadieux (Minister of Labour): Mr. Speaker, like in any other negotiations I suggest that the parties involved would stand to gain much if they were to make their representations at the bargaining table where decisions are made.

DEMAND OF STEVEDORES' ASSOCIATION—GOVERNMENT POSITION

Mr. Robert Toupin (Terrebonne): Mr. Speaker, the longshoremen's association has repeatedly asked the Minister of Labour to set up a commission of inquiry on labour relations in the port. I should like to have a specific answer from the Minister. Can he tell us whether or not he intends to appoint such a commission of inquiry.

Hon. Pierre Cadieux (Minister of Labour): As far as I know, Mr. Speaker, the parties are to meet with the conciliator on September 25 and 29, and I think they will use these meetings to resolve their difficulties at the bargaining table.

* * *

• (1500)

[*English*]

SHIPBUILDING

HALIFAX SHIPYARD—REQUEST FOR GOVERNMENT ASSISTANCE

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is directed to the Minister of Supply and Services. The situation at the Halifax shipyard continues to worsen. A short time ago there was an average of 1,400 employees working there. Today there are 115 hourly workers.

Yesterday a delegation from Halifax was told that there would be no work coming from the federal Government for this shipyard before spring at the very earliest. Why is the Government refusing to help these workers?

[*Translation*]

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, the allegations my honourable friend has made are simply not true. Yesterday, I had indeed an opportunity to meet the members of a delegation from the City of Halifax. I assured them of our constant concern and desire to carefully examine the situation at the Halifax shipyard, in order to demonstrate to them once more that this Government care about the Halifax shipyard workers.

[*English*]

GOVERNMENT POSITION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, the unemployment insurance benefits of many of these workers have expired. It is going to be a very bleak winter for them and their families. What is the Government going to do about this? During the last election campaign they promised assistance. Where is this assistance? Is the Government saying that this shipyard does not matter?

Mr. Speaker: In view of the hour the question should be short and perhaps the answer could be short too.

[*Translation*]

Hon. Michel Côté (Minister of Supplies and Services): The reply will be very short, Mr. Speaker. I do not think we have any lesson to receive from our colleagues opposite. For 20 years, they had done absolutely nothing to improve the situation in the shipbuilding industry. It is this Government which has started to act and established a timetable for improving the situation.

[*English*]

Mr. Speaker: I will recognize the Hon. Member for Bow River for the last question.

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CANADA POST CORPORATION

ESSENTIAL SERVICE

Mr. Gordon Taylor (Bow River): Mr. Speaker, my question is directed to the Minister responsible for the Post Office or his assistant. Does the Minister consider the Post Office an essential service?

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the Hon. Minister has left the House. I will bring that question to his attention before the next Question Period.

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POINT OF ORDER

CANADA-U.S. FREE TRADE NEGOTIATIONS—EMERGENCY DEBATE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I rise on a point of order in response to the judgment which Your Honour made this morning when we made application for an emergency debate. It was suggested that the issue should await further consideration depending upon the

evolution of events and the information that would be provided.

We have had an opportunity today to try to ascertain from the Government the position it would be taking on the trade talks. There was no answer forthcoming. Therefore, I submit that it is now necessary to hold an emergency debate in order to attempt to inform Canadians fully of what is going on with the trade talks.

Mr. Speaker: The representations of the Hon. Member are, of course, important. I said earlier that as of eleven o'clock this morning it was not the disposition of the Chair to order an emergency debate to take place today. I think I made it clear to representatives of both opposition Parties that that does not close the door to other applications at another time. If the Hon. Member or other Hon. Members wish to make other applications, the Chair will, of course, consider them.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, it being Thursday, I rise to ask the customary question of the Government, that is, what are the plans of the Government with regard to House business for the coming week?

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I wish to advise the House that we will continue debate today on report stage of Bill C-55. We hope that that will be completed today. Tomorrow, or if there is time this afternoon, we will continue second reading debate on Bill C-74 with regard to the Environmental Protection Act. On Monday we hope to commence third reading of Bill C-55 and then move to second reading of Bills C-76 and C-77.

We have had discussions with the other House Leaders with regard to the commencement of debate on the Meech Lake Accord. We may be in a position to do that toward the end of next week or perhaps at the start of the following week.

I will be meeting with the opposition House Leaders on Tuesday to discuss further business. At that time I would also like to discuss the suggestions that we consider Senate reform.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I have a question on House business. When does the Government plan to bring Bill C-51 with regard to tobacco advertising forward for debate at second reading?

Mr. Lewis: Mr. Speaker, as the House will know, the House was reconvened to deal with emergency legislation.

Some Hon. Members: Oh, oh!

Mr. Lewis: The New Democratic Party may not consider it to be an emergency but I suggest they ask the people on the street about it.

Mr. Blackburn (Brant): Which emergency? It's been so long.

Mr. Lewis: Once we have completed debate on the emergency legislation and the Meech Lake Accord we will be in a position to consider the rest of the business of the House and proceed as expeditiously as possible with all the legislation on the Order Paper.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Minister of State suggested that debate on the Meech Lake Accord could begin as early as the end of next week. Could the Minister be a bit more specific? Is it not possible to identify a day next week when the debate could begin, or will we have to wait until the night before to find out?

Mr. Lewis: Mr. Speaker, we have been trying to accommodate the travel schedules of certain Members of the House. I was prepared to delay proceedings until such time as they were accommodated. We had discussions in good faith on Tuesday. There is more at issue than when; there is the orderliness of debate. We have been making an effort to accommodate everyone's schedule. That is why I cannot be specific.

• (1510)

In other words, I am trying to accommodate other Members of the House. We are in a position to go ahead toward the end of next week, but if it is not convenient for my colleagues on the other side we are prepared to accommodate them.

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other acts in consequence thereof, as reported (with amendments) from a legislative committee, and Motion No. 75 (Mr. Jourdenais).

Mr. Deputy Speaker: When the House took recess at one o'clock, the Hon. Member for La Prairie (Mr. Jourdenais) had the floor.

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, if I had the time today to explain how we might change the Immigration Act to make it more flexible and less rigid, I am convinced that everyone would agree with my suggestions. Mr. Speaker, if the Immigration Act had been more flexible and easier to understand and if the quotas had been increased in the last twenty or twenty-five years to allow between 150,000 to

175,000 people a year to enter this country, Canada would now have a population of 75 or 80 million people.

Mr. Speaker, if this had been the case, do you think that free trade would be such a burning issue today and that Canada could or would have acted differently? Mr. Speaker, I sincerely believe that all Members of this House should define their position on Bill C-55 according to their own conscience. I hope that they will do so when the Bill is put to a vote.

Mr. Speaker, as I have already said, I do not hold much hope for many of these amendments, and if this Bill is accepted, I only have three other comments to make to the Members of this House, to all Canadians, to Quebecers and to residents of my own constituency of La Prairie.

First, the most important proposal which was neither debated nor voted on was the motion to withdraw or scrap Bill C-55. Second, this Bill is so lacking in compassion that my conscience will not allow me to vote for it.

The last comment I wish to make is also the most important, and I hope that those who are here or in their offices will listen carefully. Last June, we had a free vote on capital punishment. Many Members voted against a return of the death penalty giving as their reason for doing so that their conscience did not allow them to kill another human being. They were against the death penalty for murderers, even if they have committed a villainous crime and could not care less about the rest of society. I am anxious to see what my friends in the House will do when this Bill is put to a vote. I hope they will vote against the Bill because it can condemn to certain death innocent people who are being persecuted in their own country. I believe that this is really a matter of conscience and I am anxious to see what will happen.

Mr. Speaker, a clause that was in the Bill before it was considered and referred to a legislative committee, was similar to the one I am proposing and was changed. The committee made a change that was not quite necessary, in my opinion. Therefore, I move motion No. 75 which reads as follows:

Motion No. 75

That Bill C-55, be amended in Clause 29 by striking out lines 42 to 49 at page 53 and lines 1 and 2 at page 54 and substituting the following therefor:

"(r) prescribing, for the purposes of paragraph 48.1(1)(*b*), any country with which Canada has a written arrangement with respect to persons who are or who claim to be Convention refugees as a safe third country for all persons of for persons of a specified class of persons, having regard to the record of that country with respect to human rights and to expulsion of persons who are or who claim to be Convention refugees."

The House should support this motion because Canada must make an agreement with countries we want to consider as safe third countries in order to save the lives of those who are sent back without having to explain the reasons they claim to be Convention refugees.

[*English*]

Mr. Sergio Marchi (York West): Mr. Speaker, this is the last motion at report stage of Bill C-55. Not only is it an appropriate motion, it is also appropriate that the Minister of State for Immigration (Mr. Weiner) finally honours the House with his presence at report stage. This amendment addresses a number of—

Mr. Friesen: Mr. Speaker, I rise on a point of order. I think it would be in order to point out to the Member that he should show some courtesy to the Minister. If he only knew why the Minister was not here today I think he would be a little more courteous. It is, after all, a Jewish holiday.

Mr. Deputy Speaker: The Hon. Member for York West (Mr. Marchi) on debate.

Mr. Marchi: As I was saying, Mr. Speaker—

Mr. Thacker: Apologize.

Mr. Marchi: We have no reason to apologize with the stuff that has been coming from that side of the House. You should take a lesson on your own.

The Government has made commitments in the past that there would be assurances that safe countries would be safe for claimants who would be sent to those countries. The Minister talked about guarantees, then changed his tune and talked about arrangements. Now we have an amendment that would suggest there would be an agreement with those countries which would purportedly suggest that they are safe.

We moved motions suggesting the removal of the prescreening stage rooted in a safe country concept. Those motions were defeated and we now ask the Government to support its own Member, the Member for La Prairie (Mr. Jourdenais), who is currently the Chairman of the Standing Committee on Labour, Employment and Immigration.

If it will not abandon the safe country concept or allow the refugee division to draft a safe country list, and if it will not agree that a list to be drafted by the Cabinet would only serve in an advisory capacity, the very least we are asking of the Government through this motion is that any member country on the safe country list have a written invalidating agreement with Canada before that safe country list is drawn in order to ensure the Cabinet and all Canadians of that country's safety.

I think that would be a valuable asset and a welcomed modification to the Bill. When an individual is sent to a so-called safe country, at least we can be assured that it is safe on the grounds of that written agreement between the two countries. We do not want to leave the word "safe" too loosely defined or leave open the question of return as opposed to admission because, as we have said so often, in many cases it is a question of life versus death. It is a question of a human being trying to find a country where he or she may find some basic human rights.

I suggest that if any of us were put in the same precarious situation we would want the same for our families.

It is one thing to try to make a system better, but when we talk about a safe country, there is the knowledge that we are

sending someone away from our shores. Knowing we are passing the responsibility to someone else, the very least we can do is offer some morality and leadership so that if we are sending someone away from our shores we know we are sending them to a country which is going to extend a hand of compassion, assistance and welcome, that there is that partnership and the Geneva Convention will still be intact. If we legislate a safe country concept without grounding it in agreements and ensuring safety, then we will be driving a wedge into the Geneva Convention, which will mean its worth is on paper, but when it comes to practice there is no Convention to speak of.

• (1520)

Let us move forward as a country and show our leadership internationally Let us reclaim the leadership Canada has demonstrated over the years. Let us offer other countries an incentive and, perhaps, an inspiration to follow its best instincts domestically, regardless of the challenges and pressures from within.

This motion would try to mobilize these countries, to open a dialogue. If we are going to go "safe country", let us ensure the reciprocating country has the same standards, that a refugee from El Salvador will be treated with the same respect they receive in Canada, Belgium or Great Britain. There is an opportunity for Canada—apart from calling for an international summit—through this small motion, to say to the world; let us do it in partnership, let us do it in tandem. Therefore, I urge Members of the House, particularly government Members, to agree with this very last motion, and perhaps then the report stage will begin on an upbeat.

Perhaps I should take this moment as well, Mr. Speaker, to correct my earlier reference to the Minister of State for Immigration (Mr. Weiner). If the reasons were because of the Jewish holiday, then I would be the last to fault him for that. If I have caused any embarrassment to himself or to his community, I am very sorry about that.

Mr. Dan Heap (Spadina): I rise to support motion No. 75 in the name of the Hon. Member for La Prairie (Mr. Jourdenais). I wish to take this occasion, as others have, to congratulate the Hon. Member for his strong conviction and courage in taking the stand he has as a dissident with his caucus on this point. I also wish to congratulate the Progressive Conservative caucus for having accommodated the Hon. Member. I know this was done in consultation and that it was not an easy consultation. I know there has been much heart searching on the part of the Hon. Member and his caucus colleagues in the difficult situation created for all of them by the conscientious disagreement of the Hon. Member for La Prairie with his hon. colleagues. Therefore, I respect the fact that it has been possible to carry on in spite of the sharp disagreement between the Hon. Member and his colleagues, and that is to the credit of the Progressive Conservative caucus.

On this motion I wish to take the same position taken by the two previous speakers, but to emphasize a little further the great importance of having this clause protected in order to carry out what may well be the intention of the Government. This intention is not sufficiently protected in the wording, and so far as I can find out in this complicated Bill—which has been revised a good deal by the Government—is not adequately protected elsewhere.

Some effort was made in amendments earlier in committee to get this amended by way of a fuller statement of the Convention obligations. That was refused. Some effort was made to have the adjudicator and the refugee division member made responsible for deciding in the inquiry the specific country to which the person would be sent. That was turned down. Efforts were made to have the matter adequately reviewed after a decision in order to catch possible errors, including an error of sending a person to a country that was not genuinely safe, particularly if the person thought it was not genuinely safe. That was turned down.

We now have a proposal that seems entirely in accord with what the Minister and his colleagues have said. The Minister said passionately in the debate in June that a person would not be sent to any country without a clear understanding. He used words like "agreement, guarantee, arrangement". He said there would be clear understanding that he or she would be given the same protection they would have in Canada. But that is not in the Bill. It is not in this clause and I believe it is not anywhere else in the Bill.

We are simply asking now that the clause be revised, that is, the clause describing the duty of the Minister to write the regulations, so that he will prescribe:

> —for the purposes of paragraph 48.1(1)(b), any country with which Canada has a written arrangement with respect to persons who are or who claim to be Convention refugees as a safe third country for all persons or for persons of a specified class of persons, having regard to the record of that country with respect to human rights and to expulsion of persons who are or who claim to be Convention refugees.

I believe the wording is the same as the Government's wording excepting the words concerning the written arrangement. I believe that will not cause a breakdown of the system. It will not cause endless legal disputes. It will not be a loophole for bogus refugees. It is within the control of the Government to make that clear, to make it clear in such a way that the refugee claimant who is being sent away to that country, and all who are concerned with him, and all who are concerned with the integrity of the system, will know how the system is operating and, if necessary, will be able to offer an opinion and disagreement. If country x is listed as a safe country because of a written agreement, the written agreement can be looked at in public and questioned, perhaps altered or perhaps defended and maintained. That would be a democratic procedure.

I hope the Government will give serious consideration to this amendment. I know that officials and some members of the Government are concerned about trying to arrange with some of the countries in western Europe, perhaps the United States,

and no doubt some other countries, a system in which one occasion for determining a person's refugee status would be enough for all who would belong to a certain agreement.

If a person was found to be a refugee in this country, that would stand for the others. If he was found not to be a refugee, that would stand for the others. I know that is being attempted and I think it is well worth attempting. I also know agreement has not yet been arrived at. Written agreements of this sort might be a step in that direction. At least they would provide some basis of agreement between Canada and one other country in bilateral agreements. They might eventually be put together into a multilateral agreement. I, therefore, urge the Government to consider this amendment in a very friendly way.

Finally, I want to refer to a voice of the Canadian people—not "the" voice because there is no single voice—but a very strong voice of the Canadian people which has supported many of the amendments in spirit and sometimes explicitly throughout this debate. I am referring to the letter of the Canadian Conference of Catholic Bishops dated September 16. I wish to quote a resolution that was passed at their meeting. It concerns the refugee status determination process in Canada, and it states:

• (1530)

> Whereas the Government of Canada is currently finalizing Bill C-55, an Act dealing with the refugee status determination process in Canada;
>
> Whereas Bill C-84 has just passed third reading (September 14, 1987), in spite of the reservations and opposition of a multitude of humanitarian, refugee aid, and church groups.
>
> The Episcopal Commission for Social Affairs recommends to the Plenary Assembly:
>
> That during the course of the daily press conference, the President of the CCCB recall the position taken by Canadian Church leaders in their telex message of June 1, 1987, to Prime Minister Mulroney which called for the withdrawal of Bill C-55 and the replacing of it with legislation that will actualize a refugee status determination process which is just, workable, expeditious and respectful of the Charter of Rights and Freedoms and in conformity with Canada's international responsibilities as a signator of the Geneva Convention.

This is the proposal of the Most Reverend Gilles Ouellet, Chairman, Episcopal Commission for Social Affairs.

We have strong support for taking the more inclusive and humanitarian approach to the definition of our refugee legislation. I urge Hon. Members opposite to support this amendment.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, first I welcome the presence of the Minister and applaud the fact that he found it possible to be here with us today.

We speak in support of the motion of the Hon. Member for La Prairie (Mr. Jourdenais), because an important principle is at stake. With his amendment, the Hon. Member is defending the internationally accepted principle of prohibiting the expulsion or the return of an applicant for refugee status by any country.

In 1969 we agreed to an international convention.

For the record, I wish to quote Article 33 which deals exactly with this matter. It is entitled *Prohibition of Expulsion or Return ("Refoulement")* and it states:

> 1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

Article 33 is well balanced. In paragraph 2 it states:

> 2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.

Article 33 is very reasonable, and it was put forward during an international convention that we subscribed to.

During the hearings, the Canadian Bar Association expressed an opinion on the present Bill, and its dissatisfaction if the Bill were to go ahead without the protection of this principle, which would be taken care of by the amendment put forward by the Hon. Member for La Prairie. The Canadian Bar Association stated that if this Bill is allowed to exclude the safe country notion, it would violate Article 33 of the UN Convention on Refugees because it rejects the claimant without considering whether the person is a refugee. This is an important central principle. The nub of the issue is that it requires the removal of that person without assurances that the country of destination will protect him from being returned to his original country where the danger may be.

We are dealing with a very important principle. We hope that the Minister and the Government will agree with a member of their own caucus, the Chairman of the standing committee, who has put forward this very important amendment which goes to the heart of any legislation that deals with refugees.

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

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): The question is on Motion No. 75 standing in the name of the Hon. Member for La Prairie (Mr. Jourdenais).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 114(11), the recorded division on the motion stands deferred.

The House will now proceed to the taking of the deferred divisions at the report stage of the Bill now before the House.

Call in the Members.

• (1610)

And the division bells having rung:

Mr. Gauthier: Point of order, Mr. Speaker. There have been negotiations and I think you will find consent to the following. I will read it very slowly because I am sure no one wants to vote 33 to 35 times this afternoon. The idea is to try to save time.

The voting on report stage of Bill C-55 should be conducted as follows. A vote on Motion No. 3 will be held and the result applied to all of the motions and to the amendment to Motion No. 77 standing in the name of the Hon. Member for Spadina (Mr. Heap). It would be applied as well to the motions standing in the name of the Hon. Member for York West (Mr. Marchi). The reverse of that vote would then be applied to the motions of the Minister. The motions of the Hon. Member for La Prairie (Mr. Jourdenais) would be disposed of by applying to them the result of the vote on Motion No. 3, but the Hon. Member would be voting in the affirmative on his own motions.

Finally, the vote on Motion No. 3 standing in the name of the Hon. Member for Spadina will be reversed and applied to the concurrence motion. However, the Hon. Member for La Prairie would be voting at that point in the negative. As well, each vote will be recorded and printed in today's *Votes and Proceedings* separately.

Mr. Deputy Speaker: The House has heard the suggestion of the Hon. Member for Ottawa—Vanier (Mr. Gauthier). Is it agreed that we record the votes as indicated?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: The first question is on Motion No. 3.

Mr. Heap moved:

Motion No. 3

That Bill C-55, be amended in Clause 9

(a) by striking out lines 46 and 47 at page 7 and substituting the following therefor:

"two weeks after the making of the order; or"

(b) by striking out line 2 at page 8 and substituting the following therefor:

"required to leave Canada, and in any case not less than two weeks after the notice is received."

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 246*)

YEAS

Members

Allmand	Isabelle	Nunziata
Althouse	Jewett	Nystrom
Axworthy	Johnston	Orlikow
Benjamin	(Saint-Henri—Westmount)	Penner
Blackburn (Brant)	Keeper	Pépin
Boudria	Langdon	Prud'homme
Caccia	MacLellan	Riis
Cassidy	Manly	Robichaud
de Corneille	Marchi	Robinson
Dewar	McCurdy	Rompkey
Foster	McDonald (Broadview—Greenwood)	Skelly
Gauthier	McLaughlin	Waddell
Guilbault (Saint-Jacques)	Mitchell	Young—39
Heap		

NAYS

Members

Belsher	Guilbault (Drummond)	Plamondon
Binns	Hawkes	Ravis
Blais	Hnatyshyn	Redway
Blouin	Horner	Reid
Bosley	Howie	Roman
Bradley	Jelinek	Scott (Hamilton—Wentworth)
Brightwell	Jourdenais	Scowen
Brisco	Kempling	Siddon
Browes	Landry	Sparrow
Caldwell	Lewis	Stackhouse
Carney	MacDougall (Timiskaming)	Tardif (Charlesbourg)
Champagne (Champlain)	Mailly	Taylor
Clifford	Mantha	Thacker
Cossitt	Martin	Towers
Côté (Lac-Saint-Jean)	Mayer	Tupper
Darling	Mazankowski	Turner (Ottawa—Carleton)
Daubney	McDougall (St. Paul's)	Vankoughnet
de Cotret	McInnes	Vincent
Duplessis	McKinnon	Weiner
Edwards	Moore	Wilson (Etobicoke Centre)
Epp (Provencher)	Nickerson	Winegard
Fennell	Nowlan	Witer—76
Fontaine	Oberle	
Forrestall	Oostrom	
Friesen	Paproski	
Gormley	Peterson	
Graham	Pietz	

Mr. Deputy Speaker: I declare the motion lost.

As agreed, the result of this division will be recorded as applying to Motions Nos. 4, 6, 7, 9, 11, 13, 14, 18, 21, 25, 27, 29, 31, 32, 33, 34, 37, 40, 43, 45, 47, 48, 49, 67, 68, 75, and the amendment to Motion No. 77.

As a result of the agreement, the Hon. Member for La Prairie (Mr. Jourdenais) will be recorded as having voted in

the affirmative on Motions Nos. 4, 25, 34, 47, 68 and 75, and in the negative on the concurrence motion.

In reversing the result of this division and recording it as such, I declare Motions Nos. 57B, 70 and 77 standing in the name of the Hon. Minister of Employment and Immigration (Mr. Bouchard) as having been carried. Also the concurrence motion will be recorded as having been moved by Mr. Mazankowski for Mr. Weiner, seconded by Mr. Lewis and, as amended, agreed to on the reversed division.

Mr. Jourdenais (Prairie) moved:

Motion No. 4

That Bill C-55, be amended in Clause 14 by striking out lines 20 to 37 at page 11 and substituting the following therefor:

"45.(1) Subject to subsection (5), where a person who is the sub-".

The House divided on the motion (Mr. Jourdenais) which was negatived on the following division:

(*Division No. 247*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Jourdenais
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—40

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—75

Mr. Deputy Speaker: I declare the motion lost.

Mr. Marchi moved:

Motion No. 6

That Bill C-55, be amended in Clause 14 by striking out lines 39 to 45 at page 11 and substituting the following therefor:

"tion refugee, the person shall, as soon as is practicable, have the claim referred to the Board for a determination.

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

(*Division No. 248*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker

Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 7

That Bill C-55, be amended in clause 14 by striking out lines 39 to 45 at page 11 and substituting the following therefor:

"tion refugee, the inquiry shall be concluded and the adjudicator shall take the appropriate action pursuant to Sections 32 and 32.1."

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 249*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 9

That Bill C-55, be amended in Clause 14 by striking out line 29 at page 12 and substituting the following therefor:

"claim by notifying an immigration officer who shall refer the claim to the Refugee Division."

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 250*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper

Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Marchi moved:

Motion No. 11

That Bill C-55, be amended in Clause 14 by striking out lines 46 to 49 at page 12 and lines 1 to 11 at page 13 and substituting the following therefor:

"47. Every person who claims to be a Convention refugee shall be referred to the Board for a hearing on the claim."

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

(Division No. 251)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 13

That Bill C-55, be amended in Clause 14 by deleting proposed Sections 48, 48.01, 48.02, 48.03, 48.04, 48.05, 48.06 and 48.07 at pages 13 to 23 inclusive.

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(Division No. 252)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Marchi moved:

Motion No. 14

That Bill C-55, be amended in Clause 14

(a) by striking out lines 15 to 19 at page 13

(b) by striking out lines 21 to 23 at page 13 and substituting the following therefor:

"shall determine whether the claimant should be permitted to come into Canada or to remain therein and whether the claimant is eligible to have the claim determined by the Refugee Division; and".

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

(Division No. 253)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Marchi moved:

Motion No. 18

That Bill C-55, be amended in Clause 14 by striking out lines 19 to 29 at page 14.

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

(Division No. 254)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Marchi moved:

Motion No. 21

That Bill C-55, be amended in Clause 14 by striking out lines 20 to 29 at page 14 and substituting the following therefor:

"a country that the Refugee Division considers to be a safe third country for the claimant and would be admitted to that country, if removed from Canada, or has a right to have the claim determined therein;".

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

(*Division No. 255*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Immigration Act, 1976

Mr. Jourdenais moved:

Motion No. 25

That Bill C-55, be amended in Clause 14 by striking out lines 37 to 41 at page 14 and substituting the following therefor:

"(ii) by an adjudicator and a member of the Refugee Division as not being eligible to have the claim determined by that Division, other than a claimant declared ineligible pursuant to paragraph (a) who has been returned to Canada by the country which has issued the valid and subsisting travel document by that country pursuant to Article 28 of the Convention or a claimant declared ineligible pursuant to paragraph (b) who has been returned to Canada by the prescribed country, or as not having a credible basis for the claim."

The House divided on the motion (Mr. Jourdenais) which was negatived on the following division:

(*Division No. 256*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Jourdenais
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—40

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers

Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—75

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 27

That Bill C-55, be amended in Clause 14 by striking out lines 12 to 17 at page 15.

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 257*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 29

That Bill C-55, be amended in Clause 14 by striking out lines 36 to 50 at page 15.

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 258*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 31

That Bill C-55, be amended in Clause 14 by adding immediately after line 5 at page 16 the following:

"(6) Notwithstanding paragraphs (1)(c), (1)(e) and (3), a person is eligible to have a claim determined by the Refugee Division if the claim is based on facts that arose since the claimant's most recent departure from Canada, and in the opinion of the adjudicator and the member of the Refugee Division considering the claim, the claim is not manifestly unfounded."

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 259*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Immigration Act, 1976

Mr. Heap moved:

Motion No. 32

That Bill C-55, be amended in Clause 14 by striking out lines 6 to 26 at page 16 and substituting the following therefor:

"(6) In determining whether a claim to be a Convention refugee is manifestly unfounded, the adjuicator and the member of the Refugee Division shall consider whether the claim is:

(a) clearly fraudulent; or

(b) not related to the criteria for granting refugee status in the Convention."

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 260*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 33

That Bill C-55, be amended in Clause 14 by striking out lines 6 to 26 at page 16 and substituting the following therefor:

"(6) In determining whether a claimant has a credible basis for the claim to be a Convention refugee, the adjudicator and the member of the Refugee Division shall consider any evidence adduced by the claimant at the inquiry or hearing and may consider any other evidence, including;

(a) the factual basis of the claim, and

(b) the record with respect to human rights of the country that the claimant left, or outside of which the claimant remains, by reason of fear of persecution."

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(Division No. 261)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Jourdenais moved:

Motion No. 34

That Bill C-55, be amended in Clause 14 by striking out lines 15 to 19 at page 16.

The House divided on the motion (Mr. Jourdenais) which was negatived on the following division:

(Division No. 262)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Jourdenais
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—40

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers

Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—75

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 37

That Bill C-55, be amended in Clause 14 by adding immediately after line 33 at page 16 the following:

"(8) Where a person claims to be a Convention Refugee and is denied access to the procedures outlined in Sections 45 to 48 and 70 and 71 pursuant to Section 48.1, the Minister shall notify the Office of the United Nations High Commissioner for Refugees of this fact; and

(9) a person to whom subsection 48.01. (1) applies shall be provided a reasonable opportunity to contact the Office of the United Nations High Commissioner for Refugees".

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 263*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 40

That Bill C-55, be amended in Clause 14

(a) by striking out line 40 at page 16 and substituting the following therefor:

"their decision and their reasons in writing as soon as possible after"

(b) by striking out line 8 at page 17 and substituting the following therefor:

"and the reasons therefor in writing as soon as possi-"

(c) by striking out line 10 at page 18 and substituting the following therefor:

"decision and the reasons therefor in writing as soon"

(d) by striking out line 20 at page 18 and substituting the following therefor:

"decision and the reasons therefor in writing as soon".

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 264*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling

Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 43

That Bill C-55, be amended in Clause 14 by striking out line 2 at page 19 and substituting the following therefor:

"allowed to return and remain in that country.".

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 265*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 45

That Bill C-55, be amended in Clause 14 by striking out lines 20 and 21 at page 19 and substituting the following therefor:

"that neither the applicant nor the applicant's spouse, dependent child nor dependent parent is a person".

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 266*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman

Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Jourdenais moved:

Motion No. 47

That Bill C-55, be amended in Clause 14 by striking out line 22 at page 19 and substituting the following therefor:

"described in paragraph 19(1)(c),".

The House divided on the motion (Mr. Jourdenais) which was negatived on the following division:

(*Division No. 267*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Jourdenais
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—40

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson (Etobicoke Centre)
Winegard
Witer—75

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 48

That Bill C-55, be amended in Clause 14 by striking out lines 22 and 23 at page 19 and substituting the following therefor:

"described in paragraph 19(1)(b), (c), (d), (e), (f), (g) or (j), or 27(2)(c) or (a)".

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 268*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault (Saint-Jacques)
Heap
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp (Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault (Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall (St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott (Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif (Charlesbourg)
Taylor
Thacker

Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

Motion No. 49

That Bill C-55, be amended in Clause 14 by striking out line 29 at page 19 and substituting the following therefor:

"(b) five years or more may be imposed, but the Minister may issue a permit or permits to enable the applicant, with his family if accompanying, to enter and remain in Canada for such period of time as the Minister may determine."

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(Division No. 269)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Weiner moved:

Motion No. 57(b)

That Bill C-55, be amended in Clause 18

(b) by adding immediately after line 16 at page 35 the following therefor:

"(12) If the Refugee Division determines that a claimant is not a Convention refugee and does not have a credible basis for the claim to be a Convention refugee, the Refugee Division shall so indicate in its decision on the claim."

The House divided on the motion (Mr. Weiner) which was agreed to on the following division:

(Division No. 270)

YEAS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

NAYS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata

Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

Mr. Deputy Speaker: I declare the motion carried.

Mr. Marchi moved:

Motion No. 67

That Bill C-55, be amended in Clause 19 by striking out lines 23 to 45 at page 43 and lines 1 to 25 at page 44 and substituting the following therefor:

"83.3 An appeal lies to the Federal Court of Appeal from a decision of the Refugee Division under section 71.1 on a claim or under section 71.3 on an application, on any ground of appeal that involves a question of law, a question of fact, or a question of mixed law and fact."

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

(*Division No. 271*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Jourdenais moved:

Motion No. 68

That Bill C-55, be amended in Clause 19 by striking out lines 28 to 38 at page 43 and substituting the following therefor:

"any ground of appeal that involves a question of law, a question of fact, or a question of mixed law and fact."

The House divided on the motion (Mr. Jourdenais) which was negatived on the following division:

(*Division No. 272*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Jourdenais
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—40

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers

Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—75

Mr. Deputy Speaker: I declare the motion lost.

Mr. Weiner moved:

Motion No. 70

That Bill C-55, be amended in Clause 19 by adding immediately after line 38 at page 43 the following:

"(1.1) Notwithstanding subsection (1), no appeal lies to the Federal Court of Appeal from a decision of the Refugee Division under section 71.1 on a claim, if the Refugee Division, pursuant to subsection 71.1(12), has indicated in the decision that the claimant has no credible basis for the claim."

The House divided on the motion (Mr. Weiner) which was agreed to on the following division:

(*Division No. 273*)

YEAS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke
Centre)
Winegard
Witer—76

NAYS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

Mr. Deputy Speaker: I declare the motion carried.

Mr. Jourdenais moved:

Motion No. 75

That Bill C-55, be amended in Clause 29 by striking out lines 42 to 49 at page 53 and lines 1 and 2 at page 54 and substituting the following therefor:

"(r) prescribing, for the purposes of paragraph 48.1(l)(b), any country with which Canada has a written arrangement with respect to persons who are or who claim to be Convention refugees as a safe third country for all persons or for persons of a specified class of persons, having regard to the record of that country with respect to human rights and to expulsion of persons who are or who claim to be Convention refugees."

The House divided on the motion (Mr. Jourdenais) which was negatived on the following division:

(*Division No. 274*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Jourdenais
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—40

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid

Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke Centre)
Winegard
Witer—75

Mr. Deputy Speaker: I declare the motion lost.

Mr. Heap moved:

That Motion 77 be amended by adding the words "in writing" after the word "reasons" in section (a) and in section (b).

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 275*)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata
Nystrom
Orlikow
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rompkey
Skelly
Waddell
Young—39

NAYS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke Centre)
Winegard
Witer—76

Mr. Deputy Speaker: I declare the motion lost.

Mr. Weiner moved:

Motion No. 77

That Bill C-55, be amended in Clause 43

(a) by striking out line 5 at page 61 and substituting the following therefor:

"decision and the reasons therefor as soon as possible after making the"

(b) by striking out line 15 at page 61 and substituting the following therefor:

"decision and the reasons therefor as soon as possible after making the".

The House divided on the motion (Mr. Weiner) which was agreed to on the following division:

(*Division No. 276*)

YEAS

Members

Belsher
Binns
Blais
Blouin
Bosley
Bradley
Brightwell
Brisco
Browes
Caldwell
Carney
Champagne
(Champlain)
Clifford
Cossitt
Côté
(Lac-Saint-Jean)
Darling
Daubney
de Cotret
Duplessis
Edwards
Epp
(Provencher)
Fennell
Fontaine
Forrestall
Friesen
Gormley
Graham
Guilbault
(Drummond)
Hawkes
Hnatyshyn
Horner
Howie
Jelinek
Jourdenais
Kempling
Landry
Lewis
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mayer
Mazankowski
McDougall
(St. Paul's)
McInnes
McKinnon
Moore
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Peterson
Pietz
Plamondon
Ravis
Redway
Reid
Roman
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Sparrow
Stackhouse
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Turner
(Ottawa—Carleton)
Vankoughnet
Vincent
Weiner
Wilson
(Etobicoke Centre)
Winegard
Witer—76

NAYS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Boudria
Caccia
Cassidy
de Corneille
Dewar
Foster
Gauthier
Guilbault
(Saint-Jacques)
Heap
Isabelle
Jewett
Johnston
(Saint-Henri—Westmount)
Keeper
Langdon
MacLellan
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
McLaughlin
Mitchell
Nunziata

Nystrom	Prud'homme	Rompkey
Orlikow	Riis	Skelly
Penner	Robichaud	Waddell
Pépin	Robinson	Young—39

Mr. Deputy Speaker: I declare the motion carried.

Mr. Weiner moved that Bill C-55, as amended, be concurred in.

The House divided on the motion (Mr. Weiner) which was agreed to on the following division:

(*Division No. 277*)

YEAS

Members

Belsher	Guilbault (Drummond)	Ravis
Binns	Hawkes	Redway
Blais	Hnatyshyn	Reid
Blouin	Horner	Roman
Bosley	Howie	Scott (Hamilton—Wentworth)
Bradley	Jelinek	Scowen
Brightwell	Kempling	Siddon
Brisco	Landry	Sparrow
Browes	Lewis	Stackhouse
Caldwell	MacDougall (Timiskaming)	Tardif (Charlesbourg)
Carney	Mailly	Taylor
Champagne (Champlain)	Mantha	Thacker
Clifford	Martin	Towers
Cossitt	Mayer	Tupper
Côté (Lac-Saint-Jean)	Mazankowski	Turner (Ottawa—Carleton)
Darling	McDougall (St. Paul's)	Vankoughnet
Daubney	McInnes	Vincent
de Cotret	McKinnon	Weiner
Duplessis	Moore	Wilson (Etobicoke Centre)
Edwards	Nickerson	Winegard
Epp (Provencher)	Nowlan	Witer—75
Fennell	Oberle	
Fontaine	Oostrom	
Forrestall	Paproski	
Friesen	Peterson	
Gormley	Pietz	
Graham	Plamondon	

NAYS

Members

Allmand	Jewett	Nystrom
Althouse	Johnston (Saint-Henri—Westmount)	Orlikow
Axworthy	Jourdenais	Penner
Benjamin	Keeper	Pépin
Blackburn (Brant)	Langdon	Prud'homme
Boudria	MacLellan	Riis
Caccia	Manly	Robichaud
Cassidy	Marchi	Robinson
de Corneille	McCurdy	Rompkey
Dewar	McDonald (Broadview—Greenwood)	Skelly
Foster	McLaughlin	Waddell
Gauthier	Mitchell	Young—40
Guilbault (Saint-Jacques)	Nunziata	
Heap		
Isabelle		

Motion agreed to.

Mr. Deputy Speaker: When shall the Bill be read the third time? At the next sitting of the House?

Some Hon. Members: Agreed.

Mr. Redway: On a point of order, Mr. Speaker, as you have just indicated, there have been a considerable number of amendments to the Bill and I think at third reading it would be very helpful if we had the Bill reprinted with all of those amendments. I would like to ask for unanimous consent that Bill C-55 as further amended at report stage be reprinted for the use of the House at third reading.

Mr. Lewis: Mr. Speaker, I am prepared to agree to my hon. colleague's suggestion on the basis that we do not find the printing is delayed for two or three weeks. I have no idea of the time frame we are talking about. If that is possible, fine.

Mr. Orlikow: How about three years?

Mr. Hnatyshyn: In three years you will still be in opposition and still whining.

• (1620)

Mr. Deputy Speaker: Order, please. If I may, I will amend the motion of the Hon. Member for York East (Mr. Redway) somewhat and ask for unanimous consent that we order the Bill to be printed. It should be ready for Monday, but any delay in the printing should not preclude the Government from bringing the Bill forward. Is there unanimous consent for that proposition?

Mr. Redway: That's agreeable.

Some Hon. Members: Agreed.

* * *

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed from Thursday, September 17, consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, it is a pleasure to speak this afternoon on Bill C-74 which has been put forward as the Canadian Environmental Protection Act. There is serious concern in the country about the inadequacy of this legislation. It is unfortunate that the Government did not, in drafting this legislation, seriously attempt to provide environmental protection.

The title of this Bill is definitely a misnomer. If the Government insists on proceeding with this legislation in its present

form, the Opposition will fight to remove the name "Canadian Environmental Protection Act".

This Bill pays lip-service to the protection of the environment while overlooking the serious attacks which have been made on our environment. This is not leadership legislation. It is a desperate attempt to appease people, and it will certainly not work. Canadians are seriously concerned about the erosion of the environment. They are concerned that they do not have a safe and healthy place in which to raise their children. They are concerned that there is no effective forum in which to raise environmental concerns where they can get a fair hearing and an effective response. Such a forum does not exist now and will not exist should this legislation be passed.

When this Bill is finally sent to committee the members of the committee will have a monstrous task in attempting to provide legislation which will ensure that Canadians will have an opportunity to be directly involved in the protection of the environment.

There is no issue as important to Canadians as environmental protection. What does any other issue matter if diseases which develop and physical harm which is inflicted upon people through contamination of the environment are allowed to continue? Of what importance is any other issue? Over a period of time many Canadians have come to realize that this issue is far more important than many others which face us today.

We hope that the Government will pay heed to the concerns expressed by Members of Parliament on behalf of their constituents. We hope that the Government will listen carefully to the analyses of groups across Canada which have been fighting on environmental issues for years. We hope that this Bill will be redrafted to take cognizance of the points raised.

This is not legislation to protect the environment. Through this legislation the Government is attempting only to protect its backside on this critical issue. It is attempting to protect its backside for its failure to deal with environmental issues vitally important to Canadians. This is not an environmental protection Act. It must be reworked in committee to make it into a tool which Canadians can use to protect themselves, a tool which will guarantee that children will grow up safe and healthy protected from environmental contamination and the destruction of our environment.

This legislation is simply an amalgamation of existing laws in an attempt to sell them as something new and wonderful. Those who are concerned about the degradation of the environment which has gone on over the years will not be fooled by this legislation. They will recognize that it is not a tool to effect that protection.

It has been suggested that this legislation should contain an environmental bill of rights, a clear statement of what Canadians are entitled to in terms of environmental protection and standards. It should be a statement of our goals and objectives. There is no clear statement in the legislation of what it is trying to achieve. It is critical to have such a clear statement to guide the decisions of administrators who set standards and impose emergency orders to protect the environment. There is no doubt that this Bill must state its objectives clearly. On that basis Canadians can make a judgment about the Government's political will to provide a safe, clean environment. This Bill must state that Canadians have the right to a safe, clean environment.

There is very little provision in this legislation of opportunities for the public to participate in the enforcement of environmental laws. There are many people in this country who are seriously concerned about the degradation of the environment.

In the area which I represent people have formed groups protesting the use of herbicides and pesticides. They have come out to meetings to state that they do not want this stuff used near their homes, that they do not want it sprayed aerially or dropped in their water systems. They are frustrated in their attempts to express these concerns or to have a serious hearing on them. People have obstructed applicators in the process of using these chemicals in the environment, but they have no effective forum in which to prosecute abuses and infractions actively.

The public must have an opportunity to participate in the enforcement of environmental legislation. They must be able to become actively involved in prosecuting those who commit environmental infractions, whether it be misuse of herbicides and pesticides, misuse of dangerous chemicals, or oil and chemical spills. People do not have effective mechanisms by which they can initiate action. The public cannot go to the court in order to resolve successfully any challenges to imposed standards.

● (1630)

We must address the need to provide a forum for effective public participation in setting environmental standards for the communities in which they live. They should have the right to determine the quality of the environment in their areas and the Government should encourage involvement in that process by providing an effective forum.

I believe that the application of chemicals such as pesticides and herbicides should only be done with the co-operation of local people who would determine the standards of use. This legislation should provide for such a mechanism.

For instance, there is the use of pesticides and herbicides in school playgrounds. I would be absolutely irate if my children were in areas with that material and I had no opportunity to oppose its use. I am sure all Hon. Members would agree with other Canadians on that issue.

This situation also exists with respect to the use of pesticides by those who advocate aerial spraying of forests. The area of Okeover Inlet is an example of this situation. The federal Government licenses the product, the provincial Government

claims no responsibility because it has been licensed by the federal Government, and there is no consideration for the individuals who live there.

The decision was made to use a helicopter to spray an area that was sensitive in terms of the watershed and the marine environment. It is one of the major shellfish-raising areas in British Columbia which had not been contaminated. Residents eventually threatened that they would shoot down any helicopter carrying pesticides that was flying over the area. Of course, this elicited the appropriate response from the RCMP, who defused the situation, but it illustrates the frustration experienced by people when the Government refuses to listen to their concerns about their children and the quality of the environment in which they live. The people of that community banded together and managed to convince the Government that they would remove the unwanted material themselves. They obtained a federal government grant and removed the alder by hand.

The basic problem in this situation was that they had no sense of effective participation in the decision on the use of those chemicals in that area.

We have seen similar cases up and down the coast of British Columbia, whether it is Fanny Bay, Merville, or the Sechelt Peninsula. Hundreds of people have attended public meetings to voice their outrage because a major corporation like B.C. Hydro, MacMillan Bloedel or Crown Forest Products have been able to use these materials with provincial government approval that is based on the federal government sanction. The people affected by these chemicals have no say in the standards for licensing those chemicals. They have no effective say in where those chemicals will be applied.

The Bill should provide Canadians with a fair opportunity to be involved in the setting of standards for these chemicals and where and how they will be applied. It would be a great service to Canada and the quality of our environment if that were one of the strong features of this legislation.

I believe that dangerous chemicals as defined in this legislation will not include pesticides and herbicides, which has been a source of great aggravation to Canadians over the years.

The Department of Agriculture has had the responsibility for licensing these products in Canada. Apparently, it has used tests in the United States to determine the acceptability of these chemicals in Canada. While the provincial Government determines how the chemicals are used, federal government licensing entitles its use.

Many Canadians have suggested that some of these licensed chemicals are in fact toxic and affect human beings. Only recently, the Canadian Government admitted that chemicals such as 2,4-D are harmful to human health. Canadians have appealed to the Government to remove many other herbicide and pesticide products from agriculture. Such chemicals should be included in the Environmental Protection Act to illustrate that the Government is concerned about their use and that it will encourage public participation in determining how and when these chemicals will be used if they are acceptable.

The Department of Agriculture should no longer be entitled to set the standards, because there is a major conflict of interest. Most Canadians would support this legislation if it were expanded to include herbicides and pesticides that are used widely in Canada, and I hope Members on the committee will broaden the legislation to include that class of chemicals.

Another area of major concern is the setting of national standards. I believe this Bill pays only lip-service to a major problem and does not provide any new initiatives in environmental protection.

Certain clauses of the Bill require the Government to consult with the provinces before setting national standards. The Social Credit Government of British Columbia has done much to erode environmental protection in Canada. While there is nothing wrong with consultation between federal and provincial Governments with respect to environmental standards, there should be a minimum national standard for the protection of the health of Canadians below which no provincial Government will be allowed to go. Where provinces are prepared to put higher standards in place, more effective procedures, that consultation should be an area of fair operation. There should even be federal assistance to ensure that those kinds of higher standards are encouraged and supported.

• (1640)

It would be our hope that this consultation section would be tightened so it was effective consultation and there would not be the ability to destroy federal standards or erode those standards and delay application. It is an absolute must that there be national standards, that the federal Government have the political will to enforce those standards, and that provinces which seek to impose higher standards in special areas receive encouragement and support from the federal Government. This issue is of enormous importance.

There is mention in Clause 38 that provincial consultation on matters of emergency orders are being put in place. It would appear that the federal Government has almost lost its political nerve at this point. With respect to an emergency order which involves, I would contemplate, an oil spill or spill of toxic chemicals in the marine environment—we have been treated to many serious oil spills in the Province of British Columbia—to suggest that the federal Government, before it acts on a toxic chemical spill in the provincial environment, should not have to consult with the Province of British Columbia.

I see that my time is drawing nigh. Hopefully, the important points that have been raised on the shortcomings of this legislation will be the subject of committee study, particularly

in the herbicides and pesticides area. Action must be taken on those issue before this Bill has been passed into law.

The Acting Speaker (Mr. Paproski): Are there questions or comments? There being no questions, debate. The Hon. Member for Western Arctic (Mr. Nickerson).

Mr. Skelly: I have a question, Mr. Speaker.

The Acting Speaker (Mr. Paproski): I am sorry, I recognized the Hon. Member for Western Arctic.

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, while in general I am in favour of the provisions of Bill C-74, and I think that most of the Members of the House of Commons are, I want to bring to the attention of the Houses two specific areas outlined in this Bill that might need further study.

The first is really a constitutional matter. I am referring to the powers and authorities of the Government of Canada to regulate environmental matters in the Northwest Territories and Yukon, as opposed to what, in my opinion, ought to be the case. The people who live there, through their elected representatives on the Legislatures of the two Territories ought to be the ones, the same as the people in a province ought to make the overriding rules and regulations respecting environmental protection. Part IV of the Bill is the part that deals with federal Departments, agencies, Crown corporations, works, undertakings and lands. When it talks about federal lands, what it really means is all the land in the Northwest Territories and all the land in Yukon. We are at the bottom of the list after federal Departments and agencies and Crown corporations.

The operative clause in this part of the Bill is Clause 53. What it does is to empower the Governor in Council to make regulations with respect to virtually anything to do with the environment on those lands. We are going to run into some problems there, that I know. One of the problems will, of course, be battles between the Department of the Environment and the Department of Indian and Northern Affairs, which already likes to think it is the agency or Department that regulates with respect to these matters, and the Department of Fisheries and Oceans, which also has some responsibility in that area. I know there will be an interdepartmental battle between those Departments of Government.

There is in the Northwest Territories an Act of the Territorial Legislature called the NWT Environmental Protection Act, I believe. It has never really had much attention because of all these federal regulations that are in effect and that have been administered by various government Departments. I think it would be preferable if the NWT Environmental Protection Act were the one under which prosecution were made, the one which is primarily used to regulate and enforce environmental matters in the Territories. That would be in keeping with the policy of the Parliament of Canada, both the Government of Canada and the Parliament of Canada, which wants to see provincial types of responsibilities devolve to the Territories.

It seems that this Bill is in some way drawing back from that policy. We have made some rapid strides of late with respect to electrical power, medical services and forestry, but we have recently been hit with the Meech Lake Agreement which has taken away something from us. It would appear to me that Bill C-74 would also tend to do the same thing.

I want to register my objections to this and my suggestion that things might proceed in a direction more in keeping with that given by the Parliament of Canada on previous occasions.

The second point I wish to raise arises from a meeting I had a few days ago with Mr. Walter Kudelik, the President of the Northwest Territories Association of Municipalities. I have a letter from his Executive Director, Mr. Jim Pitt of that association that I would like to read into the record. It is addressed to myself and states as follows:

> Enclosed with this letter is correspondence pertaining to Bill C-74 (Environmental Protection Act) and its impact on municipal liability insurance. The NWTAM's insurance consultant, Mr. Hugh Falconar has expressed grave concerns about the implications Bill C-74 will have for our members; we want you to be aware of these concerns.

It goes on to say that they have contacted the Federation of Canadian Municipalities to request some additional information and assistance. I also have a letter from Mr. Hugh Falconar, insurance consultant to the NWT Association of Municipalities, dated July 28. Mr. Falconar gives his opinion that:

> The Bill, a minefield for municipalities, appears to be a goldfield for federal prosecutors. The implications of Clause 116(1) are awesome.

It goes on to say further in the letter:

> At the moment, the absolute pollution exclusions in the general liability and umbrella liability insurance policies eliminate all pollution protection for municipalities.
>
> If Bill C-74 were enacted without the municipalities being able to have the benefit of insurance protection or some form of contingency funding, municipalities would be put into an almost impossible situation.

I do not know if the situation is quite as bad as Mr. Falconar believes because, of course, we have to read Clause 116 in conjunction with Clause 117, which gives some defence. But I think there is something to be concerned about in his remarks.

I also understand that the Canadian Water and Waste Water Association has been involved in the early stages of the drafting of the Bill, and I am pleased to see that this has taken place. I hope that when this goes to committee the Canadian Water and Waste Water Association will be invited to make further presentations and suggestions as to the manner in which the Bill may be improved.

• (1650)

In the Northwest Territories, there is case law under the Canada Labour Code that has held that municipalities are federal works or undertakings. It is pretty hard to believe that this is true, but it has happened. That is why municipalities in

the Northwest Territories, and presumably also in the Yukon, are likely to be affected more by this Bill than municipalities elsewhere in Canada. It is a great concern.

I wish to make the request of the legislative committee to which this Bill will be referred that the Northwest Territories Association of Municipalities be invited to present its case with the hope that certain amendments can be made, or that it can be given peace of mind in order that municipalities will not find themselves in the position that is described in Mr. Falconar's letter.

I thank you, Sir, for the opportunity to make those few comments.

Mr. Redway: I always enjoy the comments of the Hon. Member for Western Arctic (Mr. Nickerson) because he gives us a fresh insight into such an enormous and important part of Canada. Personally, I believe much more attention should be focused on that part of Canada. Generally, Canadians believe that therein is the great frontier of the country, and it is a part of Canada which is of enormous interest to Canadians.

I was interested in the Hon. Member's particular comments with respect to the impact of the Bill on the Northwest Territories, and also on the Yukon. I noted his concern and desire that the municipalities in the Northwest Territories be invited to appear before the legislative committee that will be dealing with this. Certainly I anticipate that as a member of that committee I will be putting forward his suggestion. I hope that they do have an opportunity to come and put forward their views.

Personally, I come from a part of Canada which is not organized as a federal territory, but as a province. I recognize the fact that municipalities in provinces are considered to be creatures of the provinces. It comes as no great surprise to me that where there is no province but a federal Government that is the father and mother of the territories, the municipalities in the territories would be considered to be creatures of the federal Government. Also, coming from a province where there is so much environmental legislation that impacts on municipalities, I feel that there should be no concerns as far as the municipalities in the Northwest Territories are concerned, but I would be happy to hear their representations.

Another point raised by the Hon. Member was on the constitutionality of the Bill. He pointed out one of the great issues of environmentalists across the country, but perhaps in the reverse. The Hon. Member for Western Arctic indicated that there may be inter-departmental battles with the Department of Indian and Northern Affairs as a result of the fact that the environmental protection power is in the Department of the Environment. Therefore, there will be another interested Department which will be struggling internally with the Department of the Environment.

In fact, environmentalists from other parts of Canada have criticized the fact that in this Bill the Department of the Environment has not amalgamated all of the environmental powers of the federal Government, such as the power that the Hon. Member from British Columbia mentioned a few moments ago, the Department of Agriculture's control over pesticides. There is also the question of the Department of Energy, Mines and Resources' control over nuclear matters. There is also the question of the Department of Transport's control over the transportation of hazardous goods.

These struggles will go on whether or not these matters are amalgamated into the over-all control of the Department of the Environment. They will either go on between Departments where one has the environmental controls such as transport, energy, and agriculture, but it is not in fact the Department of Agriculture, or they will go on in the reverse where the Department of the Environment has control of the legislation but the Department of Indian and Northern Affairs will be struggling to have its two cents worth. Obviously, in the matter of the way of life of government, that problem will go on.

I hope that the Hon. Member will see the light at the end of the tunnel in that the Northwest Territories will have a devolution of these powers in much the same manner that the devolution has taken place in the other powers he referred to, health services, electric power, and forestry. I hope that the Hon. Member will agree and indicate that he is working for a devolution to the Government of the Northwest Territories.

Mr. Nickerson: I do not think, Mr. Speaker, that the Hon. Member has asked a question. I am delighted with the suggestion that, if he is fortunate enough to be on the committee, he will see that the necessary invitation is extended. I could go on at great length on the powers granted to the territorial legislature under the Northwest Territories Act to legislate with respect to municipalities, and that type of matter, but I do not think today is the correct forum.

Mr. Rompkey: I had hoped, Mr. Speaker, to make some remarks on the legislation. I will be guided by you, Mr. Speaker, but in view of the time, I wonder if the Chair wishes to call it five o'clock and continue this debate tomorrow.

The Acting Speaker (Mr. Paproski): Do I have unanimous consent to call it five o'clock?

Mr. Gauthier: We always face the difficulty, when we call it five o'clock, of knowing whether the Member whose Bill it is will be in the House, whether the Members will be ready to speak to that Bill, whether they are in the House, and whether is it appropriate for us to do so, or, rather, whether we should suspend the sitting until five o'clock.

The Acting Speaker (Mr. Paproski): I do have one speaker from the government side. Are there other speakers on this particular Bill?

Mr. Althouse: Mr. Speaker, I have spoken to the Bill. I understand we have some speakers who thought they would be speaking when the clock indicated five o'clock. It will be a

minute or two before they are all in place. If the House can await that time, they will all be here.

[*Translation*]

The Acting Speaker (Mr. Paproski): It being 5 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

PARITY PRICES FOR FARM PRODUCTS ACT

MEASURE TO ENACT

The House resumed from Monday, August 17, consideration of the motion of Mr. Nystrom that Bill C-221, an Act respecting parity prices for farm products, be read the second time and referred to a legislative committee.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I wish to urge Members of the House to adopt this Bill in principle and send it on to the Agriculture Committee for full-scale study and hearings.

• (1700)

The Bill deals with very important concerns which we have as Members from across the country, whether we represent urban or rural constituencies or, as I do, constituencies with a combination of the two. The debt situation of farmers is one sign of the crisis which they have been facing. It is a steadily worsening debt situation. What is particularly striking is that the debt situation is especially falling on larger farms which are the backbone of production in most parts of the country and, perhaps most tragic, on young farmers.

According to the official statistics, only 26 per cent of younger operators of farms under the age of 35 years report no interest expenses, whereas 61 per cent of older operators, 55 years of age and over, report no interest expenses.

We are talking about something in the order of $2 billion per year which is going from farm families in the form of interest, resulting in a reduction in the number of farmers on farms. For instance, in Ontario the number of younger farmers under the age of 35 years has declined by 22 per cent. Between 1981 and 1986 the capital value of farms has gone down by 16 per cent. In my Province of Ontario the decline has been an even steeper 24 per cent.

What do we do in the face of those facts? It is important to recognize the principle of parity pricing which is embodied in the Bill. That principle says that the prices which farmers get for their products, in so far as we can have some influence on them in domestic markets in Canada, should go up in proportion to the costs of production that farmers must face.

I should like to refer to the catastrophic situation facing Ontario farmers which calls for this kind of move to parity pricing. I know that the Bill itself does not deal with corn or soya beans. However, in his opening speech the Hon. Member for Yorkton—Melville (Mr. Nystrom) indicated that he had met with producers of both commodities and could certainly see ways within the committee that these commodities could be brought into the Bill. For instance, let us take corn production and the price as of just yesterday in Chatham. Farmers in southwestern Ontario are receiving $2.27 per bushel. There are small variations to $2.37 or $2.47 in some parts of southwestern Ontario, but the $2.27 per bushel figure compares with a cost of production estimated by the provincial Government of $3.48 per bushel, including materials, pre-harvest expenses, harvest expenses, and land rent or the cost of land.

Dealing with the soya bean crop, in 1980 we started with a market price of $8.53. We have seen that figure decline to a market price per bushel of $6.20 in 1987. That compares with a cost production of $7.80.

Therefore we have a situation where farmers continue hoping for the future, but because of the difference between the prices they are receiving and costs of production, they are going more and more into debt and facing further and further difficulties for themselves and their families.

We must have a solution to this serious crisis, and I think the solution can come with the creation of marketing boards for commodities such as soya beans and corn on the domestic market. It can come with the recognition in those marketing boards that there must be a continued reflection in the prices offered by the boards of the costs of production and how they are increasing in my part of Ontario and in other parts of Ontario.

I urge the House to recognize what many of us recognized in the all-night debate which took place last spring. It indicated that there was a crisis in agriculture, but we have still not responded to that crisis sufficiently despite the drama of that all-night debate.

Let us take action. Let us move ahead. Let us do something concrete. Let us adopt Bill C-221. Let us take the step forward which this Bill represents.

Mr. Jim Edwards (Edmonton South): Mr. Speaker, I am pleased to have the opportunity to speak to this Bill in that my riding contains some of the finest black loam farmland in Canada.

The intent of the Bill is well recognized. There is consensus across Canada that farmers deserve and should receive a fair and equitable return on their investment and labour. However, there is no one Bill that can assure adequate returns to all farmers of Canada at all times. There is no single program that will achieve that goal, least of all Bill C-221 respecting parity prices for farm products. This concept, which was used in the United States over 45 years ago, was eventually discontinued due to major shortcomings. It could be an

opportune time to review the U.S. system of parity prices and its consequences.

The parity formula in the U.S. was established in 1940 by the Agricultural Adjustment Act. The purpose of the Act was to establish farm prices at a level that would maintain the purchasing power of farmers, with respect to articles they buy, equivalent to that of the base period. However, in order for purchasing power to be maintained over time, relative prices and incomes in the base period must be appropriate. In the United States it became apparent that there were substantial income differences among farmers, no matter what base period was used.

The intent of the parity pricing Act in the United States was similar to that of Bill C-221 in respect of adjusting prices of farm commodities to reflect changes in the prices of the articles which farmers buy. However, Mr. Speaker, being a scholar of the subject you will know that in order to stabilize supplies and prices, parity prices were incorporated into the loan rate formula. Farmers sold what they could, and the rest was purchased and stored by the Government. As technology advanced, production increased faster than demand. This increased the need for price support and over-production problems became unmanageable. Eventually, the Investment Parity Price Support Program became so expensive that it was disbanded.

• (1710)

It is interesting to note that although costs associated with the parity formula grew significantly, farmers were often not at the receiving end. Much of the money went to transportation, storage agencies and construction companies. The U.S. experience illustrated that parity prices were not effective in providing price support to farmers. It cost billions of dollars, only a portion of which went to farmers.

Bill C-221 is primarily aimed at helping Canadian grain and oil-seed producers who are experiencing a very difficult time. They are in a cost-price squeeze where market prices are falling and input costs are rising. As an example, wheat prices have fallen about 30 per cent in the last year due largely to an international trade war, while input prices have remained the same or even increased. Grain farmers on the Prairies are expected to experience a net decline in farm income this year, although this decline is being offset to a large degree through payments under government programs.

The solution to the farm income problem would not be solved by Bill C-221. The U.S. experience indicates that eventually it would be detrimental to the agriculture industry. The idea of parity pricing does not take into account new technology, efficiency of production, market signals and the need for international product marketability. It ignores the dynamic and often unpredictable nature of the agriculture industry due to such diverse forces and conflicting interests, regionally, nationally, and internationally. Over the past years, the farm sector in Canada has been effectively served by programs that increased the efficiency and competitiveness of farmers in the market-place, both nationally and internationally. A legislated solution will not be responsive to constantly changing circumstances and will therefore result in high costs with declining effectiveness.

One can argue that national supply management agencies in place for dairy and poultry products serve that industry well and that the same arrangement could apply to grains and oil-seeds. But these agencies have been established at the direct request of producers themselves who continue to recognize the fluctuating nature of the markets. They have built-in flexibility to protect both producers and consumers. Bill C-221 would not allow the same conditions for the grain and oil-seed producers. To be efficient and competitive, the market forces of supply and demand must prevail. That has always been a fundamental philosophy behind agricultural policy in Canada, a philosophy shared by all provinces as signatories to the recently developed national agriculture strategy.

The Government has been working with provincial administrations and the farm industry to build a network of programs to strengthen the productivity, efficiency and competitiveness of agriculture industry while providing farm income protection. Special initiatives have been introduced to help producers who are experiencing difficulties. In the long run, this approach will provide the best protection against the cost-price squeeze experienced by the Canadian agriculture sector.

Some of the support programs provided for Canadian grain and oil-seed farmers are the Special Canadian Grains Program, providing $1 billion this year to assist the grain and oil-seed farmers who have been facing lower prices resulting from the agricultural trade war between the United States and the European Economic Community. Payments are being made under the Agricultural Stabilization Act to farmers affected by lower prices, including close to $55.8 million for corn, soybean and barley producers for their 1985-86 crop. Special assistance was provided to prairie grain and livestock producers who suffered from the effects of several consecutive years of drought. The Western Grain Stabilization Act has been amended to allow interim payments to farmers in the spring when they need the cash most. An interim payment of $705 million has been made in 1986-87 for the last crop year. A tripartite stabilization program for the red meat sector has been established, with six provinces participating and others being expected to join. Participating provinces now represent between two-thirds and three-quarters of all beef cattle, sheep and hog production in the nation. This program is helping to stabilize returns for red meat producers, without shielding them from market signals. The Farm Fuel Tax Rebate Program exempts farmers from federal sales and excise taxes on farm fuels. An $80 million, five-year interest rate relief program has been designed and implemented to lower the interest costs for more than 5,000 Farm Credit Corporation borrowers. The two new FCC lending programs recently introduced are allowing farmers much greater financial flexibility.

These initiatives represent an innovative approach to protecting farmers from the current cost-price squeeze. They have been developed and implemented to respond to specific conditions in the market, and they reflect the flexibility and responsiveness required to deal with specific problems. This process is most effective in serving the interests of the agriculture sector as problems arise. The parity price system would not serve the industry as well and could result in continuing high costs to the taxpayer. For those reasons, Mr. Speaker, I regret that I am not able to support the spirit and the essence of Bill C-221.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, it is a pleasure to have this opportunity to speak to a Bill which I think in a significant way addresses not just the concerns of farmers but concerns that I think ought to be the concerns of all Canadians.

I regret that the previous speaker representing the Progressive Conservative Party, as one would expect of a Party that calls itself Progressive Conservative, would choose to have compared apples and oranges in trying to see in the experience of the United States what is predictable about what will occur in Canada if the kind of legislation suggested in this Bill were adopted by this House, subsequently approved by the other place, and became law.

What is at issue here, and clearly at issue, is fairness. Anyone who looks at the situation faced by the farmers in Canada could by no means conclude that the farmer is treated with fairness. This is not deliberate, but if you compared the situation of the farmer as he and she experiences it now and contemplated just for a moment the prospects for the future, then one would have to reach the conclusion that we must search our collective minds to find the means by which the farmer will be able to obtain an adequate income.

No one suggests that this piece of legislation proposed here now is the entire answer to the problems that farmers face. It does go a little way, and it is a little way, that collectively all of us must walk.

I have said on a previous occasion when addressing the concerns of the agricultural community that I admit to being an urban representative. It occurs to me that there is a very significant industry in my riding called Hiram Walker. It consumes a great deal of barley and wheat. We will not say anything further about the manner in which the product is consumed and by whom and in what quantity here and elsewhere, but what we should address is that not a single worker in Hiram Walker faces as serious a deficit in income as does the farmer who provides the basis for that worker's livelihood. Nobody really expects a worker or a business person to continue carrying out his or her business or work under circumstances where he or she cannot make a profit. I repeat, this is about fairness.

• (1720)

I think we can all agree that it is not fair that the price of wheat for export will decrease by 20 per cent. It is not fair that it will cost a farmer $69,000 to produce wheat on 1,000 acres but he can only expect to make $40,000 from it. It is not fair that farmers are losing their farms, that the family farm is disappearing because of inadequate income and huge debt and that in many instances young farmers have no hope of owning a farm. It is not fair that in the area in which I live, the producers of soybeans and corn, the most common commodities produced in that area, find that it costs them more to produce their commodities than they can sell them for. They earn $2 per bushel for corn while it costs $3 per bushel to produce it, and they earn $6 per bushel for soybeans while it costs $7 per bushel to produce it. That is not fair, and what we are talking about here is fairness.

What is so strange, unusual and unreasonable about the proposition advanced in this Bill that wheat, oats and barley sold to the Canadian consumer should be priced so that the cost of production is covered? The production costs that should be covered include good wages for city workers and good profits for those producing implements and vehicles used on farms. That is all this Bill seeks to provide through what is called parity pricing. The farmer who sells his wheat, oats and barley should receive a return adequate to cover the cost of production and should earn a profit sufficient to allow the farmer to live, to eat and to clothe himself and his family. Why should the farmer provide to all the rest of us what we so desperately and continuously need at his own expense?

Is the proposition contained in the Bill not a self-evident one? Is this not something that all of us would naturally assume is a simple matter of justice and fairness? As the Hon. Member from the other side who spoke indicated, there are some small elements of the legislation that need to be adjusted to make it good legislation. I for one, coming from Essex County, would like to see it extended so that it would apply to soybean and corn producers. Just as wheat, barley and oats concern those in the West and in parts of Ontario, we in southwestern Ontario have a problem as well.

As well, I think note should be taken that there is a proposal here for marketing boards for beef and pork. Although that is not being demanded, it may be that we would want to prepare the way so that those producers too could share in the benefits of the simple principle advanced by this legislation, which is that one should not have to produce food for city people at one's own expense.

I urge the House to approve the submission of this Bill to the Agriculture Committee so that it can be refined and made practical and useful and so that it can benefit the farmer. I am as confident as I am confident that I am standing here today that, given an understanding of the situation faced by farmers, those in the cities would not expect the farmer to earn less than the automobile worker, the brewer or the politician in proportion to their contribution to this country.

[*Translation*]

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, I am pleased to be able to speak to Bill C-221, an Act respecting parity prices for farm products.

Hopefully, Mr. Speaker, the electors of the riding of Windsor—Walkerville had an opportunity to listen to their Member or will find time to read his comments in *Hansard*. They will see for themselves that the Member for Windsor—Walkerville (Mr. McCurdy) was not very serious when he spoke to this legislative measure.

Mr. Speaker, setting the prices of farm products at the so-called parity level is one way to establish a link between these prices and the cost index of the agricultural community's input.

The concept of parity prices was used in a U.S. farm legislation some forty years ago. Its purpose was to establish farm prices at a level that would maintain the purchasing power of farmers, with respect to articles they buy, equivalent to that of the base period.

To determine the parity price of a farm commodity during a period prior to this base period, they would multiply its price during the base period by the input cost index reached during the period when the computation was made.

However, this procedure did not take into account a basic factor, namely, that as technology advances, productivity increases steadily over the years.

Well, the input cost index reflects the trend of input prices and not the input mix during production. With the passing of time, technology advance makes it possible to combine inputs in a more efficient way and, in the end, smaller amounts of inputs are necessary to produce the same quantity of farm commodities. The unit cost goes down. Parity prices, therefore, may reach levels which are much higher than the costs to efficient farmers.

That is the reason why the parity price system was dropped in the United States.

Bill C-221, an Act respecting parity prices for farm products, tries to overcome this problem by proposing to establish the prices on an annually established production cost formula.

By fixing prices on a yearly production cost basis, production cost pricing, although simple in principle, is not simple in its implementation. First, production costs have to be defined, which Bill C-221 does not do.

For instance, a distinction must be drawn between disbursement costs and non-disbursement costs. The difference is significant both conceptually and as to how costs are assessed.

The remuneration of the producer's work and investment entails no disbursement, but must be included in any pricing process.

One problem then is that, by determining farm prices on the basis of production costs, there is a danger that they be set at a level where demand will not completely absorb supply.

High prices stimulate production, Mr. Speaker, but on the other hand they discourage consumption. A pricing system based on a production cost formula cannot be put in place without a plan to limit supply to the level the available markets can absorb. Otherwise, the impact on external trade would be serious.

Mr. Speaker, providing a commodity with a high support price becomes costly when a country produces more of that commodity than it consumes. The surplus must be exported, and when world prices are still lower than domestic prices, this surplus is exported at a loss.

Such is the situation in the European Economic Community, and the common farm policy, which is the cause of that, is extremely costly to European taxpayers.

Canadian farm prices must be at a level that allows competition with foreign products. Otherwise, our products would not sell abroad because they would not compete on international markets. And then, if Canada used a double price system, selling abroad at prices that would be lower than domestic prices, it would be accused of dumping.

We cannot both develop the exportation of a product and introduce a parity prices system for that same product. Programs that are in place now, including the Western grain stabilization program and the tripartite stabilization programs that benefit beef, pork and lamb producers, better serve the needs of the export oriented production sectors then the parity prices system. They give a protection against downturns that periodically occur in the markets while ensuring that production be responsive to market trends.

So, Mr. Speaker, for these reasons and many others, it is absolutely unthinkable to implement a policy such as proposed by the Hon. Member for Yorkton—Melville (Mr. Nystrom) in his Bill C-221 and that is why we will have to vote against such a proposal since it is a socialist measure that would give no benefit to producers other than to burden them with enormous inconveniences, which is certainly not what we have been seeking since we came to power. Rather, we are working to help our producers become more and more efficient, more and more competitive so that they can carve out a significant place for themselves in the market so that ultimately we will succeed in stabilizing some sectors of productions by having profitable operations.

• (1730)

[*English*]

Mr. Neil Young (Beaches): Mr. Speaker, the last time I had an opportunity to speak about the problems which farmers and their families are having in this downturn in the economy, a Member on the government side shouted across the floor and asked what a guy from downtown Toronto was doing talking

about farm problems. At that time I pointed out that, because I happen to represent an urban community, that does not mean that I do not have an understanding of the problems of farmers.

Excellent representatives from the prairie provinces and other farming regions have spoken out loudly and clearly on behalf of farmers. In addition, residents in my constituency consume the products of farmers and are concerned about how the present Government and previous Governments have treated farmers. They have not been treated very well.

In fact, many farmers to whom I have had an opportunity to speak in my travels across the country, particularly in the Province of Saskatchewan, have pointed out to me in the strongest possible terms on numerous occasions that the problems within that sector of the economy have occurred because there is no adequate agricultural policy in Canada. There is a piecemeal policy under which Governments react to problems rather than attempting to establish a long-range policy in agriculture.

In 1984, we had an extensive debate in this House on the Crow rate. Members in my Party argued over a long period of time that if the Government tampered with the Crow rate in the way it intended to, it would seriously affect the farmers of the country. That which we are seeing today is at least a partial result of that policy.

Many residents of my constituency work for Massey-Ferguson. Those people are employed in producing farm implements for the farmers of the country. If farmers do not have the income with which to buy those products the industrial workers in my constituency will be unemployed. They will not find gainful employment unless farmers have the financial resources to buy the equipment they produce. This is, therefore, not only a farm problem. It is also very much an urban problem in Brantford, Toronto, and other major manufacturing sectors across the country.

That is why I wanted the opportunity to speak on Bill C-221 as put forward by my colleague, the Hon. Member for Yorkton—Melville (Mr. Nystrom). The purpose of this Bill is quite clearly set out in the explanatory note which reads:

> The purpose of this Bill is to provide parity prices to farmers based on a cost-of-production formula for wheat, oats and barley for human consumption within Canada and to establish voluntary marketing Commissions for pork and beef. That is to lay the groundwork for parity prices for producers.

I heard the previous speaker in this debate refer to the measures being proposed by the Hon. Member for Yorkton—Melville as some kind of socialist plot. The farmers I have spoken to explained the problem to me. They say that farmers today do not have the opportunity to recover the cost of their production, that is, the cost of seeding, fertilization, equipment to take the product off the field, *et cetera, et cetera.* They are not totally compensated for their investment.

I cannot imagine a Conservative Member at any other time arguing that a producer is not entitled to a reasonable profit for labour. That argument would be totally foreign under different circumstances. I can assure you that if that government Member were sitting in opposition he would be making the same argument in support of farmers as I am making today. However, because they are in government they feel they have to defend the indefensible, which in itself is indefensible. When I hear a member of the Conservative Party make such an argument I, quite frankly, do not understand it. I would like to hear him make that argument to the President of Massey-Ferguson. I would like to hear him make that argument to the Royal Bank or any other banking institution. I can tell you that tomorrow, all the political contributions from those corporations would be cut off and the Conservatives would not receive another red cent from those corporate interests.

• (1740)

However, they will not make that argument with those financial interests. Instead, they dump on the poor farmers once again.

I want to give some figures which clearly illustrate the problem in this country. It is not a problem facing only farmers, but one that faces consumers and the communities in which these farmers live. The problem affects all Canadians, so we should dispel the idea that we are only talking about farmers.

Even a cursory examination of the books of the Farm Credit Corporation over the last year or so show that some 18,000 farm loans are in arrears. That does not even begin to deal with loans and obligations toward other financial institutions than the Farm Credit Corporation.

In a recent survey among farmers about what they saw for the future, 59 per cent could only see the situation getting worse. I suggest that that is a national disgrace. The farming community in this country has been held in high esteem for many years because of its recognized importance to the economy of Canada.

The reason this Bill is before us and why we are having an opportunity to debate it is that the Government has not brought forward any measures to allow us to get into such a debate. That is why the Hon. Member for Yorkton—Melville felt he had to bring the Bill forward, in order to give us the opportunity to tell Canadian farmers that even if previous Liberal Governments did not care about them enough to bring in an agriculture policy, that even if the present Conservative Government does not care enough about them to bring forward a policy, we want to say that New Democrats do care and that is why we are trying to bring forward a measure that would go a long way toward helping farmers in this country.

I have an article from a Saskatchewan newspaper, *The Leader-Post*, in which Mr. Allen Boras clearly sets out the problem from a Saskatchewan point of view. I want to read this because it is interesting. Mr. Boras says:

> Because of an anticipated 20 per cent drop in grain prices, most south Saskatchewan farmers will have to produce almost double last year's record harvest just to break even in the coming year.

> Even in areas like Carlyle and Bengough, which produced a bumper 34 bushels an acre last year, farmers must push production to an all-but-impossible 58 bushels per acre of top-grade wheat. This would be needed just to cover input costs and produce a $15,000 annual income on a 1,000 acre farm.

He went on to say:

> These estimated production costs, provided by Saskatchewan Agriculture, don't include money needed to pay debts. They also don't include deficiency, stabilization or other government payments that have bolstered farmers' incomes in recent years.

There is the real monetary problem with which we are dealing.

I also want to spend a few minutes dealing with the social problems that these farm families are facing as a result of this crisis in the farming community. Let me refer to a book written by a group of concerned farm women. It is entitled: *The Farmer Takes a Wife*. This book was written as a result of farm women trying to determine and document the actual social problems that are created among the farm communities as a result of this farm crisis. It was written by a group of farm women from Bruce Grey County in Ontario.

Several years ago I had an opportunity to meet with many of these farm women personally, at which time they presented me with this work. I want to read a personal perspective from a farm woman on a particular day in her life. I am sure you will appreciate the compassion with which she writes.

I see that my time is up, Mr. Speaker.

Mr. Deputy Speaker: It being 5.47 p.m., pursuant to Standing Order 36(2), the time provided for the debate has expired. Accordingly, the question is on the motion of the Hon. Member for Yorkton—Melville (Mr. Nystrom). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

Mr. Fennell: Mr. Speaker, I rise on a point of order. There were discussions among the Parties that we would defer this vote until six o'clock on Monday. I have been advised by the Table Officers that according to Standing Order 13(2), it is not possible to delay this vote until Monday at six o'clock on the basis that the House knew when the motion would come to a vote.

However, I have been in the House for some eight years. There were a number of occasions when all the Parties agreed to a speech by one Member from each Party for up to one-half hour each, which provided for an hour and a half of debate. In my opinion, that was a fixed time and the bell should not have rung more than 15 minutes.

I believe the opposition Whip would confirm that in most cases the bell would ring for 30 minutes. Technically, if what I have been told today is correct, whenever there is agreement among all Parties for one speaker from each Party to speak, there should be a 15-minute bell and the vote may not be deferred until Monday at six o'clock.

When one reads the Standing Order carefully, one finds that it refers to a predetermined time. I maintain that providing for a speech by one Member from each Party results in a predetermined time. I believe this situation should be thoroughly reviewed.

In every case I have agreed to the request for a 30-minute bell. I believe there is an inaccuracy here which should be corrected.

Mr. Deputy Speaker: The Chair intends to review the matter, thoroughly as the Hon. Member for Ontario (Mr. Fennell) indicates. However, as far as this vote is concerned, if I have a request for a deferred vote, unless there is unanimous consent I will reject the request.

Mr. Fennell: If that is the case, Mr. Speaker, can we establish in the future that whenever there is a predetermined time for one speech by one member from each Party, the vote will be taken in 15 minutes? I must have that commitment from the Chair because if each Party has one speaker, that is a predetermined amount of time.

• (1750)

Mr. Gauthier: I would just like to say that the Government Whip and I had discussions earlier today and I told him that I saw no difficulty in giving my consent to postponing the vote until next Monday. I do not want to enter into the debate here because I understand Standing Order 13(4) clearly. I know how it is affected by Standing Order 13(2). I know, Mr. Speaker, that the Standing Orders do not allow the vote that you have to take after a 15-minute bell to be deferred. The rules are there. I do not want to change the rules tonight. I understand the predicament we are in, but I would give my consent to postponing the vote as an exception to the rules.

Mr. Prud'homme: Because we like the Chief Government Whip and we are reasonable.

Mr. Riis: I too like the Chief Government Whip and respect him. I recognize that Standing Order 13(2) and Standing Order 13(4) are in the Standing Orders. I, for one, do not want to renegotiate the Standing Orders on the floor of the House of Commons. I think it is a dangerous precedent and I am not

prepared to enter into any understandings in terms of changing the Standing Orders under these conditions. There is a time and place at which to change the Standing Orders, but the floor of the House of Commons is not one of them.

I want to add another point because I suspect that the question for unanimous consent may be put shortly. I want simply to make the case that we have been waiting, quite frankly, for months for this vote to take place. Earlier in the day we informed our caucus that as per the Standing Orders, the vote would be taking place today. We informed our Members of that. At our caucus meeting on Wednesday that point was also made. We encouraged our Members to be here as per the Standing Orders. That was all we were following.

I was then informed earlier today that the Government had decided to defer the vote. It had decided to defer the vote. It was not a request. I said, quite frankly, that we had made a decision, so, Mr. Speaker, if in fact the request comes for unanimous consent to defer the vote, I am afraid, under the circumstances, I would be unable to give that consent.

Mr. Fennell: Mr. Speaker, I think there is a lack of credibility here. I expressed to the Chief Opposition Whip the same thing, that I would like to defer the vote. This is my normal statement, that I would like to defer the vote until six o'clock. The New Democratic Party Whip was not here. I went to the House Leader and said I would like to defer the vote to six o'clock, and he said, yes. That is how I have said it many times, as the Chief Opposition Whip can confirm.

The Hon. Member says he has waited for months. I remember a number of Bills we have had in this House on which we have waited months for a vote for months. I think that is a pretty weak argument. I do still maintain that in the future all Bills on which there is a pre-arranged agreement of one speaker from each Party, which is a fixed limit of time, there will be a 15 minute bell.

Mr. Riis: Mr. Speaker, I think I must make one short intervention and that is, when I give my word for an agreement, to whomever, my word is good.

I want to remind my hon. friend, and I respect him for his views, that there was no request. The decision was that the vote would be deferred, and he was doing me the favour of telling me, and I appreciated it. First of all, he does not need my consent. The Government Whip himself can make the decision to defer a vote. He was simply informing me that that is what he did. I said: "Well, I guess it is your decision and I have to accept it". However, upon close examination of the Standing Orders, such was not the case. The Standing Orders are clear that under these particular circumstances, a vote cannot be deferred. I think it is appropriate and absolutely necessary that we follow the Standing Orders unless in fact there is unanimous agreement and, in this case, there will not be.

[*Translation*]

Mr. Deputy Speaker: We will benefit from the advice by the Hon. Member for Saint-Denis (Mr. Prud'homme).

Mr. Prud'homme: I appeal to the common sense of Hon. Members. Mr. Speaker, I cannot wait for the day when we finally become civilized in this Parliament and start calling ourselves by our own name and not by the name of our constituencies. This is always difficult. I may seem not to know the Hon. Member and yet I have a lot of respect for him.

[*English*]

Some day I hope we will call ourselves by our names and not by our districts. I think it would be more human and intelligent. I must admit that if there is a socialist that I trust when he gives his word, it is the Hon. Member for Kamloops—Shuswap (Mr. Riis). However, if my Whip is willing to postpone the vote and the Government is willing to postpone, I do not understand why we do not postpone it the vote. But if there is no agreement, we might as well vote.

Mr. Nystrom: Mr. Speaker, I think the rule is very clear. There is not unanimous consent. The bells must start to ring and they must ring for 15 minutes. I think the Chair must get on with that right away. That is what the rules say.

Mr. Hawkes: Mr. Speaker, I would just like to rise for a minute. I do not know if we have some confusion in the Chamber.

Some Hon. Members: No.

Mr. Hawkes: I always like to see that we have an opportunity to declare on the issues. However, there has been some suggestion that the vote be deferred until Monday. I think I heard the suggestion that the bells start ringing at six o'clock. I quite appreciate that the mover of the motion would like to get on with the vote, but when the Chair is asked at this time to rise and seek unanimous consent of the House, I am not sure whether it is seeking unanimous consent of the House to defer the vote until Monday—

Some Hon. Members: That is not a point of order.

Mr. Hawkes: —or whether the Chair is seeking to defer the ringing of the bells until six o'clock this evening. That is where my confusion is. I would have difficulty responding to the Chair's request until that confusion is clarified.

Mr. Deputy Speaker: There has been a request for unanimous consent made by the Chief Opposition Whip, which was made in conjunction with Chief Government Whip, to defer this vote until Monday at six o'clock. According to the way the Chair reads the applicable Standing Orders, that cannot be done unless there is unanimous consent of the whole House. We do not have unanimous consent of the whole House.

• (1810)

Therefore, call in the Members.

[*Translation*]

And the division bells having rung:

Mr. Deputy Speaker: The Hon. Member for Ottawa—Vanier (Mr. Gauthier) on a point of order.

Mr. Gauthier: Mr. Speaker, we are now into Private Members' Business hour and we have established a practice since the new rules have been in effect, namely that the vote is taken row by row. I believe that if you were to consult the House—

[*English*]

You will find, Mr. Speaker, that there is unanimous consent that we proceed by row vote rather than by Party vote.

Mr. Deputy Speaker: Is there unanimous consent that we proceed with the taking of the vote by row?

Some Hon. Members: Agreed.

The House divided on the motion (Mr. Nystrom), which was negatived on the following division:

(*Division No. 278*)

YEAS

Members

Althouse
Benjamin
Boudria
de Corneille
Foster
Gauthier
Heap
Hopkins
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Langdon
Marchi
McCurdy
McLaughlin
Mitchell
Nystrom
Orlikow
Penner
Prud'homme
Riis
Skelly
Waddell
Young—24

NAYS

Members

Belsher
Binns
Blouin
Bradley
Browes
Caldwell
Champagne (Champlain)
Clifford
Cossitt
Côté (Lac-Saint-Jean)
Darling
de Cotret
Duplessis
Edwards
Fennell
Fontaine
Graham
Hawkes
Jourdenais
Kempling
Lewis
Mailly
Martin
Mayer
McDermid
McDougall (St. Paul's)
Moore
Nickerson
Nowlan
Pietz
Plamondon
Ravis
Redway
Reimer
Scott (Hamilton—Wentworth)
Scowen
Sparrow
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Turner (Ottawa—Carleton)
Winegard
Witer—44

• (1820)

Mr. Deputy Speaker: I declare the motion lost.

It being 6.23 p.m., this House stands adjourned until tomorrow morning at ten o'clock.

The House adjourned at 6.23 p.m.

HOUSE OF COMMONS

Friday, September 25, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed from Thursday, September 24, consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, as you know, yesterday the clock outran me, not being the athlete that you were in your glory days. I am very pleased, though, to have this opportunity to speak today about legislation which also has inadequate underpinnings and needs a great deal of exercise.

Mr. Hnatyshyn: You are not reflecting on the Speaker, are you?

Mr. Rompkey: I notice that the Minister is exercising. That is good, because the Act needs a lot of exercise in order to be in shape to do the kind of job which needs to be done.

What we were promised was a gourmet meal; what we have is a stew. That is not adequate. The people of Canada will not think that it is adequate to do the kind of job they want done with the environment, to which they give top priority.

An Act was brought into effect back in 1976 to deal with the environmental impact of chemicals and their effect on human health. Amendments have been under consideration since 1981. The principal concern was that the Act did not adequately provide for the identification and assessment of new chemicals in Canada before they are used and dispersed in the environment.

The Minister has made provision for that in the Act, and we are prepared to accept that it is a good step forward. We support the initiative that new chemicals will be identified, and some will be banned and that action will be taken. We also support the provision that some chemicals now in existence will be put on the list and will be banned. Those provisions are good ones.

The problem is that we do not know what chemicals will be on the list. Another problem is that the resources devoted to this item are such that it will take a long time before we know. There is a schedule in the Act right now, but it is limited.

In order to go through all the Acts which are coming into this new amalgamation or pot-pourri, it will take a lot of work by a lot of people. The financial allocation to do that work is inadequate to meet the need or do the job. It will be years before the proper chemicals are identified on that list to give adequate protection to the people of Canada.

Therefore we had to question whether the intent is serious when we looked at the resources devoted to doing the kind of job which is talked about in the Act.

In his earlier statements the Minister said that it would deal with all sorts of things. In November, 1985, the St. Clair blob was discovered, and the Minister began promising that the amendment to the Environmental Contaminants Act would somehow clean up the St. Clair River and other existing pollution problems. However, that is not the case. The Minister made that claim repeatedly, but this piece of legislation cannot and will not clean up the Niagara River, the St. Clair River, the waste dumps, and the air pollution from factories. It is not going to do that. It is not going to do the job it was heralded to do in the beginning.

When the Minister released the draft legislation in December he called it the toughest pollution legislation in the western hemisphere. However, by the time he introduced the legislation in the House in June it had diminished to a first step toward cleaning up the environment.

The Minister also promised an environmental bill of rights and instead delivered some elegant prose in the preamble which really has no legal status at all.

• (1010)

There are 24 federal Departments administering 57 environmental laws. The Minister claims that Bill C-74 will streamline that process. Really all that is happening is the merging of three Acts, the Clean Air Act, the Ocean Dumping Control Act and the Environmental Contaminants Act. It is a merging of existing legislation without any change to those Acts at all.

This morning on the way in I heard of an operation yesterday off the East Coast of Newfoundland by the Canadian

Coast Guard. It was an experimental cleanup of an oil spill. Oil was dispersed on the water and the Coast Guard tried its technology to see how it would work. It did not work as well as it should have worked. The Coast Guard admitted that there are faults in the technology and faults in the systems in place now to clean up potential spills off the East Coast. That is a very serious situation because the most important resource in my province and the Atlantic provinces is the marine resource. Ironically, the most serious threat to that marine resource is the other greatest potential economic benefit in that area, oil and gas.

There must be protection for our primary marine resource. The marine environment off the Atlantic Coast must be of paramount importance. It must be a priority. The Government must provide through legislation, not just through technology, adequate protection for that most important resource, but that has not been done. There has been no examination of the Ocean Dumping Control Act.

One could make the case that trout and salmon in streams are better protected than the cod off shore. The Fisheries Act is an Act with a lot of strength. The Minister of Fisheries (Mr. Siddon) has wide-ranging powers to enforce laws regarding the spill of toxic chemicals into rivers. Salmon in their natural habitat are protected.

In my own province, a paper mill was dispersing effluent into the very important Exploits River. The Government worked with the company to ensure that the effluent did not kill the salmon resource in that river. The Fisheries Act allows for certain steps to be taken. It gives the Minister wide-ranging powers to protect the marine resources in rivers. However, that Act does not form a part of this legislation. What does form a part of it is the Ocean Dumping Control Act and that has not been examined, updated, beefed up or given any teeth. Yet we are entering an era in which we hope to develop oil and gas resources off the East Coast.

As I said at the outset, we support the idea that new chemicals will be identified and put on the list and the idea that chemicals already existing will be put on the list in the schedule of the Bill. However, I must repeat that inadequate resources have been allocated by the Government to do that.

As far as we are concerned, some parts of the Bill are objectionable. We find the preamble objectionable. A legislated environmental bill of rights would provide a right to a clean environment and provisions to empower citizens to take action to protect their environment in the courts.

I noticed that my colleague from British Columbia made the point yesterday that there should be provisions for individuals, for groups and for private citizens to have a part in seeing that the environment is adequately protected. After all, who does the environment belong to? It does not belong to the mining companies or the forestry companies. The environment belongs to the people of Canada. It is their heritage and they have a right to see that it is adequately protected and kept in a proper state for them and their children.

This Bill really does not contain an adequate provision for individuals in local areas to take their responsibilities seriously and to ensure that this Bill and indeed Canada's other environmental laws are properly administered to safeguard their environment. That is a weakness in the Bill.

There are various other weaknesses in the Bill. In our opinion, the Minister missed an opportunity to improve existing legislation that is being rolled into the Environmental Protection Act. I mentioned the Ocean Dumping Control Act already. Some critics argue that the Clean Air Act may in fact have been weakened by its inclusion in the proposed Environmental Protection Act.

As it stands, the Clean Air Act now deals with acid rain and air pollution internationally rather than domestically and domestic emissions are regulated by the same process of toxicity testing and information requirements as other chemicals. Under this regime, one may ask whether or not sulphur dioxide, for example, would qualify as a toxic chemical for regulation by the proposed Environmental Protection Act.

Then there is the question of Ministerial discretion. There are several clauses in the Bill that give the Minister discretion to deal with toxic chemicals. Clause 29(4), for example, would allow the Minister to waive the requirement for any information he decides is unnecessary. Clauses 15 and 16 would allow the Minister, on request of the applicant, to extend the time allowed to meet information requirements or other acts of compliance without public explanation or consultation. Clause 37 would allow the Minister to exempt chemicals from regulation at his discretion.

The Minister has these powers of discretion. If we are to have a law with teeth, there should be a written and clearly expressed intent to ensure that the environment is adequately protected and that those people who are using it, those who are temporary stewards of it, are not allowed to get away with practices that would destroy it for people now living and for their descendants.

There is the question as well of federal-provincial agreements. What we really want to have is a national law with national standards. We know that the provinces have their prerogatives and priorities and we know that everything is not equal across this country. Some provinces must operate in certain ways just to try to maintain equality with other regions of Canada.

The Atlantic Provinces, for example, have to bend over backward to attract industry to the area. I understand the difficulty and the extremes to which one must go to try to create jobs in primary processing. On the other hand, the Government should offer us a national Bill with national standards that is administered without any watering down of jurisdiction. We think it must be very clear that the Government set national standards and enforce and administer them itself.

Those are some of the difficulties we have with the Bill. It is an extremely important Bill but it really will not do the kind of job that, first, we were promised it would do, and second, the kind of job that needs to be done in Canada if we are to protect the environment.

We welcome certain provisions in the Bill. It is a step forward but it is not what was promised. It is not adequate. It contains weaknesses that we feel should be improved. We hope the Government will take a second look at it and that the Minister will revise it with a view to trying to do what he said he would do in the beginning, with a view to giving us a good, solid piece of legislation that will do the job that needs to be done.

Mrs. Browes: Mr. Speaker, I am very pleased to hear the Hon. Member endorse this legislation that is designed to protect the environment. We appreciate that the speakers from the Opposition have endorsed this Bill in principle.

• (1020)

The Bill results from consultation which took place, using draft legislation, in December of 1986. Meetings were held right across the country, and written submissions were received as well. Upon reflecting on those meetings and submissions, the Minister made changes. When we took office in 1984 we said we were going to consult with the provinces and individual Canadians and, indeed, we have. We can be very proud of this legislation.

As the Hon. Member indicated, there has been some merging of legislation. He also said that is really all it is. However, it is much more than just that. Bill C-74 is the strongest piece of environmental legislation ever brought before this country. We are very proud of the fact that this Bill has teeth. Offences under this Act will be punished by fines and/or jail sentences.

As well, I hope the Member recognizes the importance of individuals being able to bring complaints to the Minister and the fact the Minister must respond. He talked about the discretion of the Minister, but when 12 people bring forward a complaint about a particular environmental situation the Minister must respond. That is a very important part of the legislation and I hope the Hon. Member will reflect on that fact.

This is not just a merging of legislation. It contains some new and very strong provisions which will indeed protect the environment.

Mr. Rompkey: Mr. Speaker, I appreciate the comments of the Parliamentary Secretary but I do not believe that the teeth she claims are in the Bill, or the process she has alluded to, are adequate. She has said citizens can bring forward complaints and the Minister has to respond. All well and good. Yet we do that every day. We get up for an hour in this House asking questions and the Minister has to respond. That is part of our system and there is nothing really new in it.

If you apply for a TV licence there is a public hearing. Officials have to sit there and listen to what you have to say. Is this good for the community or bad? How should it be changed? Even with the granting of a TV licence, which is not nearly as important as the protection of the environment, our legislation has at least a minimum of teeth. Yet even that, in my experience, has not always been adequate. There are things we can improve. I am just using this as an example, but the CRTC has to have a series of public hearings where people can come and present their views so we can hear the other side. There is a public process of examination.

We need something that goes beyond simple complaints coming to the Minister to which he has to reply. There have to be stronger provisions for public participation in the process so they can make their views known. Let the officials try and defend themselves. That is the kind of teeth we would like to see in the legislation. This may be a step forward but it is not as large a stride as you used to make, Mr. Speaker, on the football field when you were in your heyday.

The Acting Speaker (Mr. Paproski): Since there are no further questions or comments, debate.

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, I am very pleased to be able to speak on this Bill. As the Parliamentary Secretary said, this is probably the strongest environmental Bill brought forward by the Government of Canada. Yet that just indicates the conscious neglect of previous Governments. It certainly does not mean this Bill is adequate.

Canadians are looking for the protection of their total environment. They care about that. They are not looking just for protection against toxic substances. We need a bill of rights to protect the environment. I feel strongly about the fact that we were given stewardship over this planet, but not just to exploit and then destroy. I congratulate the Government on bringing this Bill forward, but it is tragic that it has not shown the necessary leadership and given us a Bill which would really be a bill of rights for the protection of our environment.

I represent an area familiar with these problems. Hamilton Harbour contains many contaminants in its sediment. We know 28 per cent of the fish in the harbour have lip cancer. That fact helps us to recognize the existence of health hazards there. Yet there is nothing in this Bill which says that you as an individual can prove that damage. Yes, a corporation can do it. It looks to commercial protection but not the safety and health of individuals. We feel very strongly that individuals should have the ability to launch a complaint and take action against the people contaminating the environment, whoever that may be. It is important that the legislation be in place so that action can be taken.

Environmental groups should be consulted. We have a wealth of knowledge among people who have devoted many hours of their lives to determine what kind of policy would protect our environment. Yet there is nothing in this Bill that

says those people should be recognized as people who know what they are talking about. We have to care about what happens in our environment here in Canada. We speak of acid rain and other similar problems internationally. Yet we do not really take a strong stand on the issue of how we are destroying our own environment. It is crucial that we look at this and decide there are steps we can take.

We as a Party would love to participate in the process of putting amendments forward to strengthen this Bill. The necessary amendments would allow for public participation, consultation with environmental groups, as well as allowing the individual to complain. As an example, we know how heavily contaminated Hamilton Harbour is. There has been a passing of the buck from one body of government to another. There is nothing in this Bill which strengthens federal powers to clean up and protect the environment.

• (1030)

The Act provides that if you develop cancer from swimming in the Hamilton Harbour and can prove that that is where the cancer came from, you can take action against the Government. Surely we should be looking at prevention rather than taking action after the fact. It is very important that we are able to take action when contaminants are being put into our waters, our air, and our earth rather than waiting until the death sentence has been imposed on people because of that contamination.

The environment has become one of the greatest concerns of the people of Canada. The public is ahead of the politicians and legislators. It is very important that we recognize their desire for a clean environment and to protect this planet so that we can pass on to future generations a legacy of which we can be proud.

We believe strongly that the Act should enable the public to have some influence in the decision-making process. We believe that the powers of the Minister are too broad and can, therefore, be very discriminatory in individual and collective cases. We also believe that there must be a process for discussions with environmental groups. This Bill must enable the people of Canada to take action and be guaranteed protection.

The Bill has consolidated several Acts which could amount to an environmental protection Bill. However, the result has been that some of our environmental protection legislation has been weakened. At this time in our history we need a very strong environmental protection Act. We should be responding to the priorities of Canadians. We must recognize that once the environment is destroyed it is gone forever.

As a result of post-war development we paved over very precious agricultural land. We have bemoaned that tragedy since. A strong environmental protection Act now would keep us from weeping and wailing years from now, saying it is too bad that we did not put some clout into this Act, asking why we did not care enough. I am sure that Members on both sides of the House have received letters in support of strengthening the Act and ensuring that protection exists so that we will no longer have to apologize for the things which are happening in our environment.

We have contaminated the beautiful Hamilton Harbour and yet we are still not willing to enact legislation to ensure that it is cleaned up. There have been all sorts of recommendations made that we return the Harbour to its previous state in order that people can enjoy it, as our grandparents did. This Act gives us no ability to do that.

We are still talking about preventing toxic substances from entering our environment rather than protecting the environment as a whole or cleaning it up. I find it very difficult to believe that this Bill was drafted without the inclusion of herbicides. We have recognized the danger of the use of herbicides. We know this has harmed health. We have stopped using herbicides in many areas because we were no longer willing to accept the destruction they were causing.

It is also difficult to believe that the Bill does not identify any kind of nuclear substance or radiation. We know that those elements have caused a lot of problems. Research on them is ongoing. Extensive research is being done on low-level radiation. We are very concerned about the genetic problems which they can cause. We know that if the gene bank is destroyed in the human family we will be facing very serious problems.

We should be saying that we care enough about our environment, our country, and our planet that we will not continue on this road of destruction which we have been travelling at a very high speed over the last number of generations. Instead of that we are saying that after destruction has taken place, providing it has caused some type of commercial damage, charges can be laid to stop the destruction, but by then it will be too late.

We know that treatment is much more expensive than prevention. We have the ability to enact a very strong Bill which will protect our environment for many years to come if only we have the political will to do it. We know how people feel about the environment. We know that they care. Therefore, why are we not enacting legislation which will protect the environment for the future?

In conjunction with talking about the environment and this Bill, we must talk about the ability to strengthen federal powers. This has been discussed in the committee on the environment and on the Meech Lake Accord. People have been talking about how we can unify our nation. That is a common goal throughout the country and there is no doubt in my mind that the environment is another.

On this issue the Government can take a strong stand and show the leadership which is so important right now. It can have the courage, which previous Governments did not have, to enact legislation that will really protect the environment, not legislation that will only limit the introduction of toxic

substances; a bill of rights for the environment so that people will be protected with ongoing legislation.

We must ensure that people do not have to become terminally ill before they can take action against polluters. It is possible to do these things, but not with this Act. Unless we are willing to accept some amendments that will strengthen the Bill, we are really saying, yes we are ready to give some type of cosmetic support to your concerns about the environment, but we are not ready to take action and say that for us as a nation it is a priority and for us the time has come. Many of us recognize that it is not a case of the time having come, but of the time having long past. We recognize that the time is long past by the type of illnesses we have seen, and when we look at the air that has been so badly polluted.

• (1040)

We have taken some steps in beginning to restrict some of the emissions from our industrial plants. Certainly, I have seen an improvement in the air pollution in Hamilton Mountain, but not to the extent I would like to see. When we have a resource that is as beautiful as the harbour itself, we should recognize that there is nothing in the legislation that would help us clean up that harbour or help us restore it to the state that it was when our grandparents were there, or to make us realize at long last that these are the resources that we can enjoy and use in a very positive manner for future generations.

Citizens must have some type of input, and there must be public participation. Over the years my experience both as a local politician and working on committees has been that very often we get a great sense of knowledge, direction, and problem solving from our communities. The grass roots are living with the problem on a day-to-day basis. They have recommendations and the ability to spend a lot of time and study and know the types of things that are affecting their immediate communities, and the types of things they can do about it.

I do not think that it was the bodies of government or the bureaucrats in the country that brought to the fore the dangers of herbicides. It was the people who were starting to have reactions within their own systems, and who saw the effects on their families and children—they made their presentations. In many cases in the communities across the country they had sit-ins. They refused to let the people spray their parks and their environment. At that point people became aware that there might be a problem with herbicides. We then started to look at the research and recognized that there is a problem.

This is one time when we do have the ability to do something, and not just wait to react. With this Bill we have the ability to put in some strong amendments to make sure it has broad scope, that we do have a bill of rights for the environment, that we do recognize it is the individual's rights that are being eroded by contamination pollutants, and that herbicides and all types of low-level radiation must be recognized as pollutants and contaminants.

We also must recognize that there is a need for public participation, for consultation with the environmental groups to protect the wealth of resources in this country from the commercial factories that may figure it is too expensive for them to stop polluting and, therefore, they can take a case and defend themselves against it. We must look at what we are attempting to do.

I would hope that the Government recognizes that it is the people of Canada that it wishes to protect, and it is this planet that we have been so blessed with.

I wish to urge the Government to accept some strong amendments to this Bill in order that we who have been part of this legislative body can feel proud in the future to know that we have put some protection there for our children and grandchildren, and to say that we do recognize the beauty of the creativity of this planet.

Ms. Mitchell: I wish to congratulate the Hon. Member for Hamilton Mountain (Ms. Dewar). On this side of the House we are very proud, and I am sure her constituents also feel the same when she speaks out so strongly on these issues. I particularly liked the reference of the Hon. Member to a bill of rights for environmental protection.

Coming from the Lower Mainland of Vancouver where we have the beautiful basin of the Fraser River and the Fraser Valley, I was particularly interested in her comment that one of the pollutants we sometimes forget about is blacktop. In our community it is appalling.

The Acting Speaker (Mr. Paproski): I do not wish to interrupt the Hon. Member, but I would appreciate it if she would return to her own seat, unless there has been a change in the seating arrangement. I know there have been some changes in the New Democratic Party. If the Hon. Member would return to her seat, I will recognize her again.

Ms. Mitchell: Mr. Speaker, I have now returned to my proper place.

I was commenting on the Hon. Member's reference to blacktop as a pollutant, and the fact that in my community of greater Vancouver it is indeed a very vicious pollutant which is covering very lush farmlands and thus depriving us of produce.

In the Hon. Member's community of Hamilton Mountain, and the surrounding area, which is an area I grew up in and certainly recall with fond memories, I wish to ask the Hon. Member if there are any problems concerning the farm lands as far as pollution is concerned, and particularly protections from the acid rain hazards.

Ms. Dewar: I passed over it lightly, but it is important that not only is acid rain destroying our environment on an international basis, but we must be very strict in our own domestic legislation to ensure that the acid rain problem is solved because of what it is doing to our own agriculture. I have seen some of the blight that has happened to the beautiful

orchards in the communities surrounding Hamilton Mountain. It has literally wiped out whole orchards, and it is very serious.

We cannot allude to problems of the environment only on an international basis, and ignore the fact that we do not have the type of strict legislation in this country that would allow us to go to the international forum and talk about what we have implemented to restrict our people from contaminating our environment. In that manner we will have a much stronger voice internationally.

The tragedy that is happening is not only with acid rain, but also with the types of pollutants that have been emitted over the years from industrial plants. We have found that we can put in protection, and the emissions do not need to be at the high level that they have been in the past. Interestingly enough, industrial plants can still produce their products without having to contaminate us. Perhaps the profits may not be quite as high, but they are still adequate, and certainly that will protect the planet for future generations.

Mr. Heap: I listened with great interest to the Hon. Member for Hamilton Mountain (Ms. Dewar), and enjoyed what she said. In Toronto there is a harbour and islands. It is quite a few years since I went with my children to swim in the waters off the north shore of Centre Island in Toronto Harbour, and the way it is going I may be able to walk on it before I ever swim in it again.

• (1050)

Toronto City Council has been considering methods of cleaning up the harbour and the Commissioner of Public Works has worked out figures on how many people would be employed in the work that would be necessary to clean it up. However, it is something that is considered rather beyond the budget of even a large city like Toronto.

The question that has been raised is whether the federal Government would help with that clean-up, since it is a harbour and to that degree under federal control. I wonder if there are similar discussions going on in Hamilton about specific plans for cleaning up Hamilton Harbour?

There are many, many recommendations for cleaning up our pollution, and it may be that the public works department of Hamilton has some ideas of what could be done, but less idea of where to find the money. I wonder if the Hon. Member can comment on the question of the funding problem for the clean-up that would be necessary?

Ms. Dewar: Yes, Mr. Speaker, there has been a very clear plan put in place for the clean-up of the harbour. I guess my concern about this Bill is that it does not address any kind of pollutants that are already in place. It talks about toxic substances that are going to be put into the environment but does not talk about any kind of remedial work for pollutants that are already in place.

There have been recommendations from the regional Government of Hamilton—Wentworth, as well as from the city itself and the province and, certainly, federal representatives. They all agree that it is possible to clean-up the harbour, but one passes the buck to the other and there is no legislation in place stiff enough to say, they have to get on with it because this is a priority. My feeling is that the citizens in the community are saying that they recognize that other things might have to go by the board to clean up our harbour, but they feel it is important enough that they want to enact those kinds of studies and the recommendations that come from those studies.

If we stiffened up this Bill the opportunities would be there to say that action must be taken, and there would be some respect for the citizens of the community. I really think Hamilton deserves this. We deserve to be able to use our harbour the way we could use it. The Hon. Member is right, children can no longer swim in the harbour. If they do, there is danger, and we know what the danger is, we know the health hazards. I really think the opportunity is ours now. We could put in some amendments to this Bill that would give it the kind of strength that would set the priorities, not just for the federal Government, but it would help the municipal and provincial Governments to enact what the priorities are of the people of Hamilton themselves, and the people of Canada.

The Acting Speaker (Mr. Paproski): The period for questions and comments has now terminated.

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, although it does not make me particularly happy to say it, I have to note that this is not a Government which has given Canada very strong or effective leadership in dealing with some of our nation's very serious environmental concerns and problems. Although we have a Minister who is very good at political preening and prancing, he has done very little with his responsibilities on a wide range of environmental issues that are of considerable concern to Canadians. I have in mind the control of toxic chemicals and the effect they have on human health. I have in mind acid rain which is causing such drastic damage to the forests in the part of Canada I represent in this House. I am thinking as well of Great Lakes water quality control.

Rather than having done much in the last three years since the Government was elected in terms of positive action towards creating a wholesome, healthy and clean environment, the Government has gone the other way in many cases. For example, we know it has made some very deep cuts to the environmental budget. We know it has ended funding for the Guelph—Toronto Toxicology Research Centre, and we know it has gutted the Canadian Wildlife Service.

I am concerned that the Government is withholding information about what is going on at the renegotiations of the Great Lakes Water Quality Control Agreement. I am concerned because there is clearly a pattern developing, as exemplified by the Meech Lake Accord and by the free trade fiasco, that the Government is quite prepared to give away a great deal and receive very little in return. I am nervous that

the Great Lakes Water Control Agreement may be going the same way.

However, in the dying days of the Government we finally get for purposes of debate Bill C-74, an environmental Bill. The Minister dares to describe it as the Canadian Environmental Protection Act. He dares to describe it as a protection Act. We know it is going to do very little to protect the environment. This EPA is really more of an environmental propaganda Act.

A number of very important environmental groups and organizations put out a press release in which they said that Canadians want a real environmental protection Act, that the content of the proposed Act does not merit the title "Canadian Environmental Protection Act". The federal Government must assert its responsibility to protect the environment for its own sake. This group went on to say that Canadians put protection of the environment at the top of their priorities and it is time this Government did the same.

I agree with the Hon. Member for Hamilton Mountain (Ms. Dewar) who delivered an impressive speech this morning. I agree with her that Canadians want, expect and deserve very strong action from their federal Government in terms of protecting the environment. They want an environmental protection Act, but I would argue that what they are getting in Bill C-74 is really an environmental deception Act.

As I said, this is the first time we have had the Government bring forward a Bill regarding the environment which was debatable. I tell you, Mr. Speaker, that this Bill is not much. Whenever the House has turned its attention in the last three years to questions about the environment and the state it is in, it has usually been because motions have been brought forward by one or the other of the Opposition Parties. That is when we have had vigorous debate in this House on the environment.

As you know, Sir, the Hon. Member for Davenport (Mr. Caccia), has been very diligent and vigorous in the defence of a clean environment, whether air, water or land. He has become Canada's best known watchdog on the environment. He is a respected individual who regularly brings to the attention of this Parliament our fears and concerns about the environment. In contrast to that, we have a Minister who eulogizes, sermonizes and stage manages concerns about the environment. All of that gives us very little in the way of any forward movement.

You are signalling, Mr. Speaker, that we are going to the next stage of our proceedings. I will complete my remarks when we resume debate.

The Acting Speaker (Mr. Paproski): It being eleven o'clock a.m., pursuant to Standing Order 19(4)—

[*Translation*]

It being eleven o'clock a.m., pursuant to Standing Order 19(4) the House will now proceed to Statement by Members, pursuant to Standing Order 21.

STATEMENTS PURSUANT TO S.O. 21

[*Translation*]

ENVIRONMENTAL AFFAIRS

POLLUTION—GOVERNMENT POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, before the Ontario Provincial Court last May the Bank of Canada, the National Research Council, the Department of Transport, and the Department of Supply and Services were accused of breaking the law by dumping toxic waste into the Ottawa River. We have learned this week that charges against these departments and agencies have been tossed out because the environment protection legislation does not apply to the federal Government. The very fact that it does not abide by its own legislation goes to show to what extent the Conservative Government could not care less about the rights of Canadian men and women to live in a pollution-free environment.

How can this Government condone environmental pollution while at the same time spending $74 million under a tripartite agreement aimed at cleaning up the Ottawa River? Last June the federal Government tabled a legislative measure which is designed to protect the environment, human life and health and which is so severe that it provides life terms and unlimited fines in cases of crimes against the environment. If all Canadians are to be subject to the proposed legislation, so should the Canadian Government.

* * *

• (1100)

[*English*]

PLANNED PARENTHOOD WEEK

IMPORTANCE OF EDUCATION

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, this week is Planned Parenthood Week and the theme is "Your sexuality lasts a lifetime: Make it healthy". President Norma Buchan states:

> With the current public focus on the negative aspects of sexual activity such as unplanned pregnancy and the spread of AIDS and other sexually-transmitted diseases, a positive health-oriented approach to sexuality is more important than ever. Education and awareness are the first steps to a healthier sexual life-style.

Canada is very fortunate that such a responsible and dedicated organization as Planned Parenthood of Canada is active in our communities. I commend it for its excellent work, which is acknowledged in an international comparative study to be published next month.

Canada, Australia, France and Italy tie for third place out of 15 developed countries in providing family planning programs. Although we rate lower on the availability of abortion, sex education in schools, and contraceptive information, much of the credit for our relatively respectable standing among developed nations should go to Planned Parenthood of Canada.

* * *

RESEARCH

CONVERSION OF USED TIRES INTO SOURCE OF ENERGY

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, what do you do with 21 million used tires? That is the number that Canadians discard annually. Only so many of these can be used for dock bumpers. The balance remain to pollute our landscape or, if burned, they pollute our air.

However, a solution might well be on its way. Pilot-scale testing of a new vacuum pyrolysis technique which turns old tires into valuable carbon black and pyrolytic oils which can be further upgraded into heating oils and high octane additives shows a great deal of promise.

Private industry, universities, the *Centre de recherche industrielle du Québec*, and the Department of Energy, Mines and resources have contributed to this research which, hopefully, will turn an environmental problem into new industrial opportunities and new jobs for Canadians.

* * *

POLITICAL PARTIES

PROGRESSIVE CONSERVATIVE PARTY ELECTION PROMISES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, at least one Canadian is fed up with empty rhetoric and Tory promises. I read today in *The Toronto Sun* that an individual by the name of John Ruffolo is suing the Prime Minister (Mr. Mulroney) for $90 for breaching campaign promises to increase the efficiency of the Post Office.

There are 338 Tory promises in the little book that I have in my hand, most of which have not been delivered. At $90 a promise for 338 undelivered promises, it will be a very expensive proposition for the Conservative Party. I suggest that the Conservative Party start making out cheques right now to every single Canadian who has been disappointed by its performance.

[*Translation*]

TRADE

FREE TRADE—SOCIALISTS' POSITION

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, for two and a half years now the socialists have been denouncing our free trade negotiations and the $95 billion market developed by Canada's enterprising business community. The socialists do not want to hear anything about it, yet they often illegally fill their own coffers with the union dues of automobile workers who are already protected by free trade.

Still they continue to claim that other Canadian workers should not have access to the lucrative American market. So where is their logic, Mr. Speaker?

For the past two and a half years the socialist leader has been campaigning hard against free trade, but now he wants an emergency debate. If we make abstraction of the rhetoric, Mr. Speaker, should we not conclude that the socialist leader's vision of Canada does not extend beyond the automobile workers?

Everything for the Oshawa riding! The socialist leader is prepared to trample on anything to be reelected in Oshawa, to the extent that we have to wonder whether his name might be on the Canadian Auto Workers' secret payroll.

* * *

[*English*]

STATUS OF WOMEN

POSSIBLE EFFECT OF FREE TRADE AGREEMENT

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, a free trade agreement with the United States will undoubtedly affect employment opportunities for women. Women's groups are very concerned about the exact repercussions of a free trade deal. Eighty per cent of jobs in banking and communications are held by women. Two out of three women in manufacturing work on textiles, clothing, electrical equipment or food processing. All of these industries are endangered if free trade negotiations are reopened.

[*Translation*]

What measures does the Government intend to take to provide new opportunities for these women, many of them being middle aged? When will the Government announce that retraining courses and labour adjustment funds will be available to them? What kind of jobs can these women expect to have in the future?

[*English*]

How can the Government claim a commitment to economic equality for women when these questions remain unanswered? I urge the Prime Minister (Mr. Mulroney) to take advantage

of the present break in negotiations and to call a complete end to further free trade discussions.

* * *

LITERACY

FUNCTIONALLY ILLITERATE—SCHOOL CURRICULA QUESTIONED

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, on September 10, 1985, I made a statement concerning the Parkdale Literacy Project and its efforts to eradicate illiteracy.

Recent reports have told us that the problem of illiteracy is greater than we imagined, with some 25 per cent of Canadians considered to be functionally illiterate. In Metro Toronto 33 per cent of all men and 22 per cent of women are illiterate. Even more disturbing is the report that more than one-half of the 4.5 million functionally illiterate said that they attended high school, and one-third claimed to have graduated.

The important question raised by these reports is why our education system is failing. Are the fundamentals of reading and writing not stressed adequately in school curricula? Are young people who encounter difficulties in school because of their lack of language skills dropping out instead of seeking help? These questions must be answered.

Literacy should be considered a basic right for all Canadians. By working together, with all levels of government, in co-operation with educational authorities, we can win the fight to eradicate illiteracy in Canada. Only then will all Canadians be truly equal.

* * *

CANADA POST CORPORATION

LABOUR NEGOTIATIONS—REFERENCE TO ECONOMIC WARFARE

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, when I questioned the Minister responsible for the Post Office in the House the other day he referred to the Post Office labour negotiations as economic warfare. We do not need images of a battlefield when we are dealing with collective bargaining negotiations. We would prefer if the Minister looked at them, if he wishes to use such images, as a peace conference, as a way of resolving disputes through talk rather than through promoting confrontation by provocation.

The conciliator made his report public. One of the things that became evident from this report is that we are not just dealing with a matter of a collective bargaining relationship. We are dealing with a matter of government policy. The key obstacles to bringing about a settlement at the Post Office are matters of public policy. They are the Government's commitment to viewing the Post Office as a private profit-making business. They are the Government's commitment to franchising-out post offices.

These items of policy have to be changed in order that there are fewer hurdles to a negotiated settlement at the Post Office, so that postal service can continue and so that people can get the service that they deserve. The Government has to wake up and realize that the Post Office is a public service.

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EXTERNAL AID

GOVERNMENT'S ACCEPTANCE OF COMMITTEE'S RECOMMENDATIONS

Mr. Don Ravis (Saskatoon East): Mr. Speaker, I wish to commend the Minister for External Relations (Mrs. Landry) and the Department of External Affairs for their positive response to the report of the Standing Committee on External Affairs and International Trade regarding Canada's official development assistance policies. The report is entitled, "For Whose Benefit?"

• (1110)

As a member of the standing committee, I was pleased to participate and contribute to one of the most important, in-depth reports which took 12 months of study. Our Government has fully accepted 98 of the recommendations made in the report, agreed in part to 13, and rejected only 4.

To respond effectively to the needs of developing countries, the Government has agreed to concentrate on human resource development, to adopt a new system of determining country eligibility, to untie more Canadian aid programs, and to decentralize CIDA administration. This strategy will improve aid delivery and better respond to the needs of Third World countries.

Saskatchewan food aid procurement is among the highest in Canada, selling many of its commodities to CIDA for Third World distribution. The response to the Government's recommendations from NGOs across the country, and particularly in the Province of Saskatchewan, has been very positive and supportive.

* * *

CANADA PENSION PLAN

PROPOSED INCREASE IN BENEFITS FOR SURVIVING SPOUSES AND DEPENDENT CHILDREN

Mr. David Daubney (Ottawa West): Mr. Speaker, I welcome the consultation paper tabled in the House yesterday by the Hon. Minister of National Health and Welfare (Mr. Epp) dealing with proposed changes to the Canada Pension Plan.

These proposals, which are the result of discussions between federal and provincial Governments, increase CPP benefits for surviving spouses under the age of 65 and for dependent children.

The paper proposes an across-the-bord increase of almost $100 per month in survivors' pensions for spouses under age 65, bringing the maximum pension to $385.15 per month. For the first time spouses under 45 years of age would qualify for the same benefits as those between ages 45 and 65.

The paper's other main proposals increase the amount for dependent children of deceased and disabled contributors to the plan to $121.48 per month from $94.79.

This is just a further example of continuing improvements and reforms to the Canada Pension Plan for which I congratulate the Government.

* * *

HOUSING

PLIGHT OF HOMELESS IN TORONTO

Mr. Dan Heap (Spadina): Mr. Speaker, we recently had a conference in Ottawa on the subject of homelessness, and we recently heard through the media how the former Mayor of Toronto went through the park near his home early one morning and found over 40 people sleeping there because they had no other place to sleep.

An Hon. Member: By choice.

Mr. Heap: There is some well fed person across the way who says they are sleeping there from choice. I challenge him to go to that park and ask those men whether they are sleeping there by choice.

There is a very severe shortage of housing for people of middle and low incomes in Toronto. Traditionally there has been empty accommodation among some of the recently built and expensive condominiums, and anybody with $200,000 or $300,000 is welcome to bid for them, but for those without there is a great shortage of housing.

A few years ago Toronto City Council planned, through its responsibility for municipal planning, that Harbourfront would include a great deal of assisted housing. The management of Harbourfront under federal direction has mostly squeezed that out. I call upon the Government to reverse that injustice.

IMMIGRATION

ACCEPTANCE OF REFUGEES—PRIME MINISTER'S POSITION

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, tonight in an interview with Doug Small on the Global Television Network, the Prime Minister (Mr. Mulroney) is going to say the following: "Canada needs more immigrants. We need and should be accepting more refugees, but this has to take place in a system of respect for the law". He is going to go on further to say that accepting more refugees in our country will be the wave of the future. This will be aired tonight on the Global Television Network.

We do not want queue-jumpers, or ship captains dealing illegally in human flesh, at our borders as we saw this summer. That was one of the reasons the House was recalled.

Bill C-84 and Bill C-55 dealt with the issue. They have been considered in the House and will be considered by the Senate. I want the Senate to pass these Bills so that we can get on with the job of building the country with new Canadians.

In 1832 a man named Mike Grimes came to this country from Tipperary, southern Ireland, and he settled around the area of Kingsmere where your home now is, Mr. Speaker. He was a tree cutter and lived to be 93 years old. He grew up in the area around Kingsmere, Old Chelsea, and King Mountain.

My mother is one of his descendants. She was Nora May Grimes. If that man had not come here to this new country, to build this land, to cut trees, and to develop the Ottawa Valley 155 years ago—and in fact he is buried at St. Stephen's Church in Old Chelsea—I would not be here today.

My ancestry goes back to that evolution. That man came here as a new Canadian, a new person, to develop the land. My Irish descent is strong in me.

I hope the wave of the future will be well recognized by the new people who come here to build this land, to make it a healthier and happier one for all of us.

* * *

TRADE

EFFECT ON CANADIAN ECONOMY OF UNITED STATES PROTECTIONIST ACTIVITY

Mr. Dennis H. Cochrane (Moncton): Mr. Speaker, with the recent suspension of the free trade talks, a lot of hopes of New Brunswickers have been dashed. They were looking forward to seeing more open doors between our provinces in eastern Canada and our neighbours to the south.

Certainly the Government of Canada cannot be faulted for making efforts to try to reach a successful resolution to the problems facing Canada, as we see more and more protectionist activity in the United States putting up tariff barriers and countervail duties against our raw materials and resources.

What has happened to softwood lumber in eastern Canada is an excellent example of why we should be discussing, with our neighbours to the south, the problems we are having with regard to trade.

Luckily, because of the efforts of the Government of Canada through the Department for International Trade, we have received an exemption for 85 per cent of our softwood lumber producers. However, there is still much hardship to be faced by some of these producers if we are not able to get a complete exemption for softwood producers of the Maritimes. It is a good example of what protectionist activity in the United States is causing to happen in Canada.

I hope those people who have been very critical of our efforts to reach a free trade agreement will stand up when the time comes, as we face more and more protectionist activity by the United States Congress against our raw materials and resources which are extremely important for jobs throughout Canada.

The Government should be commended for the efforts it has put forward and should be encouraged to get the door open so that we can continue with the talks which are so important to Canadians.

ORAL QUESTION PERIOD

[*English*]

TRADE

SUSPENSION OF CANADA-UNITED STATES NEGOTIATIONS—POSSIBLE REOPENING OF TALKS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is directed to the Minister of Finance, in the deepened hope that we will be able to get some straight answers for a change in the House of Commons.

Yesterday the Prime Minister refused to give any indication of what might be the plan of the Government in relation to the negotiations that have been suspended with the United States. Yet, outside the House, the Prime Minister's press secretary surreptitiously slipped out information that meetings were being held at the highest level.

My attempt this morning is to see if we can get answers in the House of Commons and not through the sidelong glances of a press secretary.

Specifically I should like to ask the Minister of Finance is he undertaking meetings with Secretary of the Treasury Baker to speak explicitly about the free trade negotiations? Does he have a mandate from the Prime Minister and Cabinet to try to restart those negotiations?

In particular, will the Minister of Finance tell us what kind of concessions the Government of Canada is planning as a way of inducing the Americans back into the talks?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member should know that the meetings which I will be having this weekend and early next week in Washington are part of the regular annual meetings of the IMF, the World Bank, and the Group of Seven.

These meetings have been planned for a number of months, in fact years. There is nothing special about that. I will see Mr. Baker during the course of these meetings, but at this point it is strictly to talk about matters relating to the international debt issue, to the progress we have made in dealing with some of the problems with sub-Saharan Africa, to consider a proposal by the managing director of the IMF, and things like that that are related to the international debt situation.

GOVERNMENT POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my supplementary question is for the same Minister. I believe it is fair to say that he strains the credulity of the House and of Canadians generally to assume that he is to have a little tête-à-tête with Secretary of the Treasury Baker and not discuss the most important issue between our two countries at the present time.

What kind of guff are we being given this morning in the House? Will the Secretary of the Treasury and the Minister of Finance discuss the opportunity to start negotiations again, or has the Government clearly said that no further negotiations are to be undertaken? Why does the Minister of Finance not come clean for a change?

• (1120)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am being very direct with the Hon. Member. He may not like the answers I am giving him, but I am giving him direct answers.

There are no tête-à-têtes planned between Mr. Baker and myself. We will be meeting as part of the broader meetings of the Group of Seven, and at the IMF and World Bank meetings. That is the sum total of the meetings and that is the direct response to the Hon. Member's question.

CANADIAN POLICY

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to raise another glaring contradiction that has occurred. The Prime Minister said in the House yesterday that he thought it would be inappropriate for him to meet with President Reagan. However, in an interview he gave to *La Presse* last evening, reported today, he said he thinks that maybe they should have a meeting. Furthermore, he went on to declare that the Government is prepared to water down its position on a dispute settlement mechanism—the mechanism does not have to be binding and it can be brought in gradually.

Is what is really happening right now that the only softening up that is going on is not with Americans but with the

Canadian people? Is the Government not really trying to pave the way so that it can make further concessions to get its free trade deal? Is that not really what is taking place?

Right Hon. Joe Clark (Secretary of State for External Affairs): Of course not, Mr. Speaker. The situation is quite clear. The negotiator for Canada suspended negotiations because the proposals then on the table from the United States were not acceptable to Canada. It is up to the United States to make new proposals if it wants to have the negotiations continue. Those new proposals have not been received. The ball is very much in its court. I think that has been made clear to the House of Commons by the Prime Minister, and is clear to everyone willing to understand.

[*Translation*]

FREE TRADE—ARTICLES PUBLISHED IN TWO MONTREAL NEWSPAPERS—GOVERNMENT POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, may I again direct my question to the Deputy Prime Minister and seek clarification on the Canada-U.S. free trade agreement impasse?

Yesterday the Prime Minister told the House that the ball is in the American court and ruled out the possibility of a summit meeting with the American President. Indeed he told the House, as reported in *The Gazette* of Montreal:

[*English*]

—"PM rules out meeting Reagan now".

[*Translation*]

A few hours later in Montreal he met with the editorial staff of *La Presse* and said the opposite: "Mulroney says he is prepared to meet with Reagan". No wonder we are asking questions! Who is telling the truth, *La Presse* or *The Gazette* of Montreal?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I cannot vouch for the accuracy of reports published by *La Presse* and *The Gazette* of Montreal, but I can speak for the Prime Minister and the Government. Yesterday the Prime Minister told the House, and I quote:

[*English*]

It would be, I think, inappropriate at this time and perhaps unhelpful at this very moment for the President and myself or anyone else at that level to get involved.

That is the position of the Government of Canada as stated in the House and as stated in Montreal. Just so that the House understands the situation, if there were ever to be any meeting on a higher level, it would occur only after a change in the United States position.

[*Translation*]

FREE TRADE NEGOTIATIONS—GOVERNMENT POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I think the Minister accurately quoted the Prime Minister on page 9286 of *Hansard*, and I quote word for word:

It would be, I think, inappropriate at this time and perhaps unhelpful at this very moment for the President and myself or anyone else at that level to get involved.

Here is my question: Who is this person? Is it Derek Burney who spoke to Mr. Howard Baker and submitted the five Canadian conditions? Were there negotiations yesterday afternoon?

What I want to know is this: Is the Canadian public being manipulated? Is public opinion being manipulated by this Government, because on one hand they would have us believe that negotiations have broken off, and on the other that negotiations are being handled by the No. 1 man in the Prime Minister's Office, Derek Burney, and that there are five conditions to the resumption of negotiations? Who is telling the truth?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the answer to the question is no. The Government of Canada did not submit five conditions—nor three nor seven—since the chief negotiator suspended negotiations.

I know there have been rumours, but they are false. Of course, certain Americans and certain Canadians do have conversations and that is quite normal. But the essential point to resume negotiations is a change in the American position, and it is up to the Americans to get in touch with us on that issue.

[*English*]

POSSIBLE FUTURE ACTION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, *The Washington Post* reports today that President Reagan and his top trade advisers decided at a meeting that the President should not call the Prime Minister in order to initiate some further action with respect to the free trade talks. I would like to ask the Minister of Finance if he can guarantee to the House that neither he nor Derek Burney, who is also going to Washington, will be making further concessions and contacts with the White House administration in order potentially to sell out Canada by trying to get these talks restarted on bended knee.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it is obvious that the Hon. Member, travelling at high speed, has smashed into a brick wall and is showing the consequences.

The situation is very clear. The Hon. Member may try to distort it if it serves his ideological purposes but the situation is quite clear. We have entered into negotiations that we believe, if they succeed, will be very much in the interests of Canada. They are at a point of impasse. They are at that point of impasse because the position last put forward by the United States is not a position that Canada can accept.

We hope that the United States will change its position. That is up to the United States to decide. It is up to the Americans to communicate that to us.

I make the point in passing that the United States cannot seriously expect to make the progress it says it seeks in multilateral trade negotiations if it will content itself with the position it left at the table in its negotiations with its most important trading partner, Canada.

Mr. Langdon: Mr. Speaker, at least we recognize a brick wall when we see one.

PRIME MINISTER'S NEWSPAPER INTERVIEW

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I would like to ask whoever has decided to speak for the Government on this issue to comment with respect to the so-called exclusive interview with the Prime Minister last night by *La Presse* in which the Prime Minister took some major steps backward in a commitment to an immediate binding dispute mechanism which he previously said was crucial to any solution to the free trade talks. He said—

[*Translation*]

"We must be in a position to introduce, perhaps in stages, a mechanism which will have a beneficial impact for both parties".

[*English*]

That is a retreat. The Government knows that and I would ask whether or not this is a signal to the United States that such a retreat is taking place on our part.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there is no retreat, there is no signal, and there is no change in the Hon. Member's infinite capacity for self-delusion.

Mr. Langdon: Mr. Speaker, it seems to me in fact that it has been this Government which has been deluded right from the start in hoping to get this agreement.

• (1130)

GOVERNMENT POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, how can the Government expect the Canadian people to believe it when at the same time it says the ball is in the U.S. court it is setting up contacts with U.S. officials? It is sending the Prime Minister's Chief of Staff to Washington, and then softening its demands. Is this not trickery of the Canadian people?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, very frankly, the trickery is in the attempts by that Hon. Member, thankfully not very successfully, to distort what is going on. He is suggesting there has been a setting up of contacts by the Government of Canada with the U.S. There has been no setting up of contacts. What has happened is that because I am a NATO Foreign Minister and George Shultz is a NATO Foreign Minister, and summit Foreign Ministers met earlier this week, we met together. My colleague, the Minister of Finance, is carrying on normal meetings with the U.S. Secretary of the Treasury.

Is it the position of the NDP that because there is an impasse in the trade negotiations we should stop all normal contact with the U.S?

We know Gerry Caplan, the thinker for the NDP, has said we should get out of economic summits. We know it is the position of the NDP to have Canada get out of Europe, NATO and NORAD. We know their policy is to get out of the world, except in southern Africa where they want to resort to violence.

Some Hon. Members: Hear, hear!

DISPUTE SETTLEMENT MECHANISM

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, Canadians are quite rightly confused, to put it gently, about what kind of game the Prime Minister is playing with them. We have the Ottawa *Citizen*—

Mr. Fennell: A great Liberal paper!

Mr. Tobin: —saying the Prime Minister rules out trade summit with Reagan. *The Gazette* says the meeting has been ruled out for now. *The Toronto Sun* says there is a 50/50 chance of a meeting. *La Presse* says the Prime Minister is ready to meet the President right away. We are wondering what kind of game is being played. Is the Prime Minister trying to manage a trade talk crisis or manipulate the Canadian public?

The Secretary of State for External Affairs said a moment ago there has been no change in the Canadian position with regard to the dispute resolution mechanism. Is he now confirming, then, that the Canadian position is and has been, as the Prime Minister is quoted in *La Presse* as saying, that Canada is prepared to grant a concession by accepting a dispute settlement mechanism that would be introduced by stages and over an extended period of time? Is he saying that is the position, has been the position all along despite earlier assurances, and therefore there has been no change?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I am not sure how I can help the Hon. Member out of his confusion arising from reading too many newspapers.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: Only the headlines.

Mr. Clark (Yellowhead): Reading the headlines of too many newspapers. He has not yet told us his views on the Sunshine Girl, or as we say in my family, the Sunshine Person.

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): I would suggest that if he wants to know the position of the Government the best place to find it is in that time-honoured parliamentary publication, *Hansard*. He will see it there in black and white and it might, if he is able to read words consecutively, clear up his confusion.

Some Hon. Members: Oh, oh!

Mr. Tobin: That answer would lead any reasonable Member to wonder about the totality of the acreage between the Minister's ears and come to the conclusion that it is indeed barren ground.

Mr. Hnatyshyn: George Baker for Leader.

Mr. Speaker: Both the Minister and the Hon. Member are at the moment coming out just about equal. Perhaps, if the Hon. Member would put his question directly, we can move on.

NEWSPAPER INTERVIEW

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, I would like the Minister to spread a bit of sunshine and light on the question. The Prime Minister is quoted, and you cannot wish away his words, as saying in *La Presse* last night in an article to be published in full this weekend that he is prepared to consider granting a concession by accepting a dispute settlement mechanism that would be introduced in stages over a period of time. That is a radical departure from what he has been saying for the last several weeks.

The Secretary of State insists on saying there has been no change in the Government's position. Is he telling us that the words spoken by the Prime Minister last night in *La Presse* are the position which has been put to American negotiators over the last several weeks? If it is, the people of Canada have clearly been conned by their Prime Minister and Government.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, let me try to identify the question raised. I think it was—

Mr. Tobin: Watch out for swinging doors. Just answer the question.

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): I am advised to watch out for swinging doors. I think that is much more a problem in the caucus of the Official Opposition than it is here. However, the point is that a dispute resolution mechanism is, in our judgment, essential to the successful conclusion of any negotiations. The Americans know that. What they put forward in the discussions that were suspended—

Mr. Tobin: Is that what we put forward, yes or no?

Mr. Clark (Yellowhead): —if the Hon. Member would just be quiet for a moment—was not acceptable to Canada. It is in their hands—

Mr. Tobin: What did we put forward?

Mr. Clark (Yellowhead): —as to whether or not they will come back with some proposals that are more acceptable to Canada. If they do, we will consider them.

Mr. Tobin: You are not answering, Joe, deliberately, with good reason.

Some Hon. Members: Oh, oh!

Mr. McDermid: The font of all knowledge speaks.

* * *

REGIONAL INDUSTRIAL EXPANSION

NORTHERN DEVELOPMENT—GOVERNMENT POLICY

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, my question is directed to the Deputy Prime Minister. The Government announced regional economic development agencies for the Atlantic provinces and the West. Once again the Territories seem to be left in limbo. The Department of Regional Industrial Expansion has undertaken a six-month consultation process which the Assembly of First Nations says they will not participate in because in their view the decision has been made.

Can the Deputy Prime Minister tell us when we will see some action on a northern development structure so we can get on with planned economic development?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, the Hon. Member refers to a consultation process from which, she says, the AFN has withdrawn. I would bring to her attention that groups in the Yukon have indicated their willingness to participate in the consultation process and we look forward to it. We have the Native Economic Development Program in place and Yukoners are taking advantage of it. We are considering applications right now from that area.

The Hon. Member would be helpful to natives and Yukoners by advising and encouraging them to participate in this consultation process.

CONSULTATION PROCESS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, my supplementary is again directed to the Deputy Prime Minister. His colleague suggests I should be encouraging people to participate in consultation. I should certainly be happy to do so. Over two months ago government leaders wrote the Minister asking what is happening and what consultation will

take place. They have received no response. Would he care to comment on that?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, the consultation process on DRIE's native economic programs was launched July 24. We have a team which is inviting interested persons from all across the country to make their views known. To my knowledge, groups in the Yukon have indicated that they will participate in that process. We look forward to their views and suggestions.

• (1140)

TOURISM POTENTIAL OF NORTH

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, I have a supplementary question for the same Minister. Tourism is probably the industry with the greatest potential in the North at this time. I understand that the Territorial Government and the Travel Industry Association have been negotiating for some time for a funding agreement with the Minister's Department which would allow for the financing of tourism development. Will those negotiations bear fruit in the near future?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development): Mr. Speaker, the Department has been negotiating with that Government on a tourism subagreement. The Hon. Member has made several representations to our Department. I can assure him that we should be able to make a positive announcement in that regard within the next few days.

* * *

[*Translation*]

CANADIAN SECURITY INTELLIGENCE SERVICE

INQUIRY CONCERNING WHICH UNIONS UNDER ILLEGAL SURVEILLANCE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I direct my question to the Minister of Justice, who reasserted yesterday that the law does not allow the Canadian secret services to spy on the unions. We know however that the CSN was kept under surveillance by secret agent Marc Boivin, and we learned yesterday evening that the former Solicitor General and now Minister of Defence had confirmed in a letter to Mr. Zander, President of the British Columbia Carpenters' Union that his union had also been subject to surveillance.

I would like to ask the Minister if he is ready to recognize that it is time for the Government to throw some light on this scenario which is beginning to sound like a James Bond movie. If unions have been spied on, and two cases have now been confirmed, can the Minister tell us which other unions in Canada have been subject to illegal surveillance?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I would like to reiterate the point which I and the Solicitor General have made over the last number of days in response to similar questions. The contention of the Hon. Member is incorrect. The law which governs the operation of CSIS is quite clear in this regard.

Because members of the Progressive Conservative Party were vigilant during the debate on the Liberal legislation setting up CSIS, they were able to bring forward amendments which instituted a series of ways in which the operation of CSIS would be scrutinized and monitored. We have the Security Intelligence Review Committee process. The Solicitor General has augmented this with other examinations of the operations of CSIS. The Inspector General is part of the process of scrutiny to ensure that the agency operates within the bounds of the law.

If the Hon. Member has any specific evidence to justify his contention to the contrary made under the protection of the House, he should do the proper thing, that is, bring it to the proper authorities for investigation by these independent commissions. That would be the proper thing for him to do rather than making general and unsubstantiated allegations on the floor of the House.

REQUEST THAT SURVEILLANCE BE ENDED

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, the Minister cannot have it both ways. He cannot say that it is illegal and not have me ask why it is happening all the same. That is the problem. A letter bearing the signature of the former Solicitor General was shown on television last night which confirms that the carpenters' union in B.C. was under surveillance.

Mr. Turner (Ottawa—Carleton): Debate.

Mr. Guilbault (Saint-Jacques): That is a fact. If it is illegal, why is it happening just the same? How many other labour unions are being subjected to this Orwellian type of surveillance? When is the Government going to put an end to this?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I can only remind the Hon. Member that this specific question has been answered by the Solicitor General. He does not accept the premise of the Hon. Member's question.

My information from the Solicitor General and his Department is that CSIS is operating within the law, within its mandate, within the legal constraints and obligations placed upon it in the legislation which we inherited from the Liberal Government. If we can give any further information to the Hon. Member in order to be of assistance, he need only ask.

Oral Questions

QUEBEC SECURITIES COMMISSION

TELEGLOBE PRIVATIZATION—LAYING OF CHARGES AGAINST MEMOTEC BOARD MEMBERS

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is for the Deputy Prime Minister. It is with regard to the privatization of Teleglobe which was sold by the Government to Memotec a few months ago.

Is the Deputy Prime Minister aware that this morning the Quebec Securities Commission laid insider trading charges under Section 178 of the Quebec Securities Act against a number of the board members of Memotec? Amongst those charged was Peter Blaikie, the former National President of the Conservative Party of Canada. Can the Minister confirm this information?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Yes, Mr. Speaker, I was informed of that transpiration of events just before I entered the House. I have no details on the matter and it would, therefore, be inappropriate for me to comment until such time as those details are ascertained.

REQUEST FOR PARLIAMENTARY INQUIRY

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, since the Minister has confirmed that this has indeed happened, since Mr. Peter Blaikie is a former National President of the Conservative Party of Canada with many important connections, and since many of the board members have been charged, would the Deputy Prime Minister agree to an inquiry by a parliamentary committee into the sale of Teleglobe?

Mr. Speaker: I draw to the attention of all Hon. Members the clear rule in this place that questions to the Treasury Bench must be directed to some aspect of the administration of government. I regret to have to tell the Hon. Member for Yorkton—Melville that I believe that, under the circumstances, his question is out of order. The Hon. Member.

Mr. Nystrom: Mr. Speaker, in his capacity as Deputy Leader of the Government would the Deputy Prime Minister not agree to a parliamentary committee investigating the whole matter?

Mr. Speaker: Order. I thought I had made the position of the Chair very clear. I am always, of course, impressed, and sometimes influenced, by the ingenuity of Members in putting a question in a different way. However, I see no difference in substance between the question the Hon. Member has just asked and the previous one.

I ask Hon. Members to keep in mind that there are rules applying to questions that may be asked. It is my obligation as Speaker to ensure that they are followed. The Hon. Member for Glengarry—Prescott—Russell.

PUBLIC WORKS

LEASING OF OFFICE SPACE FOR TRADE NEGOTIATIONS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is directed to the Deputy Prime Minister and pertains to the free trade office leasing deal. I hope he will be allowed to answer the question without being interrupted by the Minister of Justice as was the Minister of Public Works yesterday.

On September 23 the Minister of Public Works said in this House, as reported at page 9236 of *Hansard*:

> The lease was pursued according to the ordinary standards set by Treasury Board.

Is it the position of the Government that paying a Tory friend $50,000 on a leasing deal is an ordinary standard? If so, what is an extraordinary standard? Is it $100,000, $200,000? What is the number?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I would like to respond to that question on behalf of the Minister of Public Works. I remind the Hon. Member that this matter is under current investigation as he well knows.

I again remind him of the admonition of his Leader that personal reputations are involved whenever there is an investigation. His own Leader indicated that we should follow the practice in this House of not commenting on a matter while it is under investigation until charges have been laid, if in fact that happens.

Mr. Boudria: Mr. Speaker, if that rule applied as the Minister wants, it would preclude us from asking almost anything in this House, particularly bearing in mind the kinds of scandals with which the Government has surrounded itself.

[*Translation*]

IMPORTANCE OF AMOUNT OF MONEY PAID TO MR. DESROCHERS.

Mr. Don Boudria (Glengarry—Prescott—Russell): My question is for the Deputy Prime Minister, Mr. Speaker. According to the answers given by the Minister of Public Works yesterday, negotiations on the Metropolitan building were carried out directly between representatives of the Metropolitan and public servants. If this is true, can the Deputy Prime Minister tell us why Mr. Gervais Desrochers received $50,000? If he has done nothing as the Government has suggested, why has he been paid $50,000? This is not peanuts.

• (1150)

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, on November 30, 1984, when addressing the Solicitor General of the day the Leader of the Opposition stated that he wished the reinstatement of "the

practice that used to apply in this House, and I believe still should, reflecting the principle of presumption of innocence until proven guilty" The Leader of the Opposition stated, "He must realize the reflection that announcements of investigations may have on private reputations . . . "

Mr. Speaker, I think the Hon. Member should take to heart the advice of his own Leader. The Hon. Member does the House of Commons and its reputation no good by getting into the gutter.

Mr. Clark (Yellowhead): Cannot rise above it.

* * *

HAZARDOUS SUBSTANCES

PRESENCE OF DIOXIN IN PAPER PRODUCTS

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. It concerns leaked documents from the American Paper Institute on the presence of dioxin in ordinary paper products. Since dioxin is an extremely hazardous substance and the processes of production of paper are the same in Canada, I wonder if the Minister would tell the House what inquiries he is undertaking to make sure that Canadian consumers are not exposed to this very hazardous substance in their ordinary paper products?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, my Department does not have that responsibility. Under the Hazardous Products Act we have the responsibility of making sure that hazardous products are identified, but not identifying what is or is not hazardous. That would fall under the Department of Health and Welfare. I will communicate the representation of the Hon. Member to the Minister.

DEPARTMENTAL RESPONSIBILITY

Ms. Lynn McDonald (Broadview—Greenwood): Dioxin is a substance that affects waterways and fish, and all types of things that are dealt with in other Departments. Ordinary paper products such as toilet paper, disposable diapers, and writing paper are commonly used products. I do think his Department has some responsibility.

Will the Minister undertake to ensure that consumers, in purchasing these ordinary products, are not exposed to dioxin, a substance to which we have no reason to believe there is any safe exposure? This is something for which his Department ought to be taking responsibility.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I share the Hon. Member's concern about this hazardous material, and the fact that Canadians may be exposed to it through various paper products.

I have to inform the Hon. Member that under the Hazardous Products Act, as passed by Parliament, it is not legally my responsibility. It is the responsibility of the Minister of Health and Welfare.

Perhaps the NDP do not feel that the legal niceties need be obeyed as long as they have pronounced on it.

Ms. Mitchell: Are you not an advocate for consumers?

Ms. McDonald: These are consumer products.

Mr. Andre: I will make the representations to the Minister. I will send the Hon. Member a copy of the Act, and perhaps over the weekend she can read it and acquaint herself with Canadian law.

Ms. Mitchell: Where is your role as an advocate?

Mr. Young: Where is your Minister of Health?

An Hon. Member: Who is speaking for the consumer?

* * *

THE CONSTITUTION

MEECH LAKE ACCORD—ENTRENCHMENT OF MULTICULTURALISM

Mr. Sergio Marchi (York West): Mr. Speaker, my question is addressed to the Minister of Justice. It concerns the Meech Lake Accord.

This week the Canadian Ethnocultural Council, the national umbrella organization representing multicultural associations across the country, had the following to say about the Accord. "Our worst suspicions about the process of the hearings were confirmed as the report merely rubberstamped the Accord . . . while we were taken for a ride . . . we cannot sit back and watch multiculturalism being set back for years".

Since multiculturalism, like bilingualism, must be recognized throughout the Constitution and not only in the Charter if we are to truly express and support the full nature of Canadian society, why has the Government adamantly refused to entrench multiculturalism as a fundamental characteristic in the opening clause of the Accord? In an attempt to treat everyone as first-class citizens, can the Minister tell the House that he is prepared to reconsider the position of the Government?

Mr. Daubney: You obviously have not read the report.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): I was very interested in receiving the report of the Special Joint Committee on the 1987 Constitutional Accord. I thought that the report addressed the question very well that is raised by the Hon. Member.

As a Member of the House, as is the Hon. Member, who comes from those Canadians who are not of English or French extraction, I feel proud of my country. I am proud of the Constitution, and I am proud of the Meech Lake Accord. It has done much to bind the wounds of this country and bring Quebec back into Confederation.

I know that the Hon. Member is working hard to have his Leader reverse his position and to vote against the Accord. I wish the Hon. Member would do that on the basis of a position that is justifiable, and not one which has been shown to be incorrect.

CANADIAN HERITAGE

Mr. Sergio Marchi (York West): Mr. Speaker, as a Member of this House, I too am very proud and loyal to my country.

Mr. Clark (Yellowhead): Are you loyal to your Leader?

Mr. Marchi: As a Member of the House, and as a Canadian citizen, I would like to try to make this Constitution better. I believe we could, and I make no apologies for attempting to do that.

Leaving aside the issues in the Accord of the manner in which the country will be governed, and what shape our institutions will take in years to come, I wish to ask the Minister why he is unwilling to promote and proudly depict in the opening clauses of the Accord, the intrinsic heritage of Canadians which is proudly bilingual and proudly multicultural?

Since it is a policy of the federal Government, and a policy promoted by all provinces, does the Minister believe that the entrenchment of such a resolution and recognition in the opening clauses would hurt and dismantle the entire Accord?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am not questioning the motivation of the Hon. Member, and I understand the sentiment with which he indicates his point of view. I think he is wrong. The vast majority of people who have investigated this matter think there is no substance to the contention put forward by the Hon. Member.

I wish to point out to the Hon. Member a couple of things that should bring his some solace. At last we now have a whole country with Quebec as a participant in Confederation.

Ms. Mitchell: What about the Territories?

Mr. Hnatyshyn: This is an important and historic occurrence.

Secondly, we have now institutionalized constitutional discussion in our country. This means that we can build on the strengths that we have within the Charter of Rights and our Constitution.

On an annual basis we will be addressing these matters with the First Ministers to improve, where we can, the Constitution.

I think, Mr. Speaker, that the Hon. Member would do a great service to the Liberal Party of Canada by standing up and giving his unequivocal support for the Meech Lake Accord and voting for the resolution when it comes before the House.

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PENITENTIARIES

PROVISION OF HEALTH CARE SERVICES

Mr. David Orlikow (Winnipeg North): Mr. Speaker, nurses, psychologists, and other professionals who work in the health care field in Canada's penitentiaries are dealing with inmates who have been involved in major crimes, including robbery, arson, and rape. Those inmates need help from competent people.

In the absence of the Solicitor General, my question is directed to the Deputy Prime Minister. Will the Government give up the bizarre idea that it can save money for the people of Canada by privatizing this service, getting rid of the people who have had experience and who know what is required, and giving the work to some poorly trained part-time workers who will create tremendous problems for the country and for the inmates?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, in answering the Hon. Member on behalf of the Solicitor General, I have to say that the Solicitor General addressed this matter on previous occasions.

My recollection is that in the process of examining the area referred to by the Hon. Member, probably the prime consideration of the Hon. Member is the quality of service which will be given to inmates. The Hon. Member in generalizing in a rather negative way does not state the actual fact and intent of the policy. The so-called privatization can mean a more effective, sensitive and efficient delivery of services in some instances. I know this is contrary to the teachings of the New Democratic Party, but they haven't had an original thought since the 1933 Manifesto.

• (1200)

Mr. Broadbent: It is largely better than never having had an original thought.

Mr. Speaker: The Hon. Member for Winnipeg North on a short supplementary question.

GOVERNMENT POLICY

Mr. David Orlikow (Winnipeg North): Does the Minister of Justice not realize that the question I raised has been brought to the attention of the Solicitor General and the Government

by the Professional Institute? Its president wrote a letter to the Solicitor General, backed up by a petition signed 1,400 people concerned, in which she said:

> To work competently in a correctional setting requires a repeated, consistent exposure to that environment. An incorrect decision when confronted with a dangerous or life-threatening situation can escalate into tragedy.

That is the opinion of the people who work in the field. So again I ask the Minister if the Government will give up this bizarre idea which is based simply on its ideology that anything done by the private sector is better than that done by the public sector?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I do not accept the premise of the Hon. Member's question. The Conservative Party does not have that particular philosophy. As proof positive of that, I think we were the ones who originated the CBC.

Mr. Broadbent: Socialist!

Mr. Hnatyshyn: What can I say?

Mr. Broadbent: Public ownership, holy smoke!

* * *

[*Translation*]

INTERNATIONAL MONETARY FUND

FINANCE MINISTER'S MESSAGE TO WASHINGTON MEETING

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, my question was for the Minister of Finance, but I see that he has had to leave to catch his plane for Washington to meet the other Ministers of Finance of member countries of the International Monetary Fund and the governors of large central banks. I am sure that his Cabinet colleagues will be able to tell us about the main message which Canada plans to give at the meeting of the International Monetary Fund this weekend. I would like to add that the socialists would do better to listen since the only thing they know about financial matters is how to appropriate workers' funds!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it is up to me to reply to direct questions such as the one just asked by my friend for Lévis. A large part of the message of the Minister of Finance at the Washington meeting will certainly deal with the need for the developed countries to continue to co-operate to improve the international economic situation, especially as concerns the Third World debt. As the House is well aware, Canada already plays a major role in this regard. We have just announced forgiveness of a large part of the official debt of francophone African countries and there will be a similar statement for anglophone African countries at the Commonwealth Conference in beautiful Vancouver.

[*English*]

Mr. Speaker: I should advise Hon. Members that this will be the last question.

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INDIAN AFFAIRS

LUBICON BAND—LAND CLAIM—REQUEST FOR RESUMPTION OF NEGOTIATIONS

Mr. Keith Penner (Cochrane—Superior): My question is directed to the Minister of State for Indian Affairs. I believe that is his title now. It was on September 2 that I again raised in the House the question of the Lubicon Lake Indian Band. The Acting Minister on that date, the Minister of National Health and Welfare, said that a full announcement ought to be made by the Minister himself and that he would advise him to do so.

In view of the serious health problems in that community, in view of the fact that the UN Committee on Human Rights is involved, in view of the fact that there is social disintegration going on at an alarming rate and that this national disgrace is adversely affecting our otherwise good publicity and plans for the Calgary Olympics, is the Minister prepared today or, at the latest, early next week, to make an announcement that the negotiations will be resumed and that the Government will use a report prepared for it by E. Davie Fulton, especially that clause which says all the people in the band should be included in the settlement, not half of them only?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, the Hon. Member in his question touches on a whole range of topics which are of interest to the Lubicon Lake Indian Band. He knows the Minister of Indian Affairs and Northern Development has expressed his hope that negotiations will recommence, and it is the intention of the Minister to announce the nomination of a negotiator pretty soon in order to ensure that those negotiations can start again.

FRAMEWORK FOR NEGOTIATIONS

Mr. Keith Penner (Cochrane—Superior): I wonder if the Minister would simply explain to the House how the Government can justify excluding half of the band's members from a land settlement? Will he tell us today that in appointing this negotiator he will also make use of the services of the Hon. E. Davie Fulton as a third person mediator in this tragic dispute?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, I do not think we will change the policy of the Government re land claims. We will not negotiate on the floor of the House. We will leave that to the negotiator.

Tabling of Documents

With respect to Mr. Fulton's report, the Department and my colleague, the Minister of Indian Affairs and Northern Development, continue to view his paper to be used as a guide for negotiations.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to nine petitions, Nos. 332-2959 and 332-2991 to 332-2998 inclusive.

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, pursuant to Standing Order 106, I have the pleasure and obligation to table a petition signed by residents in Canada who visited the famous Byward Market in my riding this summer.

• (1210)

These petitioners would like to have the House consider their petition which states that, whereas since September, 1984, the federal Government has imposed on taxpayers 25 new taxes or tax increases, in particular, on medical supplies, dental supplies, snack foods, candies and soft drinks; whereas the federal Government in its tax reform proposal is studying the possibility of imposing on Canadians a general tax on goods and services, including food; whereas food constitutes a vital element in day-to-day life; and whereas the imposition of this tax could have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, the unemployed, low-income taxpayers and youth; the undersigned humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

OPPOSITION TO LOCATION OF DANGEROUS GOODS TRANSFER POINT

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I have the honour to present two different petitions. The first one is from residents of Vancouver East who call on the Government to do away with the decision of the Canadian Transport Commission to locate the transfer point for dangerous goods at the Burlington Northern Railway ferry slip in Vancouver East, which presents an extreme hazard to the residents and the workers in the surrounding vicinity. They call on the House of Commons to order the CTC to immediately relocate the transfer of all hazardous commodities to a location outside the inner harbour of Vancouver.

SUPPORT FOR BILL C-204—NON-SMOKERS' HEALTH ACT

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I have a group of petitions to present from Quebec, Manitoba, Nova Scotia and various parts of Ontario. The petitioners state that, whereas cigarette smoking is Canada's major preventable health hazard and is responsible for 35,000 deaths each year, and that secondary smoke is implicated in the deaths of 500 involuntary smokers each year, and that Bill C-204 seeks to protect the health of Canadians from these hazards, they call on Parliament to enact the Non-smokers' Health Act, Bill C-204.

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition from a number of residents of Oshawa, Lindsay, Whitby, Mississauga, Guelph, North York, Oakville, Milton, Barrie, Minesing, Orillia and Burlington, Ontario. These people point out that cigarette smoking is the major preventable health hazard in Canada and responsible for 35,000 Canadian deaths each year, 500 of which are of involuntary smokers. They point out that Bill C-204 seeks to protect the health of Canadians by restricting the promotion of tobacco and guaranteeing smoke-free air to Canadian workers and travellers.

They therefore humbly pray and call upon Parliament to enact the Non-smokers' Health Act, Bill C-204.

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I have the honour and duty to present petitions from residents of Manitoba, Alberta, British Columbia and Saskatchewan who recognize that cigarette smoking is one of Canada's major preventable health hazards and is responsible for over 35,000 deaths each year, as well as 500 deaths of involuntary smokers.

The petitioners wish to show that Bill C-204, which seeks to protect the health of Canadians by restricting the promotion of tobacco and guaranteeing smoke-free air to Canadian workers and travellers, should be supported.

Therefore the petitioners humbly pray and call upon Parliament to enact the Non-smokers' Health Act, Bill C-204.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, it is my privilege and responsibility to present a duly certified petition from Canadians living in Williams Lake, Cranbrook, Victoria, Vernon, Calgary, Brandon, Winnipeg, The Pas, Dartmouth, and even Toronto, which points out that cigarette smoking is responsible for the deaths of some 35,000 Canadians each year and is Canada's major preventable health hazard. It is also implicated in the deaths of some 500 involuntary smokers.

Therefore the petitioners call upon Parliament to enact the Non-smokers' Health Act, Bill C-204, which will restrict the promotion of tobacco and guarantee smoke-free air to workers and travellers.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I have the honour to present two petitions. One is signed by residents

of Manitoba, including residents of the towns of Clearwater, Crystal City and Snowflake. The other is signed by residents of Ontario from St. Thomas, London and other cities. They state that cigarette smoking is Canada's major preventable health hazard and is responsible for 35,000 Canadian deaths each year.

Therefore they humbly pray and call upon Parliament to enact the Non-smokers' Health Act, Bill C-204.

Mr. Neil Young (Beaches): Mr. Speaker, I too have a number of petitions to present today all on the same subject. They are signed by residents of such places as Oakville, Kitchener, Nepean and Mississauga, Ontario.

All of the petitioners state that cigarette smoking is Canada's major preventable health hazard and is responsible for some 35,000 Canadian deaths each year, and that secondary smoke is implicated in the deaths of 500 involuntary smokers each year.

They state that, whereas Bill C-204 seeks to protect the health of Canadians by restricting the promotion of tobacco and guaranteeing smoke-free air for Canadian workers and travellers, they humbly pray and call upon Parliament to enact the Non-smokers' Health Act, Bill C-204.

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have a petition in which the petitioners indicate that cigarette smoking is Canada's major preventable health hazard and is responsible for 35,000 Canadian deaths each year—

Mr. McDermid: Don't forget pipes and cigars.

Mr. Keeper: —even if the Hon. Member across the way thinks that is insignificant.

The petitioners certainly feel that secondary smoke is implicated in the deaths of 500 involuntary smokers each year. They state that Bill C-204 seeks to protect the health of Canadians by restricting the promotion of tobacco and guaranteeing smoke-free air to Canadian workers and travellers.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I have in my hand two duly certified petitions signed by citizens of Canada from New Brunswick and Ontario who now avail themselves of their ancient and undoubted right to thus present a grievance before this honourable House.

They take note of the serious health hazards presented by smoking and by the impact of the air into which enters the smoke of cigarettes from smokers.

These petitioners humbly pray and call upon Parliament to enact Bill C-204, a Bill entitled the Non-smokers' Health Act. In duty bound, your petitioners ever pray.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I have a number of petitions from Canadians, mainly from Ontario, although there are certainly petitions which are coming in from all across the country. They are from Toronto, Rexdale, Willowdale, Markham, Scarborough, my own riding of Broadview—Greenwood, Thornhill and Agincourt.

These petitioners support Bill C-204. They point out that cigarette smoking is Canada's major preventable health hazard and is responsible for the deaths of 35,000 Canadians every year who smoke and is implicated in the deaths of 500 Canadians every year who are involuntary smokers.

Whereas Bill C-204 seeks to protect the health of Canadians by restricting the promotion of tobacco and guaranteeing smoke-free air to Canadian workers and travellers, the petitioners humbly pray and call upon Parliament to enact the Non-smokers' Health Act, Bill C-204.

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, it is my privilege and responsibility to present these petitions from people from across Ontario, in particular from Burlington, Stoney Creek, Scarborough, Toronto and, most important, Hamilton.

• (1220)

These citizens ask that we be cognizant of the fact that smoking causes over 35,000 preventable deaths each year and that 500 of those deaths are caused by secondary smoke.

They humbly pray and call upon Parliament to enact Bill C-204.

OPPOSITION TO BILL C-55

Mr. Sergio Marchi (York West): Mr. Speaker, I rise with a degree of pleasure and responsibility to present to the House, pursuant to Standing Order 106, two different sets of petitions.

The first one deals with Bill C-55, the Government's legislation establishing new refugee guidelines. It is signed by residents of Toronto, Cambridge, Peterborough, Scarborough, and Willowdale in the Province of Ontario and by residents of Vancouver and Richmond, British Columbia.

The petitioners suggest that the safe third country concept and the prescreening stage be deleted and that the legislation should be complemented by a strong, accessible, fair and expedient appeal mechanism to discourage those who wish to abuse the system.

CONSTITUTIONAL ACCORD—RECOGNITION OF MULTICULTURALISM

Mr. Sergio Marchi (York West): Mr. Speaker, the second set of petitions concerns the Meech Lake Accord. It is signed by Canadians living in Elliot Lake, Hamilton, and my own riding of York West.

They are very much pleased that an effort is being made to bring Quebec back into the constitutional family. However, they would also like the Government to recognize the multicultural heritage of our nation and of our people as a fundamental characteristic alongside the English-French linguistic duality.

Therefore, they call upon the Government to amend the constitutional accord by entrenching our nation's multicultural heritage and reality as a fundamental characteristic in the opening clause of the Constitution.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, question No. 176 will be answered today.

[*Text*]

TOBACCO RESTRAINT ACT

Question No. 176—**Mr. McCurdy:**

Since 1970, have any charges been laid under the provisions of the Tobacco Restraint Act, and if so (*a*) how many (*b*) how many cases were fines levied?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): A review of departmental records has indicated no charges under the Tobacco Restraint Act have been laid since 1978. No reliable statistics are available prior to that date.

[*Translation*]

Mr. McDermid: I suggest, Mr. Speaker, that the remaining questions be allowed to stand.

Mr. Speaker: The questions enumerated by the Hon. Parliamentary Secretary have been answered. Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

[*English*]

MOTION TO ADJOURN UNDER S. O. 29

SUSPENSION OF FREE TRADE TALKS

Mr. Speaker: I must advise Hon. Member that I have received two applications under Standing Order 29 for the adjournment of the House. I will deal with them in the order in which they were received, and first I will call upon the Hon. Member for Oshawa (Mr. Broadbent).

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I rise under the provisions of Standing Order 29 to seek leave to move the adjournment of the House for the purpose of discussing the consequences of the collapse of the free trade talks between Canada and the United States.

As of this moment neither the Prime Minister (Mr. Mulroney), nor the Minister for International Trade (Miss Carney), nor the Secretary of State for External Affairs (Mr. Clark) has made a statement to the House on this critical matter. Members of Parliament deserve the opportunity to debate the matter fully so that we may understand what are the immediate plans of the Government in terms of these talks and, if they are truly finished, just what alternatives the Government may be pursuing concerning our trade relations with the United States.

If Your Honour so rules that the conditions of Standing Order 29 have been met, I would be happy to move the appropriate motion at the appropriate time.

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) has a similar application.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, yesterday, when similar applications under Standing Order 29 were put forward, your comments which I have noted with great care were as follows:

—that the issue is of extreme importance.

You then said:

—it is fair to say that I might be in a better position to consider the matter again after today's proceedings.

That suggests to me that Your Honour was taking proper consideration of what initiatives the Government might take to inform the House and, through the House, the Canadian people on what actions it was purporting to take to respond to what is a very serious crisis facing the country, by the Government's own admission. You, Sir, presided over Oral Question Period both yesterday and today and realize that on a number of very key points the Government has not been prepared to share information with the House.

I think it is of some great indignity to the House that the Prime Minister (Mr. Mulroney) when queried in a very straightforward way would refuse to answer, yet outside the House the Director of Communications of his office would then go forward and give answers.

It would seem to me that it is very important that we try to restore the House of Commons as the forum in which important matters of state are examined and discussed and in which a dialogue takes place; not between the Director of Communications and the media. I think that is an unfortunate trend and it is something—

Mr. McDermid: Mr. Speaker, I rise on a point of order. I understand that under Standing Order 29 a Member wishing to move such a motion "shall" present without argument the statement referred to.

This sounds like the debate has started, and the Government will not have an opportunity to reply to some of the accusations which have been made.

I believe the Hon. Member is going beyond the rules contained in the Standing Orders.

Mr. Speaker: The Hon. Member will of course have heard the intervention by the Parliamentary Secretary. While the Chair, because it is an important issue, gives a certain amount of latitude in the presentation of the application, I am sure the Hon. Member would take the comments under consideration.

Mr. Axworthy: I was attempting to present a reason to Your Honour in light of the statements made yesterday in the House that the matter would be considered further after the proceedings. I was simply drawing to the attention of the House what those proceedings were or were not, as the case may be.

I believe that the timing is of essential and critical importance, because we still have before us a number of major unanswered questions to which obviously many Canadians want answers. Until we have an emergency debate, it is clear that we will not have an opportunity to receive them.

Mr. Speaker: I want to express my appreciation to the Hon. Member for Oshawa (Mr. Broadbent) and to the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) in raising again today an important matter. I do not think there is any question but that it is considered important, not only by Hon. Members in this place and the Government but, of course, by the public.

Yesterday I said, and I quote:

> I have given this matter a great deal of consideration and I agree with both Hon. Members that the issue is of extreme importance. At the moment it is not my disposition to order an emergency debate for today, but that does not mean it might not be ordered at some other time. I think it is fair to say that I might be in a better position to consider the matter again after today's proceedings.

Later, in response to a point of order raised by the Hon. Member for Winnipeg—Fort Garry who was seeking some elucidation of my earlier comments, I said:

> The representations of the Hon. Member are, of course, important. I said earlier that as of 11 o'clock this morning it was not the disposition of the Chair to order an emergency debate to take place today. I think I made it clear to representatives of both opposition Parties that that does not close the door to other applications at another time. If the Hon. Member or other Hon. Members wish to make other applications, the Chair will, of course, consider them.

I have again given serious consideration to the applications which have come in from both the Official Opposition and the New Democratic Party, and I must remain of the same view as I was yesterday, that I am not at the present time disposed to order an emergency debate.

This is an ongoing matter and, as I indicated yesterday, events may change and I may be disposed at another time to take a different position.

I hope all Hon. Members and the public that is watching and listening to this will realize that a matter can be of very great importance, but it may not necessarily be deemed appropriate by the Chair for it to be debated in an emergency debate.

I see that the Deputy Prime Minister (Mr. Mazankowski) is here, as are the Leader of the New Democratic Party and very senior representatives of the Official Opposition. I would say to all of them that there are other means by which this matter might be debated. I would suggest that they might have certain consultations among themselves in that regard.

• (1230)

Again, my disposition today should not be taken as saying that this particular subject might not at some later time be the subject of an emergency debate.

GOVERNMENT ORDERS

[*English*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, earlier today I was making some comments on Bill C-74, the Bill which the Government calls the Canadian Environmental Protection Act, though I believe that to be a misnomer. However, I had not completed my remarks when we moved to Statements by Members and Question Period.

At that time, I was pointing out to the House that this is the first environmental Bill to be introduced in the House for debate by this Government in its three years in office.

In the fall of 1985, nearly two years ago, the so-called St. Clair River blob came to public attention. At that time the Minister, responding to concerns raised by environmental leaders throughout Canada and to questions raised in the House by Members of Parliament, said that he planned to bring in an environmental contaminants Act which would clean up this foul, putrid mess. He said that it would do more than that, that it would solve other problems as well. He told us that we could expect that this planned legislation would deal with matters relating to the Niagara River, that there would be legislation which would help us deal with old waste dumps and that something would be forthcoming to deal with the pollutants that pour forth from a variety of factories across Canada.

In December of 1985, the Minister put forward a Bill which we did not debate. In his vain fashion, he called the Bill the toughest pollution legislation in the western world. That Bill died on the Order Paper, and the following June another Bill was introduced. This time the tough guy lines that had been scripted for the Minister had to be changed and we got a different story. Instead of the toughest pollution legislation in the western world, this time we got just a first step toward

cleaning up the environment. We went from tough guy to timid first step in a matter of a couple of months.

Now Bill C-74 is before us. This morning, the Parliamentary Secretary was back using tough guy words once more. However, we know that those words really do not apply to Bill C-74. Later on I will bring to the attention of the House some evidence supporting that charge.

Bill C-74 is the merging of some legislation that has been around for quite a while. It merges the Clean Air Act, the Ocean Dumping Control Act and the Environmental Contaminants Act. These Acts have been brought together for streamlining, as described by the Minister. However, a spokesman for the Alberta group of the Sierra Club of western Canada has written the following:

> We feel that this proposal is not a complete environmental protection act as it leaves out important areas such as acid rain, motor vehicle emissions, recycling of wastes, hazardous goods movement, protection of flora and fauna, and a host of other very important factors in protecting Canada's environment. The Act should be renamed.

At one point in his career, the Minister spoke in the vainglorious terms, for which he is famous, of an environmental bill of rights. That is a lovely bit of sermonizing, a bill of rights based on environmental concerns. Of course, there is nothing close to a bill of rights in Bill C-74. Instead, there is a preamble to the legislation itself. The theme of the preamble is the environment. It is a prissy little piece on protecting the environment and human health.

We all know what a preamble is all about. On certain occasions in a court of law it may help the interpretation if there has been bad or vague drafting of the legislation. However, for the most part, a preamble has no legal status at all. It is usually just a bit of propaganda and exists for decorative purposes. It is a cosmetic that disguises reality.

What is the reality? The reality is that there is very little in the way of new action on environmental control in Bill C-74. In support of this argument, I quote Toby Vigod, a lawyer working with the Canadian Environmental Law Association:

> —the preamble to the proposed EPA is not legally enforceable. Case law and authorities on the subject of preambles generally conclude that they are not enforceable in and of themselves. They, however, can be used as a limited aid to interpretation in determining the meaning of statutory provisions that may be unclear and ambiguous.

I hope that the Minister has not given us a Bill which is unclear and ambiguous, but if he has, then perhaps his little preamble will be helpful in certain cases. Vigod goes on to conclude the following:

> However, this does not confer rights on citizens to protect their environment.

Let me turn to another source to support my argument. Pollution Probe has described this environmental Bill as being meaningless. Pollution Probe has said, as reported by the *Ottawa Citizen:*

> Environment Minister Tom McMillan's claim to have produced the country's first environmental bill of rights is meaningless, a Pollution Probe spokesman says.
>
> Janine Ferretti said in an interview from Toronto that if McMillan had wanted to include an enforceable bill of rights in his draft Environmental Protection Act, unveiled this week, he wouldn't have put it in the preamble of the new legislation where it has no legal basis.

Since there is no bill of rights at all, we do not need to talk about that any longer.

It has been said that this Bill does some streamlining. I challenge that as well. I do not think much has been streamlined when there are still 24 departments of Government responsible for 55 different statutes that deal in one way or another with environmental matters.

To be fair, Bill C-74 does one useful thing. It sets up a system that will assess the impact of new chemicals that come on to the market on human health and the environment. That was a task begun but not completed under the previous Government. However, my concern is that there will not be enough resources available to adequately do that important task. We know that there is a very fixed and restrained budget in the Department to help it undertake this task.

• (1240)

I want to agree with my friend from Newfoundland and Labrador when he says it is time the Ocean Dumping Control Act was given new force. You may have read, Sir, that the Act, brought in by the previous Government, is now being challenged in the Supreme Court. Here was a chance for the Minister of the Environment (Mr. McMillan) to add new force to that Act, but he did not. He just folded it into C-74.

I fear, as does my hon. friend from Newfoundland and Labrador who spoke earlier in the debate, that the Clean Air Act as encompassed in C-74 may possibly—we cannot say categorically—permit sulphur dioxide to slip underneath the existing regulations and escape control altogether. That is so because, as the Parliamentary Secretary knows, acid rain is to be subject to the same toxicity test as other chemicals. So you can see that sulphur dioxide may escape altogether.

In addition, the Hon. Member for Grand Falls—White Bay—Labrador (Mr. Rompkey) also asked whether C-74 gives the Minister too much discretionary power. I wonder, and other Members wonder, should he be allowed to exempt chemicals from regulation altogether simply at his discretion?

Undoubtedly Bill C-74 is weakened by allowing each and every province to have a veto over the legislation if they feel—not if they prove but if they feel—that they have legislation of their own comparable to this legislation. I would ask, who is going to be the judge of that? No, I think C-74 suffers from what I would call the Meech Lake blights. I quote *The Toronto Star*:

> Specifically, two sections in the bill before Parliament would require McMillan to consult all the provinces before he drafts regulations or issues emergency orders to control toxic chemicals.
>
> While Ottawa would retain the right to act on its own after the consultations, the provisions invite Ottawa to take the weakest possible action, so that everyone can agree.

In sharp contrast to that, Sir, the Brundtland report says what is really needed is strong national standards enforced on a national basis. In my view, that is what Canada desperately needs and that is borne out of the kind of federalism that we are gradually negotiating away day by day.

I want to conclude by pointing out that the Parliamentary Secretary made the argument earlier today that this was a tough piece of legislation, the toughest we have ever seen. I want to quote from *The Financial Post*, an article by Doug Hunter who says:

> The Canadian Environmental Protection Act, tabled in Parliament on June 26, talks tough, with million-dollar-a-day fines against polluters and provisions for jailing executives of offending companies. CEOs probably won't be marching off to jail in leg irons, though, unless their pollution is accompanied by such gross misbehaviour as fraud, obstruction of inspectors or the death of innocent bystanders.
>
> Environmentalists criticize the act for its failure to set broad national standards, particularly for water quality.
>
> "It's Swiss cheese with fewer holes," says Toby Vigod, a lawyer and clinic director of the Canadian Environmental Law Association. "If I was in industry, I wouldn't be particularly perturbed. It's not going to affect day-to-day business."

The Acting Speaker (Mr. Paproski): Questions and comments.

Mrs. Browes: Mr. Speaker, I want to say a few words in response to what the Hon. Member said concerning Bill C-74. He mentioned the Brundtland report. That report was prepared by a committee chaired by Prime Minister Brundtland of Norway. We were very pleased with it. Indeed, this House unanimously endorsed it a few months ago.

The Minister set up a task force of environment Ministers which met as recently as the last two days in Quebec City. That task force was set up five months after the World Commission on Environment and Development warned that environmental problems on this planet are approaching crisis levels. Our task force was to respond to that report as it looks at how the world is going to have to view environmental issues. I would like to quote from a *Globe and Mail* article of yesterday which said:

> Mr. MacNeill, who was secretary-general to the Brundtland commission, said no other country is as advanced as Canada in dealing with the recommendations of the world commission.

Not only are we getting recognition from around the world for our outstanding contribution in this area, let us look specifically at the acid rain abatement programs which the Member talked about. We have made an outstanding contribution in reducing acid rain. We have reached agreements on reducing sulphur dioxide emissions. We are getting our House in order. We are now into very difficult negotiations with the U.S., but we heard on the floor of this House the President of the United States talking about an accord on this issue. Just last week we had the Montreal protocol on the ozone. Our Minister of the Environment took a very strong leadership position in getting that protocol. We have produced automobile emission standards which will lead to the phasing out of leaded gasoline. Indeed, there are many other examples which show the great accomplishments of this Government in cleaning up the environment.

Bill C-74 is another example. We are looking at chemicals coming on to the market, controlling those chemicals, producing priority lists, and putting teeth in the legislation in the form of penalties for those who pollute the environment. I think we should congratulate the Government on its fine work.

Mr. Penner: Mr. Speaker, you will know, as I do, that there is a world of difference between setting up a task force on a report which is as significant, useful and pointed as the Brundtland report is, and actually carrying out recommendations. One of the recommendations in the Brundtland report is that a nation requires a central authority for pollution control. If you decentralize pollution legislation and control and authority, the chances of getting effective pollution law and action is diminished. That is one of the messages in the Brundtland report.

When the Government tells us it has accepted that report and is going to take its responsibilities seriously, that we are going to have effective environmental protection law, then we will sit up and pay attention. However, when the Parliamentary Secretary talks about another task force we on this side are not very convinced.

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

• (1250)

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, you asked whether the House was ready for the question. We on this side of the House are certainly not ready for the question. I am a little surprised that Members of the Government did not take the opportunity to enter this debate. I am surprised that they are not sufficiently concerned about environmental matters to elaborate upon the policies that the Government has chosen to legislate.

They reacted in a very negative way to the critical comments made by my colleague to my right. They reacted very defensively when he criticized the inadequacies of the legislation before the House. They reacted to his criticisms with a minute-long question. I would have appreciated a much more extensive and thorough response. I would have appreciated the comprehensive and in-depth debate which is required.

This Chamber is set up with the Opposition on one side of the room and the Government on the other. That encourages adversarial discussions which have merit. However, in addition to the Opposition blaming the Government and the Government advertising its own merits we need a thorough and profound debate on environmental questions. I invite members of the Government to enter that debate. I invite them to share with the public the thinking, if any, that they have done on environmental questions.

I am obviously not going to pretend that I do not enjoy pointing out weaknesses in the Government's legislation when they exist and need to be pointed out. However, I do invite members of the Government to enter this fundamental and serious debate, which is a watershed debate.

It was not so long ago that we would not be having a debate about environmental protection or health as related to environmental matters. It would have been taken for granted that the supreme value was economic development of any kind at any cost. We would have assumed that the planet could sustain any efforts at economic growth, that the earth could recover from any pollution and damage to the environment, and we could continue merrily on our way.

Over the last number of decades we have become much more aware of the seriousness of environmental matters. There are serious questions on survival for the planet and the human species and on the equality of our life. The vast majority of the general public is becoming aware of these matters.

We are establishing new bottom lines with regard to the environment. We are establishing new standards and new expectations on the environment. People are no longer willing to put up with the old economic blackmail of companies saying that if they are required to meet environmental standards they will have to close plants and do away with the jobs. Such economic blackmail has been going on for years and has made governments afraid to set the necessary standards to preserve the environment. The ultimate threat against a government is that of pulling out investment which will cause the loss of jobs, and thereby the loss of votes and office.

That game was played effectively until now. However, there is an emerging new consciousness on environmental matters. The politics of the environment and the economy are in the process of changing and we must recognize that. Of course new standards for environmental protection put limits on economic growth and development. However, it is implicit in creativity that you have some limits. A creative person is not free to do anything he or she wishes. A creative country recognizes the limits and then, within those limits, does that which needs to be done.

We must ask ourselves how we can develop our economy and have economic growth and employment as well as environmental protection. How can we have a good, safe, clean, healthy environment and employment as well? We must stop accepting the false dichotomy that the choice is between environmental protection and employment. We must say no to industries that want a licence to pollute. One way of learning to say no to that kind of blackmail from industry is to develop new types of economic development which will respect the environment.

If we do not find new methods of economic development which are environmentally sound, we will have no economic development at all. When all the rivers and forests are destroyed by acid rain there will be no employment and no economics at all. It is a very narrow perspective which says that we must choose between environmental protection and employment. We must broaden that perspective. We must lean how to develop the economy in ways which will respect the environment.

I would like to address Bill C-74 specifically. As we set out our goal of a safe environment and a dynamic economy we must figure out how to achieve it. Does the legislation before the House today contribute to moving toward such a society? The legislation does make some progress toward environmental protection. I do not want to be entirely negative about what the Government is doing, but I do want to point out the shortcomings as they must be pointed out. While this is a step forward, it is only a small step. It is a disappointing step. Much more needs to be done, and much more could have been done.

• (1300)

One of the most shocking things about this legislation is the manner in which it was drafted. It was drafted behind closed doors in somebody's closet. Rather than having comprehensive public hearings involving the citizens of Canada and those groups that monitor the environment and seek to protect it for the rest of us, and having them assist in drafting the legislation and setting the new standards, the Government goes behind closed doors and drafts the legislation. That is a major discrepancy and serious weakness with the legislation.

It is clear that we cannot arrive at a point where there is strong, sound environmental legislation unless we involve the public and inform the citizens of the process of developing that legislation. We are involved in a process of creating a new political culture, and setting new standards of conduct affecting the environment. That is a democratic process which requires the will and the support of the people. It cannot be done behind closed doors, it must be done in a public environment. That is one of the first weaknesses of the legislation and the process.

Another problem and major criticism of the legislation is that it does not include an environmental bill of rights. The Government has spoken glowingly about its legislation. Of course, we expect it to do that. We would like to hear more from the government side of the House in this debate. While it speaks glowingly of the legislation, it does not include an environmental bill of rights.

It is important to acknowledge that people have a right to a healthy environment. It is not some privilege, but it is a fundamental human right. It is important to have a safe and healthy environment because human beings cannot survive and reach their potential without a healthy and safe environment that is non-polluted. This is a matter of human rights. I know that it is a new concept to consider a non-polluted environment as a matter of human rights. It is a more familiar concept to think of human rights as concerning matters of race and discrimination. We are not yet familiar with the notion of the environment as a human right, but fundamentally it is, because in order to live and grow and reach full potential a

human being must have a safe, healthy and non-polluted environment.

What else are we referring to when we talk about an environmental bill of rights? One of the central points made by environmental groups is that the public must have an opportunity to be involved in this process and play a role in the enforcement of environmental law. Why are those groups asking for ordinary citizens to have the right to play a role in enforcing environmental standards? Surely when we pass legislation in the House establishing environmental standards, that means there will be an end to pollution. We will stop laying waste to our environment. It should not be necessary for an ordinary citizen in my riding to become involved in the process in order to ensure that these standards are met.

The problem is that environmental legislation is often window dressing. While Governments have good standards on the books, they allow a great deal of discretion for their Ministers of the Environment and Cabinet. We may have good statements of commitments from Ministers, and we may have good standards written into legislation, there tend to be loopholes in these situations and Governments have failed to carry out these standards with the vigour required. When it comes to the environment, Governments tend to follow behind public opinion. Citizens feel that they cannot trust their Governments. Government continues to allow the environment to be polluted and succumbs to economic blackmail. Therefore, citizens feel that it cannot be left to the politicians, they have to become involved. They must have a legal right to be involved in the process because Governments fail to follow through. That is what we mean when we talk about an environmental bill of rights.

Another key point in regard to an environmental bill of rights is the fact that citizens should have some right to participate in environmental decision-making. The Minister has the right to set standards and to outline what levels industries have to meet, but the public must have an opportunity to be involved with regard to the establishment of standards. That cannot be left to the Ministers alone.

Some serious criticisms have been brought forward in this legislation. I am not only making these criticisms to make the Government look bad. I must say that sometimes the impression is that the Government invites that to be done. I am not doing this only to be negative because I am on the opposition side and my friends are on the government side. I am doing this because it is important for us to realize that public opinion is ahead of public policy. When it comes to the environment, up until the present time Canadian citizens have had much higher standards than public policy indicates.

The legislation before us today takes some steps forward, but those steps are feeble compared to what the public is demanding and what the public will support. Canadians are asking Governments to set a new bottom line when it comes to the environment, and to say, "No more polluting the environment, no more laying waste to the environment, no more acid rain, no more building of nuclear plants and building up wastes that we do not know how to handle which will be a problem for unforeseen generations. No more creating problems that are a danger to human health and survival".

The public is out in front and needs decisive and strong action from Governments. We need the Government to represent the people and to say that we will no longer allow the environment to be laid waste by industry as a result of economic blackmail. Governments should be creative in the manner in which they handle economic development and preserve the environment.

[*Translation*]

Mr. Fontaine: Mr. Speaker, I would have a few comments on the allegations made by the socialist Member who said no Conservative Members rose today on this matter. I would remind him that six Government Members have already spoken, that this Government has had a day and half of debate on this legislation, that the Minister of the Environment (Mr. McMillan) is impatiently awaiting the House's acceptance of the Bill on second reading, so that it can be referred to a committee where it will be very well scrutinized.

I would also like to tell him that, as far as relations with industry and environment protection are concerned, he is not so well abreast of the situation because he should read the report presented yesterday, September 24, to the National Council of Resources and Environment Ministers. That report of the Council chaired by no other than Mr. Gérald Lécuyer, a socialist from Manitoba, has this to say in its introduction: "This report includes ideas and recommendations to harmonize Canada's sustained economic development with its environment". So we do not have that many lessons to receive from the socialist Member concerning any harmonization between environment protection and the industrial community.

Finally, he blames us for acting alone in the discussion of this Bill.

First, I would like to point out that it is very difficult to cooperate with the socialists. However, we have not acted unilaterally. There have been many public meetings about this Bill. The Bill itself has been published and fully explained. Minister have made speeches throughout Canada. There have been meetings at the provincial level.

Finally, Mr. Speaker, it is important to remind the House that the Hon. Member is able to speak about the environment today simply because his leader was unsuccessful in obtaining a debate on free trade. He objected to having such a debate for two and a half years, but he asked for one today. Now, he wants to fill the gap because the Chair refused the NDP request for this debate, with good reason, as it would have been quite inconsistent with everything the socialists have said for the past two and a half years. If the Hon. Member wants to go on wasting taxpayers' money and the time of this House, he can do so, but we of the Conservative party have done our duty

by preparing a good Bill. They should now shut up. This is what more and more Canadians are asking them to do.

Mr. Keeper: Mr. Speaker, I am pleased to reply to my capitalist friend across the aisle. I should like to add that this capitalist colleague of mine says his caucus has taken part in this debate. However, I have noted today that not one Conservative Member has asked to speak before me. A Liberal Member spoke but afterwards, not a sound was heard from the benches of the capitalist Conservative Members. I want to hear the great capitalists in this House. Mr. Speaker, I want the legislation to be improved. If you want this legislation to be passed by the House, you have to take part in the debate and state your reasons. This is the intent of the House. However, my capitalist colleague said that the Minister from Manitoba, our Minister of the Environment, talked about the harmony that exists between environment and industry. It is true. This is the value we are advocating in this House but no harmony achieved at any cost. We should be ready to set standards so that the industry will not keep on polluting the environment.

I should like to reply to the comments of my capitalist colleague on free trade.

I am against free trade if this new committment, if any, will reduce our environmental standards in Canada to the same level as in the United States where the President will not acknowledge the problem of acid rain.

With respect to acid rain, I should like to know if my capitalist friend agrees with the President of the United States, Mr. Ronald Reagan. Is it the reason why he supports the free trade concept?

• (1310)

[*English*]

The Acting Speaker (Mr. Paproski): The time for questions and comments has now terminated. Is the House ready for the question?

Some Hon. Members: Question.

Mr. Axworthy: Mr. Speaker—

The Acting Speaker (Mr. Paproski): The Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) wishes to speak?

Mr. Axworthy: Yes, Mr. Speaker.

The Acting Speaker (Mr. Paproski): The Hon. Member for Winnipeg—Fort Garry.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I understand your natural confusion because you would automatically look to your right to see what kind of response members of the Government would be making to this important Bill. The fact that there are no such speakers prepared to defend their legislation is certainly justification for the slight lapse in recognition. I am very pleased you were able to adjust very quickly and to realize that members of the Opposition are certainly very much interested in environmental protection even though members of the Government apparently are not.

An Hon. Member: Who presented the Bill?

Mr. Axworthy: That is part of the problem. The Government presented a Bill which does not really provide environmental protection. I always try to be fair and balanced in my comments in this House—

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Axworthy: Certainly, some Members of the House of Commons acknowledge that fact. Therefore, I would like to provide complimentary words as well. This is a wonderful piece of camouflage. It is great cosmetics. It is a wonderfully constructed subterfuge. However, I do not think it is going to do much to protect the environment. It is reorganizing, rearranging and consolidating agencies and Departments, but what does that have to do with the fundamental causation of environmental spoilage in this country and elsewhere?

The legislation ignores the the most serious fundamental responsibility of any Government, and that is to provide for implementation and enforcement of controls, rules and laws. When one looks in this Bill to find the so-called teeth, to see the kind of clear and effective penalties, and application of those penalties, one is obviously disappointed.

We should not be surprised because we have seen in the past three years a serious avoidance by this Government of the hard issues of environment. I would not want to throw this House into a fit of unrestrained laughter if I tried to talk about the Government's record in dealing with acid rain. We all know the record there. We have been treated to the grand parade, the drums and symbols of the United States President being ushered into the House of Commons to announce a significant breakthrough that he and the Prime Minister of Canada (Mr. Mulroney) arrived at a deal on acid rain.

The mimeograph machine and the electronic parliamentary networks were all churning out the message to the Canadian people: "Don't worry, the problem has been solved". That is until we found out just a little more than a week ago that indeed it was not only a total and complete mistake but it was a series of miscalculations, and it was portrayed as such. That is part of the problem. There is no shame in this kind of environmental protection by public relations. It is as if somehow the imagination of the PR flacks on the government side is sufficient reason for Canadians to be confident that something will be done about the environment. That seems to be about the only serious recourse to action with which we have bee greeted.

It has taken three years to come out with this whimper of a Bill, this modest gesture which is simply a shuffling of a few departmental responsibilities and co-ordinations without really

looking at what is happening in the environment, without really examining the kind of matters which are of great concern.

One of the things that I would like to draw to the attention of the House is that interesting analysis provided by Barry Commoner, who I think is an acknowledged expert in environmental matters. He said in the *New Yorker* magazine about two months ago that one of the real disillusions for him personally as a leading environmental advocate is how in the last 10 years or so the environmental cause has become more of a lobby than a crusade, that this is simply another business-as-usual public policy matter that can be dealt with in the normal routine ways. We have kind of lost that sense of outrage and indignation. I can recall as a young student hearing Rachel Carson talking about the *Silent Spring*. It was then that we first discovered that our systems of nature, our ecology, were being poisoned.

• (1320)

The problem is that we started dealing with symptoms and not with causes. The fundamental cause is the way in which we organize our economy. Most environmental pollution is not caused by a secret band of environmental criminals who are out spilling oil into water or deliberately spewing things into the air. It is caused most often by those to whom we give the most respect, those who produce our goods and services, and by consumers themselves. Because we place such a premium on economic calculations we have avoided and evaded environmental ones.

It has been pointed out that perfectly good products that used to be drawn from natural commodities are now being replaced by artificial sources which require the use of far more petrochemicals, which has created a generation of something in the order of 40,000 or 50,000 new forms of chemicals in the last decade. These are all designed to ensure that we do not put our groceries in paper bags any more but, instead, in high-falutin plastic things that may cost less. But when we add up the spoilage of our ecology that is taking place and the spoilage of our human bodies, then those costs cannot be calculated.

We do not have the courage or the sense to tackle this issue. We just nibble at it, but only around the edges. We marginalize environmental issues by saying, "Let's tinker with it. Let's find some kind of soporific answer. Let's provide a few little penalties and fines", rather than saying that there are certain things that should not be produced and just getting rid of them.

We just cannot afford, as some western countries have pointed out, the use of DDT. It is poison. It gets into the food-chain and ends up in birds, human beings, fish and everything else. The only final answer is to get rid of it. The answer is not to say to some manufacturer, "If you are found using it we will give you a $5,000 fine, if we are able to take you to court". As we have pointed out, there have been something in the order of only 18 initiatives taken to court over the last few years. That is hardly what we would call putting fear and trepidation into the hearts and minds of polluters.

The fact of the matter is that if we want ultimately to come to grips with environmental issues in North America, to say nothing of other parts of the world, then we have to face up to some very hard economic questions. One is whether or not we want to continue to produce these products.

When I was the Minister of Transport we were being diligently lobbied by people in the Toronto area, to say nothing of those in other urban areas, about the movement of dangerous goods. The following is a wonderful case study of how not to do something. I am quite happy to offer it to the House because it is past history and it was my own Government which was responsible. We identified that the rail and truck cartage of dangerous goods had reached catastrophic proportions, that the numbers and volumes of railway cars and long-haul vehicles going through our major cities each day was increasing geometrically, and that the mathematical probabilities of a serious disaster taking place was increasing by the same proportions. Governments laboured mightily after the horrible accident in Mississauga to come up with answers. We came up with a stack of regulations on how to identify dangerous chemicals, what to do in case of accident, whom to notify, if chlorine gets on the skin what kind of crisis centre should be talked to and who should be informed. We did everything but ban the movement of dangerous chemicals through highly-populated urban areas.

We have the biggest pile of red tape and regulations that one has ever seen because we were not prepared to face a fundamental issue by telling chemical companies, the railroads and others, "I am sorry, you cannot take those goods through downtown Toronto, Winnipeg or Halifax. We will have to build railway yards that skirt the cities. We will have to find other forms of protection".

I see the Hon. Member for Winnipeg North Centre (Mr. Keeper) is in the House. He and I live in a city where a major railway assembly line is in the middle of the city. I would not want to frighten this House by telling Hon. Members how many dangerous goods go through that piece of geography per day and threaten the lives of people on its periphery. I think it is best to say that both the Hon. Member and I have fought over the years to get that railway yard removed. I can tell Hon. Members from where the opposition came. It came from all the very powerful economic sources in the country which have said, "We are not prepared to do it". Why are they not prepared to do it? Because it will cost a certain railway $115 million. Hon. Members have only two to choose from, so they can take their pick. The same is true in Calgary where there was a serious accident that was almost catastrophic and was simply averted by timing. There have been similar close calls in virtually every city of the country. Yet we are not prepared to come to grips with the central issue, which is either finding some way of putting an embargo on this type of multiplication of artificial and highly toxic matters or at least finding ways of providing some immunity to people and the environment

against them. Thus we have Bill C-74, the Canadian Environmental Protection Act. It talks about consolidating agencies and providing some new penalties, in some cases, and totally misses the whole point of the exercise.

The reason I wanted to intervene in the debate is to express my hope that at some point we will have a serious environmental debate. I hope it will be a non-partisan debate. I do not think this is a Tory, Liberal or New Democratic issue. We all share it. We all have to live in it. Therefore, we all have to be concerned about it. We have become captive to fallacious thinking. We have allowed ourselves to become so imbued with the wrong values that we do not see what is essential and important versus what is peripheral and marginal. We may be more prepared to accept that it is crucial to have green garbage bags versus paper and that that somehow is a great sign of society's progress, while not recognizing that the production of such products are the basic root cause of many of the environmental problems we now face. I am not here to pick on green garbage bags. But they are symbolic of the kind of matters we face. I could point to all kinds of areas where we simply do not get to the root cause of what is spoiling our environment.

I simply say that a Bill such as the one that is before us is fundamentally useless. It is simply window-dressing. It is throwing hot air at a problem. It will not come to grips with what I think the country faces.

In the moment or two that I have remaining I would like to say that one would think that we should be providing some degree of leadership on this issue as a so-called sophisticated, well-developed industrial society so that other countries which are emerging into that status might get some signal as to how to prepare themselves. Instead, we are doing the opposite. I am reminded of what I think is one of the greatest criminal acts of the century. I refer to the disaster in Bhopal, India. In a sense it was a corporate decision to put into a Third World country a plant that was unsafe. Granted, India is a powerful country, but it is still a country of the Third World. The plant was placed there on the grounds that it would make good economic sense.

Our cavalier disregard for the environment and, in fact, for human life is staggering. For those who have travelled in Third World countries, and I think many Members of the House have done that, and have seen how that example is repeated time and time again, we can see that we are even less careful in other countries than we are in our own, if that is possible. We have more disregard for the environment and more disdain for proper protection and controls. We always justify that by saying that we are doing them a big favour and that we are providing jobs because we are introducing the industrial society to countries that need a lot of help. However, I am not sure that the help is always of the best kind.

• (1330)

My recent trip to Central America made me cry at times to see how beautiful countryside with gorgeous lakes and forests was being ruined. For example, a plant which made batteries was spewing its effluents into a lake and destroying it for generations, for centuries. It is tragic.

I am reminded of a particular quotation—and I do not know who said it—that one thing which distinguishes human beings from all other kinds of life is that we are the only ones who befoul our own nests, that we have achieved such a high level of maturity and understanding that we know how to poison ourselves and the environment around us.

I do not want to take a lot of time dealing with the particulars of the Bill. The Hon. Member for Davenport (Mr. Caccia), our environmental critic, has done a superb job, and other Members of the House have spoken. However, I am here this afternoon, and Friday afternoons seem to bring out the whimsy and oftentimes seem to provide opportunities for one to say things in which one really believes. Let us quit tinkering. Let us quit lecturing on navigation as the ship is going down. I believe most Canadians want us to do something serious about the environment. Let us quit playing charades as we see than in Bill C-74 and do something worth while for a change.

Mr. Keeper: Mr. Speaker, in the absence of a question from the government side, and in order to further this debate, let me indicate that I was interested in the comments of my colleague with regard to the transportation of dangerous goods. They were really educational in the sense that he said that when the Government of which he was a part faced an important issue involving the environment, rather than dealing with the central question, which was the banning of the transportation of dangerous goods through large metropolitan areas, it dealt with many other peripheral matters. They were probably important but they were peripheral.

I appreciate the frankness of my colleague in this area, and I wonder whether he can educate us in other areas. Were there other areas, when he was Minister in the last Liberal Government, in which the Government failed to come to grips with central questions as they affect the environment? Could the Hon. Member elaborate upon that for us?

Mr. Axworthy: Mr. Speaker, I thought one confession per afternoon would be enough.

First let me say that I did not use that example by way of doing a *mea culpa* or a sort of public self-flagellation. I was trying to demonstrate how Governments themselves are reflective of a broader point of view in society.

We began to address seriously the movement of dangerous goods. We attempted to go beyond dealing with the effects of an accident and to deal with the causes of it. We seriously considered how to reduce speeds, to bring them down to a point where we would substantially reduce the probability of accidents. It was something we were beginning to work at

through a meeting. We brought together the major railway companies and, in a sense, gave them an ultimatum to come up with a decision on how to reduce speeds in major areas. I do not know what happened, because unfortunately the event on September 4, 1984 took place and I was no longer in a position to maintain that. I cannot answer for my successor as to whether he continued on it, and I have not persisted on that particular issue.

What I am trying to say to the Hon. Member is that I used that example to show that it is not a cost-free exercise. There are times when environmental advocates do not deal with hard reality. If they really want society and the Governments which govern it to deal seriously with environmental matters, they must recognize that there will be a very heavy price to pay. If we were to ban the movement of dangerous goods through urban areas, someone would have to pay a couple of billion dollars. It would probably be the Government and the railway companies combined. That is a large amount of money to swallow, and we have all the competing pressures for dollars.

My plea was that this debate be conducted in a non-partisan way. Is it in the best interests of the country to apply those kinds of costs? If the Hon. Member wants other examples, I can give them to him. I can give examples from the Government of which I was a member. I can give examples from the time when I was a member of the provincial Legislature of Manitoba and the NDP was in government: It did not do what it was supposed to do in the northern part of Manitoba. It allowed the flooding of hundreds of thousands of acres of Indian land for the sake of Manitoba Hydro. It was not just the Liberals who made mistakes; the NDP in Manitoba made mistakes. Earlier I used the example of the Conservative Government's attitude to acid rain. It was not prepared to ban it; it was prepared to issue a public relations release.

If the Hon. Member wants me to tar all Parties with the same brush, I could do it for another hour. My point is that I do not think any political Party in the country is prepared to face those hard questions. If we really want to deal with environmental problems as they should be dealt with, there will be a heavy price to pay, and we had better start conditioning and arguing for that price to be paid so that we can have a safe environment.

Mr. McDermid: Mr. Speaker, I was very interested in what the Hon. Member said in his speech this afternoon, because some 40 trains per day carrying many dangerous goods travel along the Grand Trunk line which goes through my constituency.

Since the Hon. Member has not been following what has happened since September, 1984 in this regard, I thought he should be brought up to date. A major project is ongoing in Toronto involving the examination of alternate routes and how we can get dangerous goods through metropolitan areas safely. It is also examining speed limits and so on. It is being conducted by a former Deputy Minister of Transport for the Ontario Government who is an authority and is doing a very thorough job. There have been public hearings in our community and in various communities around the Toronto area.

One of the problems—and I think the Hon. Member will agree—is that many industries within urban centres require chemicals for whatever they do. I agree that our research and development people should be looking into the transportation of those goods, whether it be by road, rail, or whatever, in a safe and meaningful way. It is either that, or else we, the Governments of the land, should move these industries out to isolated areas and only there allow them to use dangerous chemicals.

I think that idea is unrealistic. I do not think our economy could handle that type of thing all at once, but it may be something to work toward. I wanted to bring the Hon. Member up to date on what is going on in the transportation of dangerous goods. It is an ongoing concern of the Government on which action is being taken.

Mr. Axworthy: Mr. Speaker, I am pleased to receive information from the Hon. Member. I would only say that it strikes me as *déjà vu*. When I was Minister of Transport we had the same committees and the same high level people examining the same subjects. It is now three years down the road. I wish them well and I hope they make progress, but I still think it misses the point I am making.

• (1340)

The Hon. Member and I have had exchanges in the House many times. We have different philosophies about the way an economy should be managed and run. Let me point out to him what I tried to say in my speech.

Perhaps the problem is that far more chemicals are being produced than we need. Perhaps we have got ourselves into a chemical cul-de-sac. I would use the example provided by Barry Comoner of the fact that there exist a number of good consumer products that do not create toxic wastes. For example, paper garbage bags could be used rather than green polyethylene garbage bags. The difference in environmental terms is enormous. Barry Comoner quoted hundreds of products for which that is the case.

In essence, we are partly responsible for despoiling the environment. We are resorting more and more to industrial processes because it is in the interests of large manufacturers to do so. That is an issue that must be part of the debate. It is not simply a question of asking how we move toxic wastes. We should ask whether we should be producing them at all.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I am not sure it is a tradition after one speech, but I would like to follow the precedent set by the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) by trying not to make this a partisan issue. I too want to speak frankly to the House about what seems to me to be a tremendous gap between what I hear in the House of Commons and what I see happening.

The Minister and his Department have made an effort to demonstrate the significance the Government attaches to environmental issues. However, I would like to compare that with what has been the reality in my part of the country as shown by actual performance and activity on environmental crises. Perhaps I am talking about the difference between smiles and rhetoric in the House of Commons and dismal performance on the ground. That is the way I see it at the local level in Essex—Windsor.

The Government made very important commitments in 1985 and 1986 to do something about the so-called St. Clair blob. It committed itself to trying to find its actual source and to deal with what was causing it. There was tremendous publicity at the time. As the publicity disappeared, so, I am afraid, did the commitment to find what was actually causing that tremendously dangerous sediment to form on the bottom of the St. Clair River.

Adjacent to the Dow Chemical Company on the St. Clair River, there are still increasing deposits of dangerous chemicals including Dioxin TCDD2378, a chemical which has a tremendously damaging effect on the human body and has been tied to the emergence of cancer. We have not solved the problem, despite the great amount of publicity at the time.

Just across the river from the City of Windsor, an incinerator is being erected by the City of Detroit. This incinerator does not have the basic safeguards which are required to stop air emissions from polluting not only Detroit but, even worse, polluting Windsor and some of the best farmland in Canada which is in Essex County. The Minister of the Environment (Mr. McMillan), in a press release last year, said that we would find a solution to this problem. However, the urgency expressed rhetorically has not been shown in practice.

The incinerator project continues to go forward, despite 30,000 signatures from the people of Windsor and Essex County on petitions opposing its establishment without adequate safeguards. The Government is not prepared to take the tough diplomatic action which is necessary. Frankly, I suspect this is because it has been trying to avoid any conflict with the United States that would create more problems for the doomed free trade arrangements.

Beginning this week, I have presented petitions to the House and will present petitions in future weeks to come about the Fermi II nuclear plant in Monroe, Michigan, just 10 miles from the edge of my constituency. This nuclear reactor has experienced a continual series of devastating mishaps, glitches and mistakes which have left the people of my constituency without any confidence in it. Its basic design raises clear concern over danger. In addition, explosive testimony has been given to a House of Representatives subcommittee in the United States demonstrating that the American Nuclear Regulatory Commission was frankly hoodwinked into providing licencing for Fermi II.

Given this hoodwinking and the tremendous danger to our economy, our society and our people, we have asked that our Government make a commitment to get Canadians and Americans in neutral positions to review Fermi II before it comes into full operation and see to it that it is given a complete and thorough safety check. If it does not meet the full-scale safety review, it should be shut down and shut down for good. Again, however, the Government came through with its eternal no to a basic environmental concern.

• (1350)

Similarly, we can talk about the municipal sewage problem in the City of Windsor and Sandwich West. This is not just a local problem. It leads to a flow of effluent into the Detroit River, thereby polluting an international body of water. Yet despite the most consistent pressure brought to bear on the Minister of the Environment, he has not been prepared to offer any assistance whatsoever in upgrading the sewage system. The same thing applies to the Turkey Creek situation in Sandwich West which is dangerous to the health of people in that part of my constituency and to the community itself.

This is not something this House has refused to do before. We have provided help for upgrading of such municipal services in the past. It has worked tremendously to generate jobs as well as providing environmental protection. Yet in this great Bill entitled the Environmental Protection Act there is absolutely no commitment of any kind to this type of activity. Another eternal no.

As well, my constituency has asked the Minister and regional environmental officials to provide assistance to environmental groups who are working hard to try to counter these serious problems. We have asked for help for MAD, Maidstone Against Dumping; RADAR, the Rochester Township group; and the Clean Water Alliance of Windsor. In case after case, despite smiles and graciousness here in the House of Commons, we have in the end received a no from the Government.

The same is true with respect to the Great Lakes Water Quality Agreement which the Government is now renewing. The Government has attempted to portray the renewal process as a great step forward. Yet in practice it has rejected the principle of zero discharge of toxic substances. We think that this is crucial to turning around a disastrous situation in the Great Lakes. We have asked for changes in the agreement and the IJC committees monitoring the agreement. These changes would permit public representatives, not just scientists, to have some role in developing agreements.

I could go on, but I have chosen to illustrate only cases from my constituency which demonstrate this sense of rejection at the ground level of initiatives which could put our environment in better shape. That is why it is impossible to take seriously this legislation which claims to protect the environment. The reality is that nothing serious is being done, and the suspicion has to be that this legislation will work in exactly the same way at the national level. It is clearly weak. It has gaps through

which, frankly, one can drive a train-load of toxic chemicals. It needs desperately to be improved.

First, it does not include clear-cut public enforcement mechanisms. It is not possible under this legislation, for example, for groups to sue the Government over environmental problems which develop. It is not possible for groups to play a public role in the setting of environmental standards. It misses the notion of an environmental bill of rights which could include such important things as the right to judicial review of administrative action, the right to broad access to information, and the onus being on the proponent of an activity to justify an action which may harm the environment. The legislation is extremely vague on what will be done with respect to the Minister's activities. He is given tremendous powers, but none of them are outlined or specified.

Finally, with respect to the emergency powers which are so often crucial in an environmental crisis such as we had on two or three occasions since this Parliament began in 1984, the Minister has to consult with the provinces prior to emergency action being taken. That is surely a ridiculous approach.

In conclusion, let me just say that we urgently need a new philosophy concerning the environment. We need fairness, equality and honesty in our approach to this and other problems. We put this to the Government and urge it to move as quickly as possible to try to remedy this Bill and, we hope, do much better with what comes out of the committee hearings.

The Acting Speaker (Mr. Paproski): It being two o'clock, the House will now to proceed to the consideration of Private Members' Business as listed on today's Order Paper.

• (1400)

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

DEVELOPMENT ASSISTANCE

SUGGESTED ASSISTANCE TO COUNTRIES WITH DECREASED MILITARY BUDGETS

Mr. Jim Manly (Cowichan—Malahat—The Islands) moved:

> That, in the opinion of this House, in the interest of Canadian security and world peace, the government should consider the advisability of transferring, on an annual basis, 1 per cent of its defence budget to Official Development Assistance, over and above the present expenditure, which would be made available only to those countries which decreased their military budgets by at least 1 per cent on an annual basis.

He said: Mr. Speaker, I welcome this opportunity to debate my motion which, in the interest of Canadian security and world peace, urges the Canadian Government to transfer one per cent of its defence budget to development assistance. The 1987-88 Estimates list our defence budget at $10,340 million. One per cent of that would be $103 million. My motion says that this money would be made available only to developing countries which had also cut their own military expenditures by one per cent.

The motion, therefore, requires a decrease in military spending both in Canada and in developing countries. I am sure that all Members in this House are aware of the link between military spending and underdevelopment in our world. The most dramatic statement of that link for me came in the spring of 1986 when an Ethiopian Cabinet Minister told me and some other Members of this House that if it were not for military spending Ethiopia could have fed itself during the 1984 famine.

The Standing Committee on External Affairs and International Trade, in its study last spring and fall of official development assistance, and in its final report *For Whose Benefit?* notes this link. I would like to quote from it on human rights and militarization as follows:

> It is alarming when Third World countries spend more on the military than on basic needs such as health, education and other social services. Some of the African countries most at risk from famine—Ethiopia, Sudan, Angola, Mozambique—are also countries torn apart by internal violence. In 1984, the value of arms imports to Africa exceeded that of grain imports. In Central America, too, armed conflicts have devastated local economies and caused untold human suffering. Under these circumstances, programming long-term development aid is very difficult.
>
> Moreover, while high levels of military spending may sometimes be justified as necessary self-defence against aggression, all such cases should be examined critically in regard to continued eligibility for ODA (official development assistance).

The report emphasizes the following:

> Our aid should not allow any government to spend more on arms and less on basic needs than it otherwise would. In keeping with our own priorities and values, Canada should ask questions and expect answers in the case of recipient countries whose governments' budget allocations put more emphasis on the military than on programs of social and economic welfare.
>
> More generally, because the issue of disarmament and development is a critical one that ultimately affects us all, the Committee urges Canada to take a leadership role in discussions of this subject in multilateral forums.
>
> Canada should also work with others to control the traffic in arms destined for developing countries.

The approach taken by the committee to this link is basically the desire to use development assistance as some kind of sanction. When there is too much emphasis on military spending in developing countries we should be very careful about the kind of development assistance that we give. I endorse that point of view, but I think it would also help if we took a positive approach, if we used the carrot as well as the stick. That is what my motion attempts to do.

Doug Roche, our Ambassador for Disarmament, quoted former United States President Eisenhower who said:

> Every gun that is made, every warship launched, every rocket fired, signifies in a final sense a theft from those who hunger and are not fed, from those who are cold and are not clothed.

Today world expenditures on armaments equal $1 trillion or $1,000 billion. That $1 trillion is directly related to the death every day of 40,000 children from hunger or hunger-related

disease, a modern holocaust which is related to the $1 trillion which we spend every year on military equipment and the military.

We will all remember that last July it was estimated that the total population of our world finally passed the 5 billion mark. For 5 billion people on our planet we are spending $1,000 billion on arms. That works out to $200 for every man, woman and dying child on this planet. If we compare that expenditure of $200 per capita for every human being on this planet with the Gross National Product per capita of some of the poorer countries, we will see just how immoral this whole situation is.

In 1982, Haiti, the poorest country in the western hemisphere, had a Gross National Product per capita of $290. Bangladesh had a GNP of $140 per capita; Nepal, $160; Burma, $190; Laos, $90; Chad, $80; Ethiopia, $150; Mali, $170; and Zaire, $180.

These are 1982 figures, and I presume they are up slightly since then. However, it gives us some sense that the total income per capita of some poor countries is less than what the world spends on an average on munitions.

Of course, these poor countries are not at all guiltless when it comes to their own spending priorities. With extremely limited public revenue many of the poorest countries have spent a disproportionate amount of their funds on the military. This can perhaps sometimes be understood in the light of the need for some defence against a real enemy. However, too often these expenditures are used by the military and dictators to repress their own people.

While we can all recognize this link in general terms, I think we need to explore it in a little more detail. In fact, if we look at the situation we will see that military expenditures in the Third World account for 25 per cent of the total debt burden of $950 billion held by developing countries. Military expenditures result in a bad disproportion of the economic priorities of these countries. The need for money to pay for military hardware leads to an increased emphasis on cash crops for exports. To get those cash crops peasants are forced off land which had been used for generations for subsistence farming.

We see increasing evidence in our world that when every Third World country is pushing exports of basic commodities, basic commodities tend to glut world markets and the price is driven down, forcing nations ever deeper into debt and forcing them to submit to the IMF prescription which cuts back on social programs, cuts wages, and insists on opening up their economies to foreign ownership.

This is a vicious cycle. Instead of military spending actually defending the sovereignty of these countries, it actually betrays their sovereignty. In Third World countries a military elite tends to attract the best and brightest of the educated young people. Instead of going into medicine, education, business, engineering, or one of the trades, they go into the military. The sectors that are more closely related to the needs of the people are ignored. Many young people go into the military because they are concerned about their families. The military gives a dependable income that cannot be found in an otherwise harassed economy.

• (1410)

Military expenditures lead to the militarization of political power. All over the Third World we have seen a proliferation of military dictatorships. Finally, the very heavy spending on the military leads directly to the start and prolongation of local wars.

Since the end of World War II, the Armed Forces of some 90 different countries have been involved in war—war is defined as a state where more than a thousand people per year have been killed. The territory of more than 80 countries has been involved in war. We see the direct effect of military expenditures on the Third World.

How about the developed world? The two superpowers, the United States of America and the U.S.S.R., account for half of the trillion dollars expended for arms throughout our world. It is very difficult to get accurate figures, particularly from Russia which claims military expenditures of some $22 billion a year, while western experts estimate that it would probably be ten times that amount. The United States is more open about its spending which totals approximately $300 billion a year. Those two countries account for more than $500 billion of arms spending a year.

What are the effects of that spending on those two countries? We are all aware of the shortage of basic consumer goods in the United States, and the growing pockets of persistent poverty characterized by malnutrition. There is hunger in the United States, lack of decent housing, deteriorating cities, and a lack of access to health and education services. This poverty in the richest nation in the world contrasts with the growing affluence in some of the sunbelt states that profit from military contracts. The spiralling deficit in the United States is directly attributable to military spending. As in the Third World, the armed forces and military research take a disproportionate share of the best and brightest of American and Russian youth.

The ostensible purpose of all this spending is to provide us with more security. Earlier this year our Minister of National Defence released a White Paper calling for massive expenditures in order to obtain nuclear submarines for Canada. This is supposed to increase our security as Canadians. We all know that it will do no such thing.

In recent weeks one event more than any other has given an increased sense of security to Canadians and to other people throughout the world. It was the agreement reached by President Reagan and Gorbachev to get rid of some 1,000 nuclear missiles from Europe and the Soviet Union. Getting rid of these nuclear missiles brought a sense of increased security, not the hardware itself.

Earlier I talked about the immoral expenditure of money on weapons. In another sense, it has always been easier to get the weapons in the first place than to get rid of them later on. Last week's agreement came after months and years of negotiations, wranglings, false hopes and dashed expectations. How ironic it is that we can all heave a collective sigh of relief when the superpowers are able to agree to remove weapons that were supposed to be designed to protect us. It is increasingly ironic that at the same time Canadians are contemplating increasing our own contribution to the arms race.

As a middle power, Canada is not in the arms race in the same manner as the United States or Russia, or even as France, Britain, or West Germany. We still spend $10.3 billion a year on it. There are calls for us to spend more in the name of national security. At the present time I am not naive enough to argue for unilateral disarmament. I do maintain that increasing our military expenditures will not increase either our sense of security or our real security.

On the other hand, anything that we could do to relieve or decrease the level of world tension would help our security.

Murray Thomson of Peacefund Canada, has quoted the late Olaf Palme of Sweden who said, "Security must be achieved not against one adversary but together with him". In our world that is very true. We must find some method of common security. We cannot have some type of fortress mentality that will guarantee our security against an adversary.

On the face of it, a 1 per cent decrease in arms spending by Canada would not be very significant. But it would be a start, and it would require a reciprocal decrease in some of the Third World countries. The idea of taking money from armaments and putting it toward development is not new.

Clyde Sanger in his 1981 book entitled *Safe and Sound: Disarmament and Development in the 80s*, summarizes the results of Inga Thorsson's three-year United Nations study on disarmament and development. He pointed out that there have been several different proposals to deal with this issue.

For example, in 1955, Prime Minister Edgar Faure of France proposed that all countries reduce military expenditures by an increasing percentage each year and contribute some of the savings to a development fund.

In 1956, Russia called for a 10 per cent to 15 per cent reduction in her own arms expenditures as well as those of the United States, Britain, and France. Again, some of the savings would go to development.

In 1973, the United Nations General Assembly adopted a U.S.S.R. resolution calling for a 10 per cent reduction in the military budgets of the five permanent members of the Security Council, stipulating that one-tenth of that reduction would go to development assistance.

There have been other proposals from Romania, Brazil, Senegal, and France.

My proposal, Mr. Speaker, is more modest. It does not need to wait for the big military powers to agree. Canada can lead the way along with one or two Third World countries.

On August 24 of this year, our Secretary of State for External Affairs (Mr. Clark), speaking at the international conference on the relationship between disarmament and development, stated, " . . . the test of this conference will be what we do, not what we say. There is rhetoric enough on the evil of arms and the need for development. What we must seek to achieve here is practical co-operation, not mutual recrimination". He also stated, "The relevant question is how do we make progress, not whom do we blame".

He went on to say, "As a first step now, we should attach higher priority to the development of confidence-building measures, which are a prerequisite to any major arms limitation agreement". He pointed to the examples of Europe and Central America. He stated, "These examples differ in form, but demonstrate that small, steady, practical steps can create the confidence that leads to progress. We should increase our efforts to promote such co-operation at the regional level".

I submit, Mr. Speaker, that my proposal to take 1 per cent of our defence budget and make it available for development assistance to countries in the Third World that decrease their own military spending would be one such small step. It would be a small step that Canada is uniquely situated to make, a small step for Canada, but if followed by others it could be a big step toward world peace and security.

• (1420)

[*Translation*]

Mrs. Monique Tardif (Parliamentary Secretary to Minister of National Health and Welfare): Like many of my colleagues, Mr. Speaker, I think that the motion introduced by the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) is interesting, but in fact it is unrealistic.

As my colleague pointed out a few moments ago, I also think that Canadians are supportive of disarmament, but in a world-wide context. He would want that to be done as soon as possible on a world-wide basis.

Still, Mr. Speaker, we must keep in mind the fact that nations have been making and keeping arms for quite some time, and that they will continue to do so as long as they have reasons to justify this course of action.

If I take a closer look at the motion before the House today, it reflects the widespread notion that there is a causal link—I would almost say a reverse connection—between defence and development expenditures. The belief appears to be that a reduction in defence expenditures will be followed by a corresponding increase in funds earmarked for international development. In fact, Mr. Speaker, it does not work out quite that way.

Admittedly, if billions of dollars are spent every year on armed forces throughout the world, there is a connection, but

it relates to the billions of dollars which cannot be spent on the other needs of the people of the world. These needs are numerous and vie for funds which are already limited. Some which come to mind immediately include medical research, education, environmental protection, housing, day care centres, and care for senior citizens. The connection between defence and development is not exactly a particular case, for the same link exists between any other two sectors affected by public spending. In every country efforts are made to grab every spare dollar from military appropriations, and people dream of the day when nations will feel secure enough to spend less on armaments.

A moment ago, Mr. Speaker, I said that the proposition of my colleague is interesting. As I see it, its best feature is its inherent originality based on an excellent basic principle.

The Hon. Member is quite right to suggest that Third World countries must be encouraged to reduce their military spending. The defence budget of developing countries is minimal when compared with their outlays for all other social endeavours, be it health, education or the environment. Canada can certainly help restore the balance and reverse the trend in Third World countries seeking to improve their defence, and it will do just that.

I commend the Hon. Member for suggesting that nations ought to be encouraged to cut down military expenditures, but his approach leaves me wondering. I think it is a good principle which is badly applied and raises a series of questions and problems.

First, taking money for aid out of the military budget of Canada could be a symbolic gesture, but it would also be an arbitrary reduction which would not take into account the real needs and costs of maintaining armed forces in Canada. It would be a mistake to think that our defence budget just sits there until it is put to good use. I believe that this is an important point.

Second, if we think about the recipients, it seems to me that the mechanism suggested would be perceived as a paternalistic gesture by the Third World, and even as an attempt to corrupt other countries. Developing countries are as sensitive as we are about their national sovereignty. They want to make their own decisions about matters which concern them, such as defence, in spite of our disapproval in many cases.

Third, the mechanism suggested would inevitably favour offending countries. It would reward those that have chosen to spend a lot for defence in the past and are now reducing somewhat their expenditures and completely ignore those that have allocated a large part of their resources to development for years and have kept their military budget very low.

Fourth, and this is a fundamental point in my opinion, this approach does nothing to attack the cause of the problem, that is the reason why developing countries spend too much for military purposes. It would only hide a few symptoms and could only be a symbolic gesture.

Why do so many Third World governments spend so much for their armed forces? Because they lack confidence, because they fear their neighbours or because of internal tensions or discontent on the part of their population. The causes are varied and therefore require a varied response.

Many aspects of Canada's foreign policy can help to deal with the root causes of the problem, and this is exactly what this Government has done and is still doing. For instance, we are trying to alleviate tensions and insecurity in Southern Africa by providing support to front-line countries and to the Southern Africa Development Co-ordination Conference. On the other hand, we are also putting pressure on the South African Government to abolish apartheid and let its neighbours live in peace. In Central America, we have given our full support to the Contadora proposals and are now supporting the conditions for peace proposed by the leadership of countries in the region.

Furthermore, Mr. Speaker, governments spend too much money on armaments when they fear the reactions of the population, the reactions of people who are desperate and have nothing to lose. We are terrified at the way those governments make ill use of their powers, infringe upon human rights, and resort to weapons for domestic repression. In my view, the Canadian Government is not taking all the steps needed, two of which I would like to examine more closely.

First, we must increase our external help. We must make it more efficient, we must better target it to those who are the most in need, the most vulnerable. The Government's response to the report of our Standing Committee on Foreign Affairs and External Trade is ample proof that such steps are being taken now. We are now going to decentralize our public development assistance mechanisms and transfer them to regional offices and we will make them more flexible. Also, we will further concentrate on fighting poverty and improving human resources in developing countries. All those improvements are aimed at giving those populations the hope of a better life, and the opportunity to contribute to the development of their countries, so as to lessen domestic tensions, and we hope that those governments will feel a lesser need to resort to armed repression.

Secondly, Mr. Speaker, we can also help in encouraging and supporting the growth of civic institutions and social values that still remain to be developed in some Third World countries, if they are to enjoy peace, stability and the respect of human rights. The Government response to the report of the Standing Committee outlines the policy followed by Canada in this very sensitive area, which is to take action which will not be punitive or lead to confrontation, but be positive, constructive and supportive.

I am glad that the Hon. Member saw fit to raise this very important issue, Mr. Speaker. I believe that the policies followed by the Canadian Government are helping to reduce the need for Third World countries to spend their meager financial resources on weapons. I approuve the suggestion of

the Hon. Member to provide an incentive for them to do so, but I believe that the formula he suggests is impractical. I have nothing better to suggest, but if someone else has any brilliant ideas, I think that we should at least consider them.

To conclude, Mr. Speaker, I would like to emphasize that the policies of the Canadian Government help to maintain a balance between national security, world peace and international development, in the best interests and with the support of the Canadian population.

[*English*]

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, I wish to, first, of course, commend the proposer of this motion for his sincerity because I believe he is a member, as I am, of the group which was investigating changes to the policies and improvements to the policies of our Development Assistance Program. He made a very helpful contribution in that regard.

• (1430)

I am sure that the other members of my caucus would join me, as I am sure other Members of the House would join me, in favouring world peace. We all favour world peace. We would all like to see world disarmament. Our country has contributed to both these causes. We would all like to work for the reduction of military spending and an increase in development aid to countries throughout the world so that their wealth may be increased. By their improvements we would also see a better world for ourselves and our children.

I say in all sincerity that I believe the motion is in one sense tragic. It is typical of the fantasy land or fairyland approach that we so often find espoused by members of the New Democratic Party. It calls for the Government of Canada to transfer on an annual basis 1 per cent of our defence budget to official development assistance. In other words, the Hon. Member is calling for a 1 per cent reduction of our defence budget and dedicating it to overseas development.

According to his motion, these funds would be made available only to those countries that decrease their military budgets by at least 1 per cent on an annual basis. We can all see the intention and the thrust of the motion. But it is such a simplistic approach, an over-simplified way to find an answer to the problem.

What does this motion try to achieve? Does it try to achieve disarmament? Does it try to disarm Canada? Does it try to disarm the states being provided with our assistance? Does it try to bring about justice or peace? No matter which of these objectives we attribute to the motion, it fails totally.

There are many countries which receive our aid and which need more of our aid which would suffer from such limitations. I cite, for example, Mozambique. Mozambique is one of a number of front-line states which is faced with a life and death military struggle with South African terrorism and aggression. For months I have been demanding in the House of the Secretary of State for External Affairs (Mr. Clark) that we increase our aid to Mozambique. Earlier this week I pointed out that South Africa has mounted a deliberate campaign of aggression aimed at destabilizing the independent nations of southern Africa to make them more dependent than ever on trade and transportation links with South Africa. With this strategy in mind, Mozambique warrants special attention. It is a major transportation and communications link to all the front-line states.

I pointed out that South Africa invades Mozambique periodically, while bands of terrorists it sponsors roam the countryside spreading terror and destruction. As a result of these repeated attacks, the Government of Mozambique has been unable to deal with the unprecedented drought and floods that have plagued it throughout this decade.

The destruction of the economy and the communications system has made Mozambique the runaway winner of the International Index of Human Suffering, which is devised from a rating of human misery in more than 100 countries. Mozambique rated 95 out of the highest possible level of suffering, which is 100.

Statistics released by UNICEF in January of this year revealed the startling fact of the human tragedy in Mozambique. The 1983-84 famine in Mozambique resulted in the deaths of at least 100,000 people. The contributing factor which resulted in the famine other than weather or agricultural policy was the dislocation of rural life and food production in southern Mozambique by South African-sponsored rebels. The 1986 statistics state that approximately 140,000 children from both Mozambique and Angola have died from war and destabilization-related causes. In view of this tragic situation in Mozambique it is clear that these people require more than emergency food aid and some $25 million in aid from CIDA.

I would also like to point out that South African terrorism and aggression has been a destabilizing problem for the other front-line states, other states that receive aid from Canada. These include Zambia, Zimbabwe, Tanzania, Angola, Lesotho, Swaziland and Botswana. These nations are facing military incursions right now. At the upcoming Commonwealth Conference it is up to Canada to bring forward its concerns with respect to the military problems faced by these front-line states. It was suggested by our High Commissioner in London that, possibly, we should send to the front-line states military boots and other non-lethal military equipment to help these countries survive the attacks of South Africa or the guerillas which it sponsors.

It is clear that we have talked about the possibility of peacekeeping forces, either United Nations or Commonwealth peace-keeping forces. This means that Mozambique and the front-line states are facing military problems. In view of the fact that Mozambique is spending 42 per cent of its budget on defence, what a strange suggestion it would be then that we should now go through the NGOs and other organizations and give more money to Mozambique for non-military purposes

while asking it to cut back its ability to defend itself in the face of the very problem that is destroying it, which is a military problem.

That would be the result of such an idea as expressed in the motion which is before us. It would bring about tragic results since it would make a demand on Mozambique to cut back its military forces. It seems somewhat inconsistent that our NDP colleagues want to see us do something about these front-line states in order to help them, and then on the other hand suggest that we pass a motion that would cut back by 1 per cent their ability to fight militarily, something which they do in a weakened state as it is. Would the NDP want us to cut back on the aid we give to Nicaragua, or not give it aid? After all, it has to expend its military forces to fight off the American-backed Contras and their terrorist bands. Perhaps the NDP would like to see Nicaragua cut back its military spending by 1 per cent in order to receive our overseas development assistance?

The terms of the motion show the inconsistency of this particular suggestion. We cannot link on the one hand the cutting back of aid or allow these countries to spend their military budgets, while on the other hand increasing aid to them on the other side of the ledger. Some countries could not afford such a program. It would be tragic to impose such a program on them.

The NDP is inconsistent in other ways as well. We have had presented to us by it the idea that Canada should cut back its spending on defence by 1 per cent. I suggest that, too, would be an inconsistent idea, if the NDP is also calling for us to withdraw from NATO. If we were to withdraw from NATO, it seems to me that we would have to spend more on defence rather than less, if we are to maintain our sovereignty. If we are to maintain our sovereignty and our independence by withdrawing from an umbrella organization in which we share the costs, then it seems to me that Canada would be reducing its ability to be effective, unless it increases its military spending.

As a matter of fact, perhaps the NDP realizes that it is not less defence spending that we need but better priorities on what we spend it. Canada requires defence spending if it is to continue its peace-keeping work. Canada requires more defence spending if it intends to play a larger role in the monitoring and the verification of disarmament. This inconsistency to withdraw from NATO and at the same time cut back on defence spending does not seem to make sense.

Another point I would like to make is that we have a long history of NDP ideas which reek of inconsistencies and contradictions. First, we witnessed the proposal to cut back on NATO spending. Then we heard from the Hon. Member for New Westminster—Coquitlam (Ms. Jewett) her support for terrorism and violence. Now we must endure this equally ludicrous motion of the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly).

• (1440)

I wonder what is next to come from this Party of military strategists!

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, if a Canadian Government implemented the substance of the motion as proposed by the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly), funds earmarked for defence would be diverted to official foreign development assistance. On the surface no one can, if one assumes the world is perfect, argue against such a well-intentioned objective. I reinforce the fact that I honestly feel that the motion is well-intentioned. However, the world is not perfect. It would appear that the motion and most of the foreign and defence policies of the Hon. Member's Party seem to come from the same naive idealistic base.

I would argue that the support accorded by the NDP for such policies conveniently ignores the historical, current, and future realities governing world affairs. They conveniently deny the existence of Canadian defence and economic priorities which have and will continue to be fashioned in a manner that reflects the fact that Canada exists in an interdependent and imperfect world.

In the real world in which we live, Canada need not apologize to anyone on the level of development assistance provided to other countries. However, up to very recently, June 5 to be precise, this was not quite the case for Canada's defence effort.

From a situation where Canada had firmly established itself as a credible actor on the world stage, through collective defence efforts in World War I, World War II, Korea, and NATO and NORAD in the post-war era, and through a multitude of diplomatic initiatives, many through the United Nations, Canada's international reputation became tarnished because of the defence policies of the previous Government. This is the situation which the present Government is correcting.

For over 16 years Canadian defence policy was underfunded. As a result, equipment in the Canadian Armed Forces is inadequate in quantity and quality. Even when the former Government belatedly decided to embark upon a re-equipment program, it made no long-term commitment for funding. How could the defence planners work in this environment when it can take more than 15 years to implement fully the acquisition of major weapons systems? The previous Government had no sense of vision when it came to defence policy.

On June 5, when the Minister of National Defence (Mr. Beatty) tabled the Government's White Paper, a visionary defence policy was set out. It was based on the realities of the world and Canada's role in it; on the only sound concept for the country, that of collective defence; on the economic abilities of our country; and on the will of all Canadians to defend our democratic way of life.

How can the Hon. Member suggest that funds should be diverted from the defence budget? I would assume that he has consulted with his colleague, the Hon. Member for Brant (Mr. Blackburn), or indeed his own Leader. When the Hon. Member for Brant announced his Party's position on defence matters last summer, no cuts were proposed. In fact, evidence shows that defence spending would increase under an NDP Government. I think this reinforces the NDP's position of consistently being inconsistent.

It was admitted at that time that indeed the previous Liberal Government had underfunded the defence effort and had left defence policy in shambles.

I should like to say a few words on two other key elements of Canadian security policy—disarmament and development assistance. The position of the Government regarding the relationship between disarmament and development is well established. It was made clear by the Secretary of State for External Affairs (Mr. Clark) at the UN Conference on this subject which was held in New York last month. Both remain major commitments of the Government. We continue to view both as fundamental policy objectives but as distinct processes related only through security. As the Secretary of State for External Affairs noted in his statement to the General Assembly, "Progress toward development and progress toward disarmament can both contribute to that security, but their relationship is not simple".

The approach to both must be global in scope and involve all countries. Both must be pursued together, recognizing that Governments are unlikely to disarm at the expense of what they consider their security in order to divert funds to development. We must accept that the level of a nation's security is the main criterion against which efforts for disarmament must be measured. Security is the touchstone. The reality is that each nation will judge its own security in its own terms.

In this sense security involves not only a military dimension but a state's economic and social well-being. A nation's security is the main criterion against which efforts for disarmament must be measured, not the level of economic gain. Development in its broadest sense can contribute to security by helping to create a stable international system. This will in turn diminish the importance of military strength as an element in a nation's security. Collaboration at all levels will be the mainstay of this process. It will remain necessary to continue to support and to further, as we are dedicated to do, existing global and regional institutions and agreements which promote disarmament and development.

In respect of the particular proposal made by the Hon. Member, the Government continues to believe that the idea of any prescribed transfers of funds saved through disarmament is unrealistic. Such savings when and where they occur can be used to support broad development objectives in numerous ways, such as debt reduction, stimulation of trade, investment and economic growth. These decisions are primarily for sovereign Governments to make in accordance with their own assessments of circumstances and events. Rather than specify particulars, we believe the accent should remain on a practical approach to these issues. It is a question of political will and of giving support to existing development and disarmament institutions and negotiations.

A further difficulty with the motion is more fundamental. Disarmament and development each constitute basic and long-standing government commitments whose importance has been consistently reaffirmed in annual expenditure reviews by Cabinet. The notion, therefore, that Canadian defence expenditures should be reduced for the purpose of transferring funds for development in the Third World ignores the fact that the level of such expenditures is decided in accordance with over-all security considerations.

Furthermore, Canadian development assistance is provided in accordance with well-established socio-economic criteria which, in the Government's view, must remain the principal guide. Even if any potential recipient country were to reduce military spending by 1 per cent, we would not wish to provide development assistance to a country on this basis. The Government would continue to insist that socio-economic determinants for the allocation of development assistance be given priority, if only to ensure that official development assistance is allocated in the most effective way.

In advocating this approach we do so from a position of strength and achievement. We have since 1949 provided $24 billion in official development assistance. Unlike the situation in some other parts of the world, none of this has been used for military assistance. The global ratio of military spending to official development assistance stands at about twenty to one. In Canada, the ratio is four to one, among the lowest in the world.

• (1450)

In disarmament, we continue to participate actively in all multilateral arms control and disarmament forums where our contribution is well established and of long standing. We make our views known at the bilateral level.

We are set on a course of action dedicated to the enhancement of our security and to international security in its most basic sense. This is consistent with both our policy on disarmament and our commitment to development. The motion put by the Hon. Member does not support this purpose.

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I appreciate the opportunity to participate in this debate. I did not intend to rise, but one might say that I have been provoked by the interventions of my colleagues from the Liberal and Conservative Parties.

I understood this to be Private Members' Hour. I thought we were here as individual Members of Parliament to debate a matter of substance rather than engage in a partisan harangue about the policies of particular Parties. I am a little disappointed in that regard. I think it is important for us as individual

Members of Parliament to have serious debates about important questions.

Let me remind Hon. Members of what the Hon. Member's motion says. It reads:

> That, in the opinion of this House, in the interest of Canadian security and world peace, the government should consider the advisability of transferring, on an annual basis, 1 per cent of its defence budget to Official Development Assistance, over and above the present expenditure, which would be made available only to those countries which decreased their military budgets by at least 1 per cent on an annual basis.

The strongest criticism levelled against this motion was that it was naive, well-intentioned and idealistic. It is incredible that my colleague has the effrontery to be idealistic. Can one imagine being idealistic in this place? Why did he not bring forward a motion that was cynical, manipulative and realistic? That would have found support on all sides of the House, I am sure.

Yes, of course the motion put by my colleague is idealistic. Rather than putting it down for that, why do we not acknowledge that the concepts in this motion are in fact prophetic, not in the sense of being unrealistic but in the sense of having a broader perspective on reality, of having a vision of the kind of global society in which we must live. If such a society is to come about, we must start taking steps in that direction now.

I would like to challenge Hon. Members who found fault with this motion to come up with alternative proposals that would do what this motion seeks to do. What does this motion seek to do? As I read it, it links official development assistance with defence spending and provides that we take some practical action in that area. It points out that the nations of this world spend far too much on military budgets relative to what is spent on human and economic development.

Mr. Turner (Ottawa—Carleton): A trillion dollars.

Mr. Keeper: Yes, a trillion dollars. As a result of underspending on human development, some 40,000 children die each day.

Mr. McDermid: Those are the countries that are spending the money. That is the point.

Mr. Keeper: Obviously my colleague across the way does not understand that there is a link between spending money on arms and spending it on development. Hon. Members across the way do not seem to appreciate that unless we as a planet stop putting all those trillions of dollars into swords and start putting them into ploughshares, we will not be able to do something about the fact that 40,000 children die each day. That is the central point of the motion.

In the absence of any other practical, or even cynical or manipulative motion that would take us in the direction of a world with a new set of priorities, this motion must be supported. For too long we have spent far too much on the world's military budget. We must shift that priority. We must find ways to resolve conflicts between nations in a peaceful way rather than always relying on guns.

We cannot feed everyone, we cannot house everyone and we cannot provide the water that everyone on this planet needs without shifting our priorities. That is why defence spending should be linked to development spending. There is no way that we can continue to spend as much as we are spending now on military budgets and at the same time spend money on development. We must do both, and that means that we must find a new way of resolving problems and conflicts. This motion identifies that link and asks that we take action now. Until someone from any corner of this Chamber comes up with an alternative practical suggestion that we can support, let us support this motion. Let us do something.

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I have a number of things to say and, unfortunately, a very short period of time in which to say them.

I would like to thank the Hon. Member, whom I have known for some time, for bringing this idea forward. This is something we hear discussed quite often in our ridings, though perhaps not specifically in the way the Hon. Member has presented it in the motion.

How many times have we heard people in our ridings ask why we spend any money at all on foreign aid, why we do not spend it at home on the Indian situation or on housing in Canada? They ask why we should take care of anybody anywhere else in the world. I hear that quite often in my riding, and I do not think that my situation is unique.

People do not understand foreign aid and they may not understand defence either. However, I find it extremely difficult to link the budget of one with the budget of the other. I am not knocking his perception and his ideals. I know what he is trying to achieve. I just do not think this is the way to do it.

The countries that are spending humungus amounts of money on defence are not the countries we are trying to help. The big bucks are being spent by the big boys. The countries we want to help are being picked on by their neighbours and need defence budgets. I simply cannot see us giving aid only to countries that reduce their defence budgets in concert with ours. It simply will not work. It is not practical.

I would like to continue to talk about the various forms of aid Canada has been providing. We are spending $2.5 billion in aid and $10 billion in defence, so the ratio is four to one. Canada is not spending an exorbitant amount of money on defence as compared to aid. I simply do not think we can link the two. I do not think it is practical, but I certainly do not knock the objectives of the Hon. Member.

The Acting Speaker (Mr. Paproski): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

[*Translation*]

It being 3 p.m., the House stands adjourned until next Monday at 11 o'clock pursuant to Standing Order 3(1).

At 3 p.m. the House adjourned.

HOUSE OF COMMONS

Monday, September 28, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

STRIKING

PRESENTATION OF THIRTY-SECOND REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour to present the thirty-second report of the Striking Committee.

[*Editor's Note: See today's Votes and Proceedings.*]

* * *

COMMITTEES OF THE HOUSE

STRIKING—CHANGE IN MEMBERSHIP

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there have been some discussions among the Parties and I think Your Honour would find unanimous consent to proceed with the following motions, one at a time, of course. The first one is as follows:

That, notwithstanding any Standing Order of this House, the composition of the Striking Committee of the House of Commons be amended by substituting the name of Mr. Fontaine for that of Mrs. Bourgault.

Motion agreed to.

FISHERIES AND OCEANS—AUTHORIZATION TO TRAVEL

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I should also like to present the following motion:

That the Standing Committee on Fisheries and Oceans be authorized to travel to Norway from October 24 to October 31, 1987, inclusive, to visit aquaculture centres and to meet with Norwegian parliamentarians and industry experts for the purpose of the committee's ongoing study of new techniques applicable to fisheries in Canada and that the necessary staff accompany the committee.

Motion agreed to.

HUMAN RIGHTS—AUTHORIZATION TO TRAVEL

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the final motion is as follows:

That the Standing Committee on Human Rights be authorized to travel to Winnipeg, Manitoba, and Edmonton, Alberta, from October 5 to October 9, 1987, inclusive, and be authorized to travel to Toronto, Ontario, and Montreal, Quebec, from October 19 to October 23, 1987, inclusive, for the purpose of holding public hearings on the committee's ongoing study of human rights behind the Iron Curtain and age discrimination and that the necessary staff accompany the committee.

Motion agreed to.

* * *

• (1110)

PETITION

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have another petition from the residents of my constituency dealing with the Fermi II nuclear reactor. There are 386 signatures on this petition. It is one of a large number which are coming into my office.

The petition points to the tremendous dangers associated with this nuclear plant which is just 10 miles from the borders of Essex—Windsor. It points to the tremendously dismal record of accidents at Fermi II and it calls for a joint review by Canadian and American officials of safety at Fermi II before any decision for full-capacity operation is permitted to be made.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all the questions on the Order Paper be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

S. O. 29

Mr. Speaker: I should advise the House that I am in receipt of an application for adjournment on the basis of an urgent matter and I am informed that the Hon. Member who is putting the application is on his way. I am prepared to wait a minute or so.

The Chair always wants to be as generous as possible when dealing with the rules of procedure. I know the matter is an important one, but I am afraid that I must take the decision that the Hon. Member—

Mr. Gauthier: Here he is.

Mr. Speaker: In the interests of any Hon. Member or members of the public who are watching this, I should announce that the distinguished Hon. Member is now in his seat, and I will hear the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy).

* * *

MOTION TO ADJOURN UNDER S. O. 29

SUSPENSION OF FREE TRADE TALKS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I apologize for the slight delay. I did not realize that on Monday mornings, we conduct the House business with such dispatch and expediency.

This is the third day in a row that we have presented to the Chair a request for an emergency debate on the ongoing saga of the Canada-U.S. trade issue. I think it is fair to say that as each day goes by the arguments and reasons for that debate become all the more apparent and imperative.

There has now been a whole new series of meetings in Washington, contrary to previously stated positions. I can only say that the level of misunderstanding and confusion in the country is growing and expanding as each hour goes by.

I simply repeat the case we made before, which is that the only way that this can be properly dealt with under our system is in the House of Commons, not on the sidewalk outside the Langevin Block. It is here where information, ideas and positions should be exchanged and presented.

If Your Honour agrees with me, I would suggest that this evening would be the most appropriate time to debate the issue. The meetings in Washington will be over by then and we will know the results of them. Therefore, the House of Commons would be able to address immediately what is perhaps the most important issue to face Canada in many a decade.

Mr. Speaker: As the Hon. Member has pointed out, this is the third day in a row that applications have been brought to the Chair for an emergency debate on the trade talks. I should make it very clear that last week both opposition Parties applied. This morning the application came from the Official Opposition only, but I think it can be taken that members of the New Democratic Party continue with their position that if I were to rule in favour of an emergency debate it would be appropriate and it would be welcomed by them.

However, as I said last week, while the matter is of very great importance, something with which all Hon. Members, no matter what their views on the issue, would agree, it is not the disposition of the Chair at this time to put this matter in the category of one necessitating an emergency debate.

On Friday I invited the Deputy Prime Minister (Mr. Mazankowski) and the House Leaders to discuss this matter among themselves on an early occasion with a view to making arrangements for a debate to take place in this Chamber on another basis. I repeat that invitation because, as I say, the matter is important.

I have no criticism at all of the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) or other Hon. Members who have brought the matter to the attention of the Chair. It is important, but it is not the disposition of the Chair to say that it crosses that sometimes difficult line between what is very important and what requires an emergency debate.

Again, I say to the Hon. Member for Winnipeg—Fort Garry that that is my disposition today. That does not mean that something might not happen to change my mind. I thank the Hon. Member and would say, of course, that the conduct and decorum of this place is such that early-morning proceedings are conducted with great dispatch. If the Hon. Member wishes to speak with me tomorrow morning, it would be advisable for him to be here just a few minutes earlier.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

Hon. Gerry Weiner (for the Minister of Employment and Immigration) moved that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

He said: Mr. Speaker, I welcome once again the opportunity to speak on this so urgent and important legislation, Bill C-55. For many months now, Canadians from all walks of life, and Parliamentarians from all Parties have had the opportunity to discuss and debate the terms and references of this Bill. Indeed, thanks to the Canadian media, it has been examined under the scrutiny of the public eye as few pieces of legislation are.

It is no secret that much of the participation in this debate has been on the part of those who have opposed or who continue to oppose this legislation. The Government has

welcomed this vigorous intervention, because public discussion of these issues has long been overdue.

• (1120)

Before this process began, refugee matters, and one could say immigration issues as well, were largely confined within a select community. Today they are in the public domain as never before. Because of that open visibility we have not only the opportunity to reconfirm Canada's long-standing commitment to the world's refugees, but also new possibilities as a people to work together to meet the challenges of such great need in our world.

It is time to eliminate the confrontational debate and begin to create the hospitable environment to continue building an even more generous refugee policy and an even larger immigration program. There has been a positive benefit from the outcry of the recent past. It allows us to focus on the positive contribution that immigrants have made and continue to make to our society. It has also increased the consciousness of all Canadians to the very sorry plight of the refugees of the world and to how much more we may be able to do together.

The country is all mixed up about immigrants, refugees and illegal aliens and we must clear up the confusion to avoid having decent Canadians fearing everybody from abroad. Clearly we are saying no to illegal aliens and yes to real refugees.

If we compare the situation before with what will be, we see that it was chaotic and unfair. We are bringing forward a system which will be fair and will deal with a real world situation. It is very important that we have criteria which are fair for all. We had a system which did not work. We will be putting in place a process which will work and will guarantee open determination to all in need of a secure and safe home.

It is only now as we reach the conclusion of our work in this Chamber that we can see that this is only the beginning of all that we must do. Our responsibility henceforth will be to ensure that this new refugee determination system works as it is intended to work. It will only be through such a system, one which works with compassion, fairness and justice, that we can affirm to Canadians that their sense of fairness and justice and their generosity have not been misplaced. Let no Member of this House be mistaken. The abuses which we have witnessed almost daily over the past year have given many Canadians cause to question their generosity, and not only toward refugees.

The new process will be a disincentive to abusers. Unfounded claimants will be disposed of very quickly. It will manage our resources effectively and eliminate the risk of backlogs and bottlenecks. It will give us the opportunity to remove, very quickly, security risks, war criminals, terrorists, and persons convicted in Canada of serious offences. There will be protection only for those who need protection.

We have listened to the great debate. We have been very concerned about exploring ways to handle the situation. Under this new process every individual will be seen and heard by a Convention refugee determination board member. Independent board members will hear all cases in quality, oral, non-adversarial hearings with the benefit of the doubt going always to the claimant. Claimants will be represented by counsel at all stages.

The deluge of false claims for refugee status has been undermining one of the very pillars of our society, immigration itself. That is an erosion which we cannot and must not allow to continue. That is why Bill C-55 is so very important and why I remain ready, indeed eager, to meet again and again with Members of this House, with the refugee serving community, and with the ordinary citizens of Canada to help make our new refugee determination system work, to meet those concerns which remain, and to find the common ground. In return, the responsibility of the Government must be clearly understood. We will help the genuine refugee in need of help. We will not help those who are not genuine refugees or do not need that help.

[*Translation*]

That is our duty, and it is also the commitment we have made, a commitment which has rallied Canadians from coast to coast.

Mr. Speaker, the need to come up with a new refugee status determination process has been obvious for years. Indeed, each passing day makes that need more urgent still.

This year alone we can expect to receive about 30,000 refugee status claims in Canada—30,000 despite the imposition of control measures in February, measures which Members of the Opposition have described as being drastic and inhumane. Mr. Speaker, you and I as well as every Member of the House know full well that the great majority of these 30,000 claims we will be receiving this year will be false. Roughly 70 per cent of these claimants will be regognized as not being genuine refugees. As to the others, a good many of them already benefit from the protection of another country or have had an opportunity to seek such protection.

Obviously Canada must devise a practical and effective refugee status determination system which will enable us to make a quick and fair distinction between a legitimate refugee in need of our protection and all other claimants. This is what Bill C-55 will enable us to do.

[*English*]

It will do that in a way not only consistent with the stringent criteria set up under Canada's own Charter of Rights, but also in complete agreement with our obligations to the United Nations High Commission for Refugees as a signatory of the Geneva Convention.

Yet the Opposition is set to persist. We have been told in no uncertain terms that every obstruction will be used in the upper Chamber to delay this Bill. I do not think the public will

be confused by those who would use the misfortune of others for short-term partisan gain. Even those who still have genuine concerns about Bill C-55 realize that it is brought forward by a Government which has reaffirmed, not foreshortened, Canada's commitment to the world refugees. Our policy is clear. Both in terms of assistance here in Canada and overseas we have a refugee policy of which we are proud.

Last year the Government sponsored the resettlement in Canada of 12,000 refugees, an increase of 20 per cent over the last Liberal Government. Our actual immigration intake in 1987 will be 50 per cent higher than that of the last Liberal Government. We provide over $115 million a year in federal funds for the successful resettlement here in Canada of federally sponsored refugees and for the training of those refugees sponsored by private groups in the community. We give $16 million a year in food aid for refugees. Our financial contributions to international relief agencies including the Red Cross and the United Nations High Commission for Refugees are the fifth highest of all nations. Our total financial contributions to international relief on a per capita basis are second only in the world to the United States.

[*Translation*]

In no way does the Government have to seek justification for its commitments towards refugees of the world, nor for having introduced Bill C-55.

When the Bill was tabled the policy it advocated was already effective, constructive and equitable. It is even more so today.

Mr. Speaker, when the Government first introduced Bill C-55, a day marked by the virtuous indignation of Opposition Members, I stated here in the House as I did everywhere else from coast to coast that it was not a document carved in stone.

• (1130)

[*English*]

Time and again I called upon all Members of Parliament and members of the public as well to participate in making this Bill even more effective in its stated purposes. I am pleased and grateful that so much has been done to accomplish that goal.

Today, thanks to the amendments this House has accepted in committee, Bill C-55 is a stronger Bill. It is stronger through clarifying its intent, stronger in affirming its safeguards, stronger in its commitment to the genuine refugee. It has been further strengthened and improved during the course of the report stage. Your many hours of work—55 of them in public hearings alone—have brought significant improvement to the Bill. Let me quickly outline some of them.

The Bill now specifically states that the evidence to support a claim is in no way restricted and that each claimant has the right to testify on his or her own behalf. It spells out exactly what is meant by passing through a country while on the way to Canada, and states clearly that individuals in transit are not affected by the safe third country rule.

[*Translation*]

The Bill explains what a safe third country is: a country which honours the provisions of the Geneva Convention concerning the non-return of refugees.

If the claimant agrees, a representative of the Office of the United Nations High Commissioner for Refugees may now be present at the inquiry as well as at the board hearing.

When the services of counsel must be provided by the federal Government, the Bill now makes it quite clear that it must be a lawyer.

[*English*]

The amended Bill will distinguish between claimants who are arriving with no documents by air from overseas and those arriving with no documents at our border with the United States. Only those arriving by air without documents will be subject to a presumption of law regarding the country of departure. We will not make any presumption of law as to where those arriving by land may originally have come from.

Amendments also provide safeguards of another kind, safeguards against the manipulation of a new determination system by those who clearly do not deserve its consideration.

They bring the Bill into line with Bill C-71, guaranteeing that war criminals will be treated the same as claimants found to be security risks. Suspected war criminals will not be permitted to use the system to delay their removal or prosecution.

[*Translation*]

As a result of the report, other amendments have been adopted these past few days, particularly the addition of still more safeguards for persons who might not have an opportunity to submit a claim.

Even in that case, from a humanitarian standpoint obviously it would still be our duty to make sure that this person is not being threatened or is not likely to be persecuted. Therefore we did accept without reservation the recommendation of certain Members and private individuals that claimants whose case will have been rejected at the inquiry stage will be expelled only to a country where, pursuant to the Geneva Convention, they will be protected against return.

[*English*]

To achieve this, we have specified any deportation order made against the person coming from a safe third country can only be executed to that country unless the claimant himself waives that right. Such amendments will, I believe, greatly reduce, if not eliminate, any possibility of human error or oversight which might result, however remotely, in the deportation from Canada of a claimant to a place where he or she might face real danger.

I cannot help but feel that in practice they will go a long way to answering those reservations which still exist toward Bill C-55.

I share as much as I value the opinion of my good friend and colleague, the Hon. Member for Calgary West (Mr. Hawkes), when he said in the House last Friday that even without amendments at this last stage the refugee determination system contained in the Bill would be the finest in the world. It really is no less than that.

We have not transferred to others, as others have done to us, our responsibility for refugees. Under Bill C-55 we honour as we have always honoured our international obligations without limit, and it is no surprise to me, although it might be to some, that the representative of the United Nations High Commission for Refugees testified that the essential features of this new system do not contravene the Convention.

[*Translation*]

But more than anything else, more than what the amendments—indeed a complete overhaul of the Bill—might ever produce, there is one thing which should rally the full support of Bill C-55 critics, an aspect which faithfully mirrors the sincerity of the Government which is determined to ensure that people needing the protection of Canada will indeed get it, and I am referring, Mr. Speaker, to Mr. Gordon Fairweather's appointment as Chairman of the new Immigration and Refugee Board.

[*English*]

Gordon Fairweather is a man of unparalleled commitment and compassion for the politically oppressed and persecuted. There may be someone somewhere in our country who matches his dedication to human rights, but there is none who exceeds him. His integrity, his indisputable honesty and courage should encourage all but the most mean-spirited and partisan opponents of the Government.

It should encourage them to see that when the Government promises a refugee determination system and personnel of exceptional quality and calibre, it delivers and will go on delivering in this field as in every other.

[*Translation*]

Mr. Speaker, the Government of Canada has always lived up to its responsibilities and will continue to do so. We continue to honour the commitment made with respect to world refugees, a commitment of which we can be proud and which we will maintain.

We also respect our commitment to Canadians.

Let Hon. Members or anybody else not delude themselves: We have made a name for ourselves because of our assistance to refugees, but our reputation is not due to this Government nor any previous administration, but only to the generosity and openmindedness of Canadian men and women.

[*English*]

We have not failed that trust and Bill C-55 is proof of that. Our duty of protecting the genuine refugee through this new determination system will be done. But we have never suggested that this is the total of our duty. Far from it.

I have already mentioned specific programs directed to refugee relief and assistance. One can add to them direct ministerial discretion through which thousands of people are helped every year, people who do not qualify under normal criteria even today, but who, on humanitarian grounds, still merit our assistance. That same ministerial discretion will apply after Bill C-55, as it does now. Yet one more safeguard, and perhaps the best of all for that discretion may be applied at any stage of the process.

• (1140)

I will not pretend to the House that the impulse behind Bill C-55 is not reactive. Obviously, it is a reaction to shortfalls and inadequacies in the refugee determination system that we inherited from the previous administration. It is a reaction to massive abuse.

But in other ways our policy toward refugees is in the forefront of innovation. We are leading the world in looking for new solutions to this universal problem of the 20th century. Canada has also initiated programs targetting specific groups in need of special assistance, including women refugees who are at risk, and other refugees with special needs.

We are determined that the world shall not turn its back on those in need of safe haven. We will argue that need whenever, wherever, and to whomever we can.

Bill C-55 draws a line that both common sense and justice demand be drawn. But we draw it in a manner which includes far more than it excludes. This Minister and this Government will not sit idly by and see that generosity and openness flagrantly and blatantly abused. Neither will we endanger our country's long-standing welcome of the immigrant because we failed to act.

One more time, Mr. Speaker, our duty and our responsibility is to aid the genuine refugee in need of our help. We can only do that through a determination system which once and for all will end the abuse of false or unjustified claims. Bill C-55 will get that job done simply, expeditiously, and fairly. It is time the Parliament of Canada got its job done by passing this Bill.

Mr. Sergio Marchi (York West): I am pleased to respond on behalf of the Official Opposition to third reading of Bill C-55, the refugee determination system.

In his opening remarks today, the Minister outlined that Canadians are mixed up with respect to immigration and refugees. One good reason why they are mixed up—if the Minister wishes to use those words—is because they have received mixed signals from the Government during the

deliberations. Perhaps there is nothing better outlining that confusion than what the Prime Minister (Mr. Mulroney) has stated. I quote from an article in *The Montreal Gazette* where he is reported as saying:

> This country shall always be a haven for refugees and immigrants seeking tolerance and prosperity. We want a tolerant and a growing and a sympathetic and a warm country.

With respect to the recent boat arrivals, the Prime Minister stated in an article in the Canadian Press dated July 31, 1987:

> These people are by and large illegal aliens. They are people jumping the queue and taking the place of other immigrants.

Therein lies the confusion from the Prime Minister who, whether intentionally or not, is confusing the issue between refugees and immigrants. During the past two years in committee and in debates in the House we tried to distinguish between the line-up of landed immigrants who are legitimately seeking to come to Canada, and the line-up of refugees who are legitimately seeking to come to Canada. After due processing, those found to be illegitimate obviously have to leave our country.

But for the Prime Minister to confuse refugees and immigrants, and then to render a decision by stating, claiming, and judging that those individuals are illegal aliens before they have gone one step into the processing, raises the question and perhaps provides the answer for the Minister of State for Immigration (Mr. Weiner) who this morning stated that Canadians are receiving mixed signals and are mixed up. The Minister must ask himself why.

In terms of challenge, there is the challenge to match the Government's intention with its legislation. The Prime Minister speaks passionately and warmly about immigrants and refugees and the manner in which this country was built, and relays his own personal and family experiences, which is moving. Then the Prime Minister's Government produces refugee legislation in Bill C-84 and Bill C-55 which runs counter to those sentiments, and runs roughshod over those aspirations. Therefore, there is a clear gap between intentions and the law. This country will have to abide by the law, and not by the intentions or speeches made by the Prime Minister or the Minister.

Mrs. Helga Kutz-Harder from the United Church of Canada, and a member of the Inter-Church Committee, who appeared before the legislative committee studying Bill C-55, ended her remarks with a very moving definition of what her intentions would be for our country and this Government.

I wish to begin my speech with her conclusion:

> Our response as a nation to refugees is a matter that reaches far, far beyond immigration control. Your committee is charged with considering the effects your recommendations may ultimately have on human lives. The Christian community charges you to place the human person first and foremost in all of your deliberations. We will do anything we need to do as churches to hold Canada and the Canadian Government up to their very, very best. Our policies are not dictated by mood swings or public opinion polls. Our mandate is the eternal universal gospel of love and social justice. Our focus in this arena is on the stranger at our gates who we are commanded to love and to cherish.

I think those words are well advised. Perhaps those would set out the parameters of the constraints by which we should be drafting our legislation and enacting a new refugee determination system.

Bill C-55 is a very important Bill. It is a Bill that will reshape and reform the structure of our refugee process. It is of pre-eminent importance. It is far more important than Bill C-84 which this Party did not accept, and for which we still have very serious reservations. Bill C-55 with Bill C-84 will become the entire new system.

Perhaps it would be helpful if we look at why we need a good piece of legislation rather than simply passing Bill C-55 in quick order. We need a system that will be fair and expedient. We must avoid the line-ups and the backlogs that we have had in Canada. We need an inland processing system because the refugee movements have changed in the world. We are no longer living in the 1960s where we had the luxury of selecting our refugees from refugee camps across the world. We sent our immigration visa officers to those camps to select men, women and children based on certain criteria, and to do our part within the United Nations Convention and the international community to ease the plight of world refugees.

• (1150)

That has changed. The refugees are no longer waiting in those refugee camps to be selected by the visa officers from Canada, the United States, Belgium and other countries in the world. Those refugees are not moving solely into the camps but are going to various countries in the world, including Canada, and asking for refugee status. Therefore, there is a transition in the refugee movements that was not present when we only had government sponsored refugees.

Our refugee determination system has to be changed because the system which was there before was not able to meet the numbers which wanted to come to our country. That system was only able to handle the number of refugees who would complement the struggles we undertook to have refugees from the various camps come to this country.

When the Conservative Government took office there was a very urgent need to reform the system. There was a very urgent need to put in place a system that would be able to evolve with the transition in refugee movements. One has to ask oneself why the Government waited nearly three years before introducing Bill C-55, before moving on the reform. Rabbi Plaut was mandated by the previous administration to study and make recommendations on a new refugee determination system. We must keep in mind that we have had four different Ministers of Immigration under the present Conservative Government, all of whom said, upon being sworn in as Minister, that refugee reform was one of their first priorities as Ministers. We must keep in mind that the Standing Committee on Labour, Employment and Immigration made a number of very moving recommendations, concluding that reform was needed. Many of the Plaut recommendations were

embraced by the committee and by many other Canadians. We must also keep in mind that the Official Opposition Party, together with the New Democratic Party, also made separate recommendations, whether in written or verbal form in debate on the floor of the House of Commons. The non-governmental organizations, the churches, Amnesty International, the Inter-Church Committee, all made their recommendations to this Government, and in fact, the previous Government, with respect to ensuring that the proper reform take place rather than simply reform for the sake of reform.

The current chairman of the Standing Committee on Labour, Employment and Immigration, and Member of Parliament for La Prairie (Mr. Jourdenais), a government Member, in his capacity as chairman, urged continuously for a refugee determination system that would do honour to our traditions and to the recommendations and input that had been received from the public for a good many years.

One has to wonder if the refugee determination was important to the Government, if the reform of the refugee process was a priority. After hearing all the evidence from Rabbi Plaut, the committee, Canadians, non-governmental organizations, why did it take three years before legislation was placed on the floor of the House of Commons for deliberation in this national Chamber?

One can conclude that it was not a high priority on the Government's agenda. It was not made a necessary prerequisite in order to clean up the system, to reform the system, so we could once again place the confidence of Canadians in an immigration policy and refugee determination system that works. The confidence of Canadians is a crucial variable in the over-all equation. Without the confidence, understanding and support of Canadians, governments are paralyzed. Governments are not able to enact progressive legislation unless that legislation is rooted in the sentiments of Canadians from one coast to the other. It is that support from Canadians that permitted former governments, including the short-lived government of the then Prime Minister, the Right Hon. Joe Clark, to enact a program. Between that Government and the Government of the Right Hon. Pierre Elliott Trudeau, close to 106,000 Vietnamese boat people, were brought in, some 50,000 supported by the communities themselves, sponsored by Canadians, and the other 50,000 supported and sponsored by the Canadian Government.

There was the movement of 37,000 Hungarians in 1958, the movement of 11,000 Czechoslovakia refugees in 1968, the 7,000 Uganda refugees in 1972, the special South American program in 1973 which allowed 7,000 refugees to come in, the 11,300 Lebanese refugees in 1976, the 9,300 Polish refugees who were let into this country in 1982, the special Salvadoran movement in 1982 numbering 3,000 refugees, and so on and so on.

Therefore, when the Minister says the Government has increased Government sponsored refugees to 12,000, that is true. Those are refugees from the camps. But what the Minister does not say is that in addition to the thousands we as the previous Government sponsored, and in addition to accepting claimants from within the country, we have had thousands upon thousands of special refugee movements that this Conservative Government has not allowed.

Miss MacDonald: Five thousand refugees from Vietnam is all the Liberals would bring in.

Mr. Marchi: When the Conservative Government attempts to create a crisis out of 300 refugees who came in on a boat, it is shameful against the backdrop of the thousands upon thousands who have been allowed to come in. The former Minister of Immigration is speaking from her chair. I hope at some point in the debate she will stand up and account for those numbers rather than looking simply at the 12,000 who were sponsored from camps.

Miss Macdonald: All the Liberal Government would bring in were 5,000 refugees from Vietnam.

Mr. Marchi: I ask her to address herself to the other refugees Canadians have allowed their governments to move on. It is those same refugees who live in this country today. It is those same refugees who now expect the same tolerance, the same progressive attitude, that needs to be discharged with respect to refugees and immigration.

While they and every Member of this Parliament certainly do not want abuse and fraudulent claims, do not want to reward those who base their actions on human desperation, they do expect a policy that is tolerant, fair and speaks to a higher order and to the best interests of this country, rather than subscribing to those policies which may be politically expedient for the day but in the long term are found to be wanting.

With respect to fraudulent claims, the problem is equally crucial. If we allow into our system fraudulent claims, if we bring into this country those who do not deserve our protection, those queue-jumpers, that will in fact destroy any legitimate system. Any illegitimate claimant in the line-up delays justice for the individual who legitimately merits the protection of this country or any other country. There is no disagreement with that.

At the same time, however, in cleaning up the abuse, in dealing with those who wish to use our regulations and laws for their own purposes, we cannot lose sight of the protection for the legitimate person. We cannot lose sight as a country of the fact that legislation must be enacted which first and foremost protects those who legitimately need our assistance.

When the Government talks about deterrence, with which this Government has preoccupied itself in trying to sell the two refugee Bills we are discussing in the House of Commons, it always does so by saying it is against abuse and wishes to discourage people from abusing the system. It is as if to suggest that someone else in the House of Commons is in favour of abuse, as if to suggest there is a segment of society

that is in favour of those who do not follow our regulations and laws. Of course, that is not true.

If the Government was genuinely concerned about trying to deal with abuse, then what better way than to have in our laws a refugee determination system that works quickly and fairly? We then come to the delay of almost three years. If we had a refugee system in place that processed claims fairly in weeks and months rather than in months and years, then that would be the greatest deterrence to those who wish to do an end run around our system. Those so-called immigration consultants, those smugglers, charging up to $10,000 and $15,000 would not be able to sell their special packages since someone would not spend his or her life savings in order to stay in a country for a matter of weeks or months. They will come if they know that they have a chance to stay here for a few years. That would be worth their while. But if a refugee claimant who is not a bona fide claimant has to spend upwards of $10,000 to come here only to find out that the processing system allows for a decision in months, then that would be the greatest message of deterrence that the country could send out.

• (1200)

It is the type of signal that we should have been promoting rather than simply procrastinating for up to three years and then moving in a mass of hysteria in response to 174 arrivals with Bill C-84. We must keep in mind that Bill C-84 targets those who come in by boat. Of those in the current 15,000 backlog 300 have come in by boat. The other 14,700 have come in by plane, train, bus, car, and through American border crossings.

The Government has tried to market Bill C-84 as the be-all and end-all of refugee legislation. It is not that. It addresses itself to only a small portion of the larger looming dilemma that we face as a country and as a member of the international community.

If the Government were serious with respect to those manipulators who perpetrated the Portuguese scam, those who were responsible for the Brazilian scam, those who perpetrated the Turkish scam, those who sell visas, passports and false social insurance numbers, then it would have moved months and years ago. The Government should not have delayed any prosecution on those immigration consultants. As we speak today, those individuals are out on the streets of Toronto and Montreal carrying on their business as usual.

If the Government were genuinely concerned about abuse it would not have waited until the summer of 1987 to introduce a piece of legislation, a piece of legislation which runs counter to the best interests of the country. Rather, it would have taken the necessary steps along the way. If it wanted to put in place a deterrence Bill, then it could have put one in place in concert with Bill C-55. It could have introduced such a Bill not some months ago but early on in its mandate.

The Minister said that they listened and heard the great debate. I think that what he was addressing was the process by which Bill C-84 and, indeed, Bill C-55 have come to fruition. It was not an honourable process. On the one hand Bill C-84 had one week of debate in committee. That was when we really had the chance to cross the t's and dot the i's and to go through a clause by clause study. There was one week in which witnesses were asked to participate. For the most part those witnesses came from central Canada because those in the regions, whether they be easterners or westerners, had no time to prepare.

Then, other witnesses were denied an opportunity to come before the committee because it was not prepared to have enough time in order to hear them. It was a process which dictated to Canadians. It was not a prime example of participatory democracy in which the aspirations of Canadians, their input, their suggestions and recommendations were listened to, but in fact the Government simply rushed the process. It rushed the process through the House and in committee and then back again to the House.

The process was not much better with respect to Bill C-55. In regard to that Bill there was some additional time for witnesses to be heard, but there was still a great rush to pass the legislation.

I said earlier that the Government should have introduced this type of legislation in the early part of its mandate rather than three years after its commencement. However, since it decided in its third year to proceed with such legislation, the very least it could have offered was a proper debate to ensure that we would be doing service and justice to a piece of legislation that would be in place for years to come.

This is legislation which is supposed to meet the aspirations of many of the organizations which are active on a daily basis in terms of the plight of refugees, and not a piece of legislation which in a few months or a few years will be struck down by the courts because of some aspect of the Charter or the Constitution. If that happens then it will place in jeopardy all the work that led up to the debate in the House of Commons. It will place in jeopardy our whole determination system and perhaps even paralyse it as a result of a Supreme Court ruling or a ruling by another court.

Then what will we say to Canadians? Are we to say, "Well, we passed the legislation. We thought it would pass the courts and it did not. We now have to start from scratch again"? That is why the process required a great deal of scrutiny. That is why the process required a greater sensitivity on behalf of the Government.

When the Minister came before the committee which studied Bill C-55 he said, "Over the last few weeks you have heard from many special interest groups and individuals, all with strongly-held views on the best course to follow and concerns about perceived weaknesses in the proposed legislation. Like you, I have listened to their suggestions and concerns". He then proceeded to deliver his prepared speech.

The whole point is that the Government did not listen to those concerns or to those witnesses. It did not listen to them in Bill C-84 when virtually every amendment from the NDP and the Liberal Party was defeated. They were not accepted at committee stage, nor were they accepted at report stage or at third reading.

Essentially, it was the same story with Bill C-55. It is true that the Government accepted a number of the amendments which it sponsored. It tinkered with clauses here and there, but with respect to the major tenets of the legislation, the major concerns of groups and organizations, it did not listen. It did not move and it did not allow those amendments.

I must ask myself why the process is there. What is a committee to do when it calls organizations from British Columbia to Newfoundland to come in to make presentations, to allow them to answer questions from MPs, when at the end of the process not one of their proposed amendments or concerns will be listened to? Their variables are not in the equation that we are discussing today. I find that upsetting because that is not the way that a democratic institution ought to function.

I am not suggesting that every opinion that one hears from every witness will be the major plank in the legislation. I am not suggesting that at all. I am saying that you cannot draft legislation in a vacuum and expect the country to agree with every clause in the legislation.

• (1210)

Yes, the Government is charged with proposing legislation but there should be an opportunity at committee stage for interested and concerned Canadians to be heard and have their concerns addressed. The process is as important as the substance of the legislation. The two go hand in hand.

It was therefore with some degree of sadness that many Canadians went through the system, after the so-called reform of the committee structure, only to find out that by and large the legislation is the same after the process. This despite the intervention of hundreds of organizations who make it their business to be vigilant about legislation affecting their constituencies.

Another important point is that as we discuss Bill C-55 we cannot forget Bill C-84. That Bill was introduced as emergency legislation. That is why one of our amendments dealt with a sunset clause. By definition, emergencies do not last forever. Therefore emergency legislation should not become permanent legislation. We tried to get the Government to be sensitive to that fact when dealing with Bill C-84, but without success, and the Bill will shortly be law.

The Minister said in committee, and again this morning on the floor of the House of Commons, that claimants will have a chance for a fair oral hearing. On August 26 he said in committee that everyone with an arguable refugee claim will receive a full oral hearing before an expert and independent tribunal. No claimant will be removed from Canada without being seen by a member of the new refugee board. If you are a refugee arriving by boat, those words do not apply. Under the provisions of Bill C-84 an incoming vessel full of claimants, who we know very little about, can be turned away.

That creates an unfortunate situation. For example, let us take the case of a brother and sister who have to flee from El Salvador. The brother takes an airplane and lands at Toronto International Airport. Unfortunately, the sister took a boat and arrived off the coast of Canada. Those two individuals can and probably will meet very different fates. The brother will be processed as soon as he lands. He will say he is a refugee and hopefully we will guarantee him a hearing under this Bill. His sister, arriving off the coast of Newfoundland or British Columbia, may be turned away along with everyone else on the boat before the claim can be heard. We are in a sense discriminating based on the mode of transportation.

The Government has not been able to say in any reassuring way that it will know how many of those people have documents, how many of them are making fraudulent claims. It cannot make the proper determination at sea unless it sends immigration officers to interview the individual passengers.

We suggested that we bring the boat in and, if it is determined that they are not bona fide refugees, that we charge the captain and the rest of the culprits and put them in prison or fine them. We are not discouraging smugglers if we just allow the boat to turn around at sea and go back to where it sailed from. The captain of the ship, having been paid anyway, can simply dump them somewhere else.

More importantly, we will not have had a chance to examine those people under the refugee determination system. That is why I have placed on the floor of this House our concerns about Bill C-84 and Bill C-55. They are not consistent with each other if we take the words of the Minister seriously. We are concerned about the contradictions between the two Bills. We should do something about them.

Another area of great concern is in the legality of both pieces of legislation. A great number of people suggested that certain clauses in both Bills are unconstitutional. They offend certain parts of the Charter of Rights and Freedoms. For that reason many people suggested some key amendments. Yet not only were those amendments refused, the Government also refused for a long time to allow officials from the Department of Justice to testify in committee.

The Government has refused to this day to show Canadians the basis for this legislation, including the legal opinions it received. Finally, it refused many requests, including that of our Party, to send the legislation, once it is passed, to the Supreme Court of Canada for judicial review. In that way we would know whether the legislation meets the standards of our Constitution and the Charter of Rights and Freedoms. If it does not, then we are able to change it. Above all, we are able to do so with a great savings in time rather than see the piece of legislation being dragged through the courts and a decision

being rendered after many years of debate and challenges and after great expense to many Canadians and organizations.

• (1220)

When the Minister of State for Immigration appeared before the committee he said quite clearly in his speech that the fundamental objectives of Bill C-55 were to provide protection to those who need it, and that he believed this piece of legislation met the justice system, the Constitution, and the Charter. However, he said that without backing it up with a legal opinion and without allowing justice officials to make reference to the legal opinion which they drafted.

However, every other legal witness who appeared before the committee differed with the opinion of the Minister. In fact, Barbara Jackman from the Canadian Bar Association said that the association felt it did not comply with the Convention obligations and that many of the association's lawyers felt that it did not comply with the Charter. That was the representative view of many legal and expert witnesses who testified before the committee. They indicated that constitutionally the provisions in both these Bills would be left wanting.

On the one hand we have the legal concerns. However, on the other hand we have the real concerns of Canadians much later in the process. If this piece of legislation, or Bill C-84, which preceded it, is found to be unconstitutional it will render our system null and void. It will place in chaos or in paralysation a determination system which was supposed to work. That is the real problem in terms of the constitutionality debate. Canadians from one coast to the other will be angry with a Government in which they placed their trust and confidence to enact a determination system that worked correctly, under the law, quickly, and fairly for refugee claimants.

What will the Government tell these Canadians in a year or two years' time if it is still in power? What will it say to them about why it proceeded with the Bill? What will it tell Canadians after years of debate when they see another piece of legislation which does not do what it was purported to do, namely, provide a refugee determination system which works on behalf of Canadians, in which they can have some degree of satisfaction, trust, and confidence, and which works on behalf of refugee claimants who are accessing it?

That will be the greatest political dilemma. Perhaps it will place a barrier on further progression in terms of immigration policy and programs. It will have a long-term impact and effect upon what we legislate in Parliament.

Is the current Government serious in terms of raising targets? Is it serious about increasing the number of refugees it wishes to accept? The other day the Prime Minister said that the Government wishes to increase the number of refugees coming to Canada. If they are serious and genuine about those concerns, they must pay close attention to not allowing this piece of legislation to be struck down by the courts. If that happens, I fear that many Canadians will lose patience and turn the frustration and anger which they feel for the Government into a policy of fewer immigrants, fewer refugees, less compassion, and less tolerance. That is a possibility.

As Canadians are watching the debate, perhaps they are assuming that the Government and the federal Parliament will take their legislative responsibilities seriously and pass legislation which is in keeping with our legal norms, with our justice system, and with our Charter. I say to the Government that it cannot have it both ways. It cannot have a piece of legislation which will be struck down by the courts and expect Canadians to have confidence in and support a progressive immigration policy and program such as we saw in the 1950s, 1960s, and 1970s.

Turning away from the domestic scene, another aspect is the international stage or the international community and how we appear among our peers, friends, or allies. What will be the world impact, repercussion, or impression when it learns about Bill C-84 and Bill C-55? What message will we be sending to the more than 100 countries that are signatories to the United Nations Convention on Refugees? What signal will we be sending to individual countries that are being urged to protect and encourage a resolve to try to come to grips with the refugee crisis in the international community? What directions are we encouraging those countries to take by our refugee legislation? Are we in fact strengthening that resolve among countries which subscribe to the United Nations Convention? Are we increasing their determination to stay the course or, by these two pieces of legislation, are we dismantling the incentive or efforts in trying to keep the pact together and to have it meaningful in these trying times across the globe? What happens to our international leadership in the field of refugee assistance? What is the significance to a country which for the first time won the Nansen Medal for its achievements and for its record of human rights in the area of refugee assistance? For the very first time a country and its people, rather than an individual or an organization, won the Nansen Medal. What are we to say to those who subscribe to the pride which all Canadians felt in being on top in this sphere internationally?

Quite often Canada, for a number of reasons and in numerous areas, has been able to play a complementary role with other countries in solving a problem. When it came to refugees, I think every Canadian felt a great sense of pride in Canada not being third best or second best but in fact being a leader in setting the trend and setting the standards. With that background, I do not think Canadians feel the same sense of pride once they learn about Bill C-55 and Bill C-84.

These are some of the questions and dilemmas with which the committee grappled. These are some of the dimensions which we should be addressing in this third reading debate.

Of course there are the problems with the Bill itself. We largely had two camps of organizations and testimony. On the one hand many individuals and organizations suggested that the Bill was badly drafted, that the Bill had too many shortcomings, and that the Bill did not do justice to our tradition in

terms of refugee policies over the last number of years. They suggested that the Bill should be redrafted, that the Bill should go back to the drafting boards so that hopefully we would come up with a piece of legislation which did justice to our sense of fair play, compassion, and assistance.

The other side of the equation involved organizations and individuals who said that if we wanted to have Bill C-55 we must simply make movement toward substantial amendments in three crucial areas of the Bill, namely, prescreening, safe country, and appeal. Basically they said that for their approval and support they simply had to be met part way, that we had to show good faith and sincerity in the negotiations, and that those negotiations had to be reflected in the pieces of legislation which we brought forward. They said that the prescreening, the safe third country concept and the appeal mechanism had to be drastically altered if this piece of legislation could be supported. In the end, substantive changes on those three areas were not made.

• (1230)

My colleague from Spadina and I offered substantive amendments to those three clauses of the Bill, but those amendments were not accepted. That is why I initially spoke on the process. Many other amendments were moved. Some amendments which were moved by government Members to cross t's and dot i's were accepted. As well, a great many others designed to clean up the language of the Bill here and there were also accepted.

The position of my Party was in between those who wanted to redrafted the Bill and those who were in favour of it. We clearly articulated the need to change those three clauses of the Bill.

Our strategy when dealing with Bill C-84 was to move a great many amendments. We took care to draft those amendments so that they would be procedurally correct as well as acceptable, but not one of them was accepted at committee stage or in the House of Commons. Therefore, we took a different tack on Bill C-55. We did not move 60 or 70 amendments like we did when dealing with Bill C-84. We were not prepared to play charades by suggesting amendments that were not substantive. I say this not out of disrespect for those who chose to move a great many amendments in the hopes of trying to make this legislation better. Our tack was just different.

The Government wanted to have a prescreening stage that would prejudge refugee claimants, it wanted a safe country concept that would send refugees into orbit, bouncing them around like a ball in a pinball machine from one country to the other, and it wished to subscribe to an appeal mechanism that was poor, substandard and would not offer claimants access to it. We felt that if the Government was not willing to substantively change those three clauses, we were prepared to move other amendments which by comparison would be academic and insignificant.

If the Government was not prepared to accept amendments to those three objectionable clauses, we would not be pleased if the Minister told us that he listened because he moved six or seven amendments. The Minister did not listen where it counted. The Government did not move on these three clauses even though a great many people pleaded for it to do so.

I have never before heard witnesses in a committee actually use words like beg and plead. Witnesses came before that committee and actually said, "For goodness sake, if you are going to change something, then make a change that will have an impact. Make a change that will offer refugees some hope. Do not simply change those areas that do not count, add up the number of amendments accepted and brag about how many were accepted. Ask yourselves what is the impact of those amendments on the over-all legislation".

Members of my Party are embarrassed by certain clauses in this legislation. We do not want to identify ourselves with those who are happy with a mediocre piece of legislation. We believe that as a leader in the international community, we should subscribe to those interests that are above those that are mediocre, particularly when offering people protection in order to save their lives. We felt it was important to stand by those principles. We are perfectly willing to be judged by Canadians on our position as it affects the basic elements of the Bill.

Let us look at the prescreening provisions. The Government introduced in the legislation a new refugee board which would deal only with refugee claims. It would be distinct from the Immigration Appeal Board which could deal with appeals made by individuals who were not allowed to visit here or become landed immigrants. That is a very worth-while and significant step forward. However, the Government built a barrier around the new refugee board.

The Government built a brick wall around the refugee board by placing a prescreening stage before the oral hearing stage. At the border, two individuals would determine whether a claimant legitimately deserved to go to the next step or whether he should be turned back. If there is to be a refugee board that will make that determination, why has the Government included a prescreening stage? What does it accomplish? The answers to both questions are quite frightening.

The prescreening stage undermines the very reasons we established a refugee board in the first place. In his testimony on the prescreening stage, Rabbi Plaut said the following:

> This Bill has the wrong focus. It is not a Bill to determine refugee status primarily, it is a Bill on how to deport people primarily.

Rabbi Plaut, the individual who was mandated by the previous Government to study the issue and who submitted his recommendations to this Government, said quite clearly that the Bill is primarily about how to deport people.

Fred Zemans, a member of the Canadian Jewish Congress and a professor from York University who is very much active

with the plight of refugees, said the following with respect to prescreening, and I think he put it in very clear language:

> I believe that the pre-screening is inappropriate. We do not appoint police officers to determine who is a criminal.

The point there is that police officers have a duty to apprehend suspects who then go before the justice system and a judge makes the final determination properly, fairly and logically. In the prescreening stage provided for by this Bill, there is no fairness, no logic and no sense of order.

The Government has said that it wishes to expedite refugee claims. Yet is is suggesting that there be a prescreening stage. That will expand the amount of time it will take for an individual claim to work itself through the system. There is more room for abuse if individual claimants know they can give their story twice rather than just the once before the refugee board. There will be longer line-ups as a result. The backlog will not be eased. We will be adding a bureaucratic layer at every border crossing in this country. That is very inappropriate if one of your goals is to cut down the amount of time a person has in the system.

• (1240)

It is also inconceivable that at the prescreening stage we are going to ask the claimant to give only part of his or her story. We will have two officers at the border crossing saying, "This is not the place to give us all the facts. We do not want to hear the whole story about how you suffered in prison, about how your family was persecuted and tortured or killed. Just give us a brief synopsis of your story". If you were a refugee claimant would you want to give just part of your story? Of course not. If you were escaping torture or in fear of your life you would want to put all your cards on the table. If that is to be done, and it should be done, then it is only proper that it be done in front of the refugee board. You cannot say to someone, just give part of the story, because there will be the fear that they have not given facts enough in order to warrant an opportunity to start a new and safe life.

How much is enough? What is a credible basis for a claim? How much time do you need; is it 10 minutes, or is it 20 minutes? How many relatives have to be killed, two, your whole family? Is it enough that they burned down your house in El Salvador? Is it enough that they kidnapped your parents or your sister? How much information do the two officers involved need in order to tell the claimant he has a case and to go on to the next stage? Those officers are going to go home at night and ask themselves if they did the right thing. Did that person provide me with enough information? They will wonder, because there was a plane load of claimants and they were under the gun, whether they made the right decision. Did that deadline and a shortage of staff have anything to do with refusing a particular individual an opportunity to give his or her story? Would you want to be that officer? Would I? I would rather do anything else. I would rather be a punch press operator in my father's tool and die shop than make those kinds of decisions. I say that seriously and I mean it, because not only are we putting refugee claimants in a precarious position, we are asking immigration officials to make decisions which they may live to regret, for personal and religious reasons.

The prescreening stage is a grave obstacle to this process. We do not see the need for it. It will not expedite matters. It will not make the system simpler. It will not allow the claimant to give his story properly. Rabbi Plaut called that the building of a Berlin Wall around the refugee determination system.

Another important question is who will be the officials making the determination? One will be a refugee board member and the other an immigration adjudicator. We suggested to the Government that if it really wanted to maintain its prescreening stage, despite the fact we think it is wrong, then at least it should make sure those two officials are from the refugee division. They would then be knowledgeable, credible, and have had day-to-day experience in judging individual claimants. Why was it necessary to have someone who works for Immigration Canada? Why an immigration adjudicator? People asked,"Don't you trust our immigration officials? Don't you think they are competent? Don't you think they are trustworthy?" Of course we do. They are all that and more. We never suggested that they are incompetent. However, they have a function to fulfil. They are hired as immigration adjudicators, the Immigration Commission is their master. Madam Falardeau-Ramsay, a member of the Immigration Appeal Board, addressed that concern. She said quite simply that immigration officials would make good refugee board members if they were not immigration officials. Therein lies the reason. An immigration adjudicator works for Immigration Canada. They work on immigration-related matters, control, deportation, and the rest. A member of the refugee division looks at the merits.

We suggested that you do not confuse immigration with refugee-related matters. Keep the two clearly delineated. It is good that we have a refugee board—absolutely. However, when you are doing prescreening and you have both an immigration official and a refugee official, you obscure the two lines and create confusion. You do not allow the immigration program to operate properly. That was our first suggestion. We suggested that if they are to be in place they both should be refugee board members. Once again our concerns were not addressed.

• (1250)

We are concerned about what prescreening does. Does it make the system more efficient by allowing in fewer refugees? We came to the conclusion that that must have been part of the equation. The Government must have determined that in order to have a cleaner, more effective and efficient system it would limit the number of claims accessing the system. That is comparable to a hospital suggesting that it would become more efficient by limiting the number of patients it admits. It is comparable to maximizing the efficiency of hospital emergency departments by allowing no one in after a certain hour.

Doctors and hospital administrators know that they cannot do that and they accept it. Everyone has probably been to an emergency ward. We know that they could be more efficient. Sick and bleeding people have to wait in the corridors because there are not enough rooms available. We have all had friends and families, if not ourselves, in that situation. We could not understand why we had to wait to be attended to, but there were other people ahead of us who were sick as well. At least hospitals do not close their doors. They do not tell you to take your sickness or injury elsewhere. They allow you in and treat you as soon as humanly possible.

That should be the system with regard to immigration. It is clearly unacceptable to try to maximize efficiency by minimizing the number of refugees who can access it. The moral way to treat refugee claimants is to allow them to be heard. If necessary, we must increase the number of refugee board members. It is better to do that than to increase the number of officers at border points who will make prejudgments.

It must be difficult for government Members and Ministers to rationalize a prescreening stage. I am sure that the people who understand the Bill have said the same things to government Members as they have said to me. I am moved by those arguments, and not only because I happen to be in this place at this time in the Opposition. I do not talk about these things only for the sake of talking We are all in favour of maximizing efficiency, but my colleagues and I are also interested in protecting individuals who seek our assistance.

What is a safe country and why do we have such a concept? We have asked the Government why it has such a policy. The policy is basically that if a refugee comes from country A passing through country B, which is on our list of so-called safe countries, and arrives in country B, Canada, then whether they were in country B for five minutes, five hours, five days, or five months, they will be sent back to country B with no questions asked. We will wash our hands of responsibility. We will play the role of Pontius Pilot in dealing with the plight of refugees.

If we are going to place people in safe third countries we should define precisely which countries those are in order that we can be sure they will face no danger there. We do not object to sending claimants back to a third country where they have enjoyed refugee status, if they have enjoyed protection and can live a normal life there. There are many people in the backlog who have not enjoyed such protection and are threatened with being returned to a land where they will be persecuted. Therefore, people who enjoy refugee status in another country should take advantage of it and allow us to extend the same courtesy to others who need it. After due processing it would be proper and legitimate for Canada to ask such individuals to complete their processing in that safe country.

Prescreening and a safe country concept together result in a danger of prejudgment. Individuals are placed in jeopardy.

I see that you are signalling that it is one o'clock, Mr. Speaker. I will continue following Question Period.

The Acting Speaker (Mr. Paproski): It being one o'clock I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

THE CONSTITUTION

MEECH LAKE ACCORD—POSITION OF NEW BRUNSWICK LIBERAL PARTY LEADER

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, occasionally a small piece of encouraging good news comes to our attention. In New Brunswick, Liberal Leader Frank McKenna, a constitutional expert, has said that if he is elected Premier he will endeavour to improve the Meech Lake Accord.

Mr. McKenna cites his concern for women's rights, the rights of francophones outside Quebec, and aboriginal rights. I share all of those apprehensions with this Leader and I would add equality for Canada's northerners under our Constitution to that list.

I urge the Government to adopt the proposed Liberal amendments to the Meech Lake Accord before we proceed with its ratification in the House.

* * *

[*Translation*]

SPORTS

MONTREAL INTERNATIONAL MARATHON—CONGRATULATIONS TO PARTICIPANTS

Mr. Richard Grisé (Chambly): Mr. Speaker, the town of Saint-Bruno de Montarville has earned distinction at Montreal's IXth International Marathon. A new page of history was written yesterday at the IXth International Marathon in Montreal when, for the first time ever, Canadian athlete Peter Maher led the best competitors to the wire, and two female athletes, Jacqueline Gareau and Nicole Caisse, both residents of Saint-Bruno de Montarville in the riding of Chambly, came in first and third respectively.

Mr. Speaker, on behalf of the Government, the Canadian people, and especially the residents of the riding of Chambly, I extend congratulations to all participants in the Montreal IXth International Marathon, and more particularly to Jacqueline Gareau and Nicole Caisse. Marathon President Serge Arsenault, another resident of Saint-Bruno de Montarville, also deserves commendation for his outstanding work.

Bravo and congratulations to them all, long live the Montreal International Marathon!

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

DEMAND FOR ENVIRONMENTAL BILL OF RIGHTS

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, the Government last week announced new measures for assessment and review of environmental impact. These new measures include a greater role for the public in environmental impact assessment, and that is welcome, for certainly ordinary Canadians want to be involved and environmental groups have great experience and expertise to offer.

However, the process is confined to planning only, and not regulation. Of course planning is essential, but planning without real teeth, without the prospect of regulation, is not enough. Environmentalists want to see legislative protection for the environment, with tough penalties and independent tribunals.

Cosmetic changes are not enough, given the seriousness of environmental destruction to date. There must be real protection in the future because industry is continuing this path. Potential polluters will be much more willing to build environmental concerns into their planning if they know that they face prosecution and penalties.

Canadians want a real Environmental Protection Act with an Environmental Bill of Rights. Nothing else will do.

* * *

EXTERNAL AID

THIRD WORLD DEVELOPMENT—PARTNERSHIP WALKS SPONSORED BY AGA KHAN FOUNDATION

Mr. Alan Redway (York East): Mr. Speaker, yesterday I had the pleasure along with 2,000 others of participating in the Partnership Walk for Third World Development which was held in Taylor Creek Park in my riding. This walk, as well as the similar walks held in Vancouver, Edmonton, Calgary and Montreal, was sponsored by the Aga Khan Foundation of Canada to increase awareness of international development among Canadians and to raise money to assist people in developing countries. The contributions are matched by CIDA, and in the case of Alberta residents, by Alberta Aid.

Foundation was established by His Highness the Aga Khan, spiritual leader of the Ismaili Muslims. There are approximately 15,000 Canadian Ismailis in the greater Toronto area.

Since coming to Canada a few short years ago, the Ismailis have made their mark in the professions, in business, and in community service. In my own community, Ismaili Canadians sponsor Scouts, Guides, Citizenship Courts and Blood Donor Clinics. Yesterday's Partnership Walk for Third World Development is another demonstration of the outstanding example they are setting for all Canadians to follow.

* * *

[*Translation*]

TRADE

FREE TRADE—JOBS—WOMEN—NEED FOR GOVERNMENT TO ACT

Mrs. Lucie Pépin (Outremont): Mr Speaker, we learned last week that the free trade negotiations had broken off or had been interrupted. In any case, they are now in an impasse, but every cloud has a silver lining, and I would like to explain what I mean.

Many seamstresses in the hosiery and leather industries heaved a sigh of relief because free trade would mean bad news for a large number of them: job losses, relocation of families, and so on. If the negotiations resume, more serious thought should be given to jobs for women under a free trade agreement. I know that many will object that the good of the country must come before anything else. However, I am indeed thinking of the good of the country since 52 per cent of Canadians are women who want equality at home and at work. Instead of giving us only rhetoric, the Government should take more positive action in the framework of free trade, including for women.

* * *

TRADE

FREE TRADE—POSITION OF SOCIALIST PARTY LEADER

Mr. Gabriel Fontaine (Lévis): Mr Speaker, if I may, I would like to quote the words of the leader of the Socialist Party as reported on page 9346 of *Hansard* for September 25, 1987:

> I rise under the provisions of Standing Order 29 to seek leave to move the ajournment of the House.

Why? To discuss free trade.

Here is a second quote from the Socialist Leader, as reported on page 9232 of *Hansard* for September 23, 1987:

> Would the Prime Minister now tell the Americans that those talks are now ended, finished?

On the next page, we find the following:

> We want these talks—

—on free trade—

> —terminated.

Why? To stop discussing free trade, Mr. Speaker.

This is a simple, clear and recent example of the inconsistency, confusion and lack of intellectual rigour of the Socialist Leader.

Canadians must realize that, once again, the Socialist Leader does not know where he is going or even where he is.

If Canadians want to see what makes a good party leader, they will not find it by looking at the Socialist Leader.

* * *

• (1405)

[*English*]

LOBBYISTS REGISTRATION ACT

CALL FOR ACTION ON PASSAGE OF LEGISLATION

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker:

> It is a great principle of public administration—I could even say an imperative—that to function effectively the Government and the public service of a democracy must have the trust and confidence of the public they serve.

Those were the words of the Prime Minister (Mr. Mulroney) on September 9, 1985. In his open letter, he tabled a seven-point public sector ethics package which included instructions to "prepare on an urgent basis, legislation to govern lobbying activity". Over two years later we have yet to see action on public service sector ethics. Bill C-82 on lobbying has not yet been introduced for second reading and the Government has shown no sign of either introducing other public sector ethics legislation or in displaying public sector ethics.

We still face the spectre of continuous scandals—the Grossmann affair, questionable public works leasing arrangements and now the Memotec insider trading scandal—where an unending stream of Tory cronies and cohorts use public connections for private gain. Public confidence in our political system is plummeting as a result. I, therefore, call upon the Government to bring forth Bill C-82 from where it is hiding, and other aspects of the Government's ethics package right now.

* * *

POLICE AND CORRECTIONAL OFFICERS

MEMORIAL SERVICE ON PARLIAMENT HILL

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, I was privileged yesterday, together with the Solicitor General of Canada (Mr. Kelleher), members of the House of Commons Security Staff, members of the RCMP, members of the City of Nepean and City of Ottawa Police Forces, and others, to attend the 10th Memorial Service on Parliament Hill to pay homage to the police and protective officers who have given their lives to protect the lives and rights of fellow Canadians, your neighbours and mine.

In 1984 a Memorial Book of Remembrance for police and correctional officers who were killed in the performance of their duties was unveiled on Parliament Hill. Yesterday the names of four officers who gave their lives as a result of violent criminal action in the past year were added. They are Agent Robert Baril, Montreal Urban Community Police, November 13, 1986, 42 years of age; Gordon Kowalcyzk, Special Constable, Royal Canadian Mounted Police, Calgary, January 26, 1987, 35 years of age; Sergeant Larry Young, Vancouver Police Force, February 2, 1987, 42 years of age, and Constable Emmanuel Aucoin, New Brunswick Highway Patrol, March 8, 1987, 31 years of age.

Many others have died in the performance of their duty in highway accidents or by other means. Their sacrifice is no less meaningful, their loss no less painful, and their contribution to the quality of life in Canada no less appreciated.

* * *

ENVIRONMENTAL AFFAIRS

POLLUTION OF BOW RIVER

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, for the past two months Albertans in Canmore and Exshaw have been outraged by a large brown streak of sewage debris in the normally sparkling blue-green waters of the Bow River. In September, bacterial levels near Exshaw reached 700 parts per million, three and one-half times the allowable level in Alberta. The source of pollution is the sewage treatment plant in Banff.

The Minister of the Environment (Mr. McMillan) should be reminded that as Mayor of Banff he is responsible for the operation of the treatment plant. Canmore's town manager, Frank Kosa, sums it up by saying: "Tom McMillan makes a big deal of protecting the ozone layer and he won't even clean up his own backyard".

• (1410)

And what about the Hon. Member for Bow River (Mr. Taylor)? Where is he when it comes to protecting the health of his constituents? We have not heard from him on the pollution of the Bow River—perhaps he drank the water.

Pollution of the Bow River is a national disgrace. It enlightens Canadians as to the Government's commitment to water protection.

[*Translation*]

THE CONSTITUTION

SUPPORT FOR MEECH LAKE ACCORD

Mrs. Suzanne Duplessis (Louis-Hébert): Slowly but surely, Mr. Speaker, we are definitely paving the way for Quebec's return, together with its constitutional rights, to the Canadian fold. The Saskatchewan and Quebec legislatures have already declared their support.

As the House is to begin in a matter of hours the debate on the Meech Lake Accord, once more I want to state emphatically that I wish to see this Accord ratified as soon as possible.

Irrespective of our political allegiance, we, as Members of the House, must vote as one in favour of Quebec's return to the Canadian family. We must say so in so many words. Of course, the interest of Quebecers is at stake, something I am well aware of as a Quebec elected representative, but the interest of Canada as a whole is also at stake.

I therefore urge all elected Members of this House and all Senators who also will have to ratify this Accord, to respect the will of the people and to vote unanimously in favour of Quebec's return to the Canadian constitutional fold.

The Meech Lake Accord is a major step towards national reconciliation, and as was pointed out by Pierre Tremblay in his column in today's *Le Devoir* newspaper, "gone are the days of confrontation, now is the time for reconciliation and realism. The Meech-Langevin philosophy is a scenario for peace, whereas Trudeau's credo was to stir up war".

This House and the provincial legislatures which have not yet ratified the Meech Lake Accord ought to do it without delay: it is in the interests of all Canadian men and women.

* * *

[*English*]

LABOUR RELATIONS

ST. LAWRENCE SEAWAY WORK STOPPAGES

Mr. Rod Murphy (Churchill): Mr. Speaker, on the Great Lakes and along the St. Lawrence Seaway work stoppages commenced today with the withdrawal of services by engineers. This is an indication that the two parties were unable to achieve an agreement acceptable to both sides.

We on this side of the House hope that the two sides will get back to the bargaining table to hammer out an agreement. We ask the Minister of Labour (Mr. Cadieux) to provide any assistance his Department can provide to ensure that a new collective agreement is negotiated.

We are also concerned about the growing trend across the country which insists that workers accept roll-back settlements even when there are profits. We believe that it is time for a statement by the Government to indicate that a person who has been working for a certain wage for a certain length of time has a right to expect that type of guarantee of his income. We would like to hear a statement from the Government on this matter.

* * *

DEPARTMENT OF AGRICULTURE

FOOD RESEARCH INSTITUTE—SUGGESTED TRANSFER TO GUELPH

Mr. William C. Winegard (Guelph): Mr. Speaker, the Minister of Agriculture (Mr. Wise) has recognized the Guelph community as an important centre, if not the most important centre, for agriculture in Canada. By moving components of Agriculture Canada to Guelph the Minister has ensured a new stress on co-operation between the University of Guelph and his own associates.

Today I would like to make another suggestion to the Minister. That suggestion concerns the moving to Guelph of the Food Research Institute in order that it can co-operate more fully with industry in southern Ontario and with departments at the University of Guelph which have considerable strength in such areas as food science, animal science, nutrition, food processing, food engineering, and other areas.

Such a co-operative effort could not fail to benefit the food industry of Canada and the agricultural community in general.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

GOVERNMENT POLICY

Hon. Jean Lapierre (Shefford): Last week, Mr. Speaker, the Minister of Regional Industrial Expansion and Minister of State for Science and Technology made what I would describe as an admission of ineffectiveness and incompetence on the part of his government. As reported in the *La Presse* newspaper, he indicated that he would have to make a clean sweep of all the efforts made before by the Department of Regional Economic Development. In other words, he blamed his two predecessors implying that these ministers did not know what they were doing and had failed to properly administer the Department. As a matter of fact, the new minister indicated that he would have to set the Department's budget in order.

Mr. Speaker, it is somewhat unusual to hear, three years after this government assumed power, a minister step forward and recognize the incompetence of his own government.

It was pretty obvious Mr. Speaker, on the basis of its actions day after day, that this government had no overall policy

concerning regional and industrial development. However, I am quite sure the Canadian people will not appreciate the fact that it took the government three years to realize its lack of policy.

Therefore, I trust that the minister, who wants now to be known as the new prophet of regional economic development, will be able to come up with a new policy before the next election; afterwards would be too late; meanwhile, they would have lost both time and money.

* * *

• (1415)

[*English*]

HOUSING

TORONTO—INCREASE IN RENTS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, the rise in the cost of living in Canada has not affected all those Canadians whose salaries or wages have kept up to or exceeded the rise in the consumer price index. Parliament must focus more attention on those who are well below, especially when we consider the increasing significance of the price of principal accommodation.

In 1980 it was rising at a rate much more slowly than the cost of food. In 1987 it is rising at a rate that is much faster. During that period of time the average rent for a one-bedroom apartment in Metro Toronto has gone up more than 50 per cent. It is becoming a critical challenge to many people whose incomes are so low that they must spend 40 per cent or more of their income to pay for minimal accommodation in a basement apartment.

ORAL QUESTION PERIOD

[*English*]

TRADE

IMPASSE IN CANADA-UNITED STATES NEGOTIATIONS—CANADIAN DELEGATION IN WASHINGTON

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I wish to address my questions to the Prime Minister.

Last Friday in the House in answer to a question, the Secretary of State for External Affairs said, " . . . if there were ever to be any meeting on a higher level, it would occur only after a change in the United States position".

Yesterday on television we had the chief Canadian negotiator pro tem, Simon Reisman, say, "I have seen nothing in the suggestions put forward by the United States to change in any

significant way the impasse and difficulties that we encountered last week".

My question to the Prime Minister is this. If the Government of Canada was only going to respond to a major change—and Mr. Reisman states there has been no major change—why have we sent a high-level delegation, headed by Mr. Burney, together with two of his assistants, to Washington to start negotiating a new deal?

Has there been a major change in the American position, or is it truer that the only change in position is the one that is taking place by the Canadian Government?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, following the interview that was given Sunday morning by Ambassador Reisman there were communications throughout the day. Ambassador Reisman was quite correct and entirely consistent in saying what he did when he did. There were further communications from the Government of the United States which the Government determined met the criteria as set out by the Secretary of State for External Affairs on Friday, as a result of which the meeting is taking place just about now.

UNITED STATES POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my supplementary question is directed to the Prime Minister.

Is the Prime Minister then saying that the United States Government is now prepared to make major changes on the question of the dispute settlement mechanism, and the major exclusion of programs like cultural industries and regional development?

Can we receive an assurance from the Prime Minister that the concessions are on the American side and not, as suggested on Friday, that Canada was also prepared to make changes dealing with the dispute settlement mechanism and to water down that program? Is it only the Americans who are making the changes at this point in time?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend is inaccurate in his characterization of what is taking place. The statement that was issued is fairly clear cut. Communications between the two Governments were continuing during the weekend. As a result of these exchanges, it was agreed that senior political representatives of the two Governments would meet on Monday, September 28, on this matter.

I think my hon. friend can safely conclude that the information that came from Washington was enough to justify the presence of representatives of the Government of Canada to see if there were adequate reasons for resuming formal negotiations.

• (1420)

REQUEST FOR MINISTERIAL STATEMENT

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my supplementary question is for the Prime Minister. I believe he would agree that over the last three or four days the primary source of information has been a form of sidewalk soliloquy by his press secretary and not information which has been given in the House of Commons.

I would like to ask the Prime Minister whether we can get assurances from him that he would be prepared to table the documents which changed hands this week between United States and Canadian officials and that tomorrow in the House, when his Principal Secretary returns from Washington, the Prime Minister or one of his Ministers will make a statement clearly outlining what is the present state of action in the negotiations, whether they will be resumed, what position the Canadian Government is taking in responding to those actions, and what concessions have been made on both sides.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, with all the respect that I have for my own Director of Communications, Mr. Phillips, he has not been the primary source of information in this regard. He has been there to be helpful to the media in responding to their concerns.

The Secretary of State for External Affairs, the Minister for International Trade, the Deputy Prime Minister, and I have been fully responding to inquiries all last week with regard to this. We have been forthcoming in providing my hon. friend, plus all Members of the House, with all relevant information.

My hon. friend knows full well that I have indicated many times that we will provide, at an appropriate time, all the information that he would wish upon which to make an appropriate value judgment.

At the moment there are discussions ongoing in Washington, and I know that he would want to do nothing that would compromise the possible success of those discussions.

PURPOSE OF DELEGATION

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Prime Minister. Since the Prime Minister is unwilling to give us any real information on why this meeting involving his Chief of Staff and two of his Ministers is taking place, and in view of the fact that last week the Government not only suspended the free trade talks with the United States but said that Canada would not go back and that instead the United States had to come to Canada, isn't the only conclusion Canadians can draw from what is happening that the American Ministers are going to be receiving Canadian Ministers and Derek Burney who are coming to Washington with a view to doing nothing else but caving in and giving in to the Americans on their essential demands?

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): Isn't this the only reasonable conclusion that Canadians can draw from this strange spectacle which the Canadian Government is staging?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend refers to the Ministers "coming to Washington". In point of fact the Minister of Finance, the most senior Minister of the Government, has been in Washington for the last number of days—

Mr. Lapierre: Poor Maz.

Mr. Mulroney: In view of the indications that have been forthcoming—

An Hon. Member: You are not senior any more, Maz.

Mr. Mulroney: If my hon. friends would like the answer—in view of the indications that have been forthcoming from the Americans, it was deemed appropriate to ask the Minister of Finance to remain there to listen to their point of view.

The Minister for International Trade is there and the Chief of Staff to the Prime Minister, and I would not think that my hon. friend would find anything untoward in our responding to an action by the Government of the United States which may prove helpful at this time.

POSITION OF CANADIAN GOVERNMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, wasn't the only action by the Government of the United States a two-page letter it sent late last week to Ottawa and which Simon Reisman said, after seeing it, was totally unacceptable because it did not represent any change whatsoever from the position the Americans were taking which led to the free trade talks being suspended?

If that is the case, I want to ask the Prime Minister, whether or not the Minister of Finance was already in Washington—and he was there for the IMF meetings and nothing else—isn't the fact of the matter that the Canadian Government took an initiative, which it said it was not going to take, to crawl to the Americans to get the talks started in a desperate effort to restore the remaining shreds of credibility of the Prime Minister on this failed, useless, and harmful free trade initiative.

• (1425)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we all know of the Hon. Member's deep antipathy for the United States of America. We all know of the anti-Americanism that permeates every statement the officials of the Liberal Party make. That is not the intention of this Government. That is not the true feelings of the people of Canada.

We are not negotiating with the people of the United States as we would negotiate, as he would suggest, with a hostile foreign power. We are negotiating on a country to country,

sovereign to sovereign basis, attempting to conclude what we believe is an important international initiative in trade.

The statement made by my hon. friend is quite wrong. There were many other discussions and communications over the weekend from the United States of America, no doubt inspired, for example, by a sentiment expressed by the spokesman for the President of the United States, Mr. Fitzwater, who said that the President is very anxious that those negotiations continue and hopefully reach a conclusion. It is because of that view that initiatives were undertaken by the Government of the United States which allowed the Government of Canada to meet with the Americans at this time. We believe it is very much in the national interest to attempt this kind of meeting and I hope my hon. friend will ultimately agree.

[*Translation*]

INQUIRY WHO SUGGESTED MEETING IN WASHINGTON

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, uncertainty still prevails in connection with the free trade discussions. Can the Prime Minister simply say who suggested holding this meeting in Washington today? The Canadians or the Americans?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I already answered this question barely a few minutes ago. I went to the trouble of recalling the statements made last week by various Ministers, and in answer to a question from my friend the Hon. Member for Essex—Windsor I just pointed out that there have been rather constant communications throughout the weekend. The Canadian Government has not changed its mind and came to the conclusion that President Reagan's attitude was serious enough to justify holding a meeting today. It seems quite normal to me that we should take this kind of approach.

[*English*]

INFORMATION RECEIVED BY CANADIAN GOVERNMENT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I note that the Prime Minister has still not directly told us who made the suggestion, who suggested the initiative and who took that initiative. Since the Prime Minister has talked about it in his earlier answers, I would like to ask him precisely what information reached the Canadian Government which was so striking, so much of a change, that it led to a reversal of the very strong negative position Mr. Reisman had expressed with respect to the United States' letter which had been sent on Saturday. What information was that?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I have already responded fully to that question. Now my hon. friend asks, in light of the information I have already provided the House, precisely what information reached the Canadian Government. If I provided him with that specific information, I would be as bad a negotiator as he obviously is.

UNITED STATES POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, in fact it would give the Prime Minister a last chance to take Canadians into the confidence of the Government and to explain what is taking place in these negotiations. Since so much else has changed this weekend, I would ask the Prime Minister if he will make it clear once again that the Government will not start up negotiations once more unless the Americans indicate point blank and beforehand that there will be concessions made on their side, not on our side.

• (1430)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I know my hon. friend would not ask anyone to take him seriously when he talks about an absence of consultation and says we have not taken people into our confidence. He is nodding in support of his own statement.

I wrote down where he requested an opportunity to be taken into our confidence. In point of fact, the Hon. Member for Yorkton—Melville specifically asked for a confidential briefing on this matter. The Government responded that we were ready to take the NDP fully into our confidence and the NDP turned us down because they do not want to know the truth.

* * *

CORPORATE AFFAIRS

INVESTIGATION OF ALLEGED IRREGULARITIES IN MEMOTEC STOCK ISSUE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. On February 12 the Minister informed the House that his Department had started an investigation into alleged irregularities in the Memotec stock issue. Seven and a half months have passed. In the meantime the Quebec Securities Commission decided to do something. That is very important, but does the Minister not think it would be time to let us in on the results of his inquiry?

Are we to expect a report soon? Is the work nearing completion? When are we going to have a report and, when it is completed, will the Minister table it in the House of Commons?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Director has indeed been conducting an investigation under the Canada Business Corporations Act in co-operation with the Quebec Securities Commission and the Ontario Securities Commission. In view of the fact charges were laid by the QSC, I asked him this morning to expedite the investigation and bring it to a completion as soon as possible. I asked my Deputy Minister to ensure that the Director has all the necessary resources. Yes, indeed, I am

prepared to table his report in the House of Commons when it is ready.

[*Translation*]

OPPORTUNITY TO HOLD INQUIRY—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I should like to direct my supplementary to the Prime Minister. An inquiry was launched by the federal Government as early as last February. Quebec authorities have now made their inquiry and charges have been laid. Does not all this warrant shedding light on the matter, that a public inquiry be conducted so Canadians may know exactly what happened in this case?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, perhaps I should bring to the attention of the Hon. Member the words of Marc Barrierre, a spokesman for the QSC, who said, speaking of the persons charged: "They are charged with knowing that Memotec had bid on Teleglobe and benefiting from this knowledge. The charges do not concern the decision by the Government to sell Teleglobe to Memotec."

The reality is that the QSC acted on what they think is a violation of the Quebec Securities Act. We are investigating to see whether there have been any violations of the Canada Business Corporations Act. As I just indicated, I asked the Director to expedite his investigation so I can table his report in the House as soon as possible.

CANADA DEVELOPMENT INVESTMENT CORPORATION—DIRECTOR'S RESIGNATION

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Prime Minister and deals with the same issue. The Prime Minister knows that Peter Blaikie, the former national President of the Conservative Party of Canada, was one of those charged with insider trading. He also—

Mr. Speaker: I do not know where the Hon. Member's question is leading. As a consequence, I had to interrupt before he could perhaps get back on the fine line of appropriate questions in this matter. Hon. Members should be very careful to restrict their questions on this matter to those areas of ministerial responsibility. I have to say that the questions of the Hon. Member for Saint-Jacques were excellent and appropriate. I ask the same co-operation from other Members.

This is a serious matter but this is not the place to try anyone. It is the place to ask Ministers what they did or did not do or what they knew or did not know about those matters within their area of responsibility. Provided questions are along that line the Chair will of course allow them. The Hon. Member is very experienced and I know he will co-operate with the Chair.

Mr. Nystrom: Mr. Speaker, since Mr. Blaikie resigned on Friday as a member of the board of directors of the Canada Development Investment Corporation, which, amongst other things, advises the Government on privatization, has the time not come for tougher guidelines concerning government appointments to boards, commissions, agencies and the like?

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, the appointment to the board of CDIC was made very recently. Mr. Blaikie offered his resignation and I accepted it on behalf of the Government, subject to Order in Council routine. I do not believe there is any need for an investigation. The investigation now under way by the QSC will determine the outcome of the charges. People have been charged; people have not been convicted.

PUBLIC APPOINTMENTS—REQUEST FOR STRICTER GUIDELINES

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is again directed to the Prime Minister. On September 9, 1985, he wrote an open letter to all Members of Parliament and Senators on ethics in public service and public appointments and so on. When is he going to act on some of the recommendations he made? In particular, does he think the time has come for tougher guidelines on government appointments as well as things like patronage and lobbying?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend referred to the fact that the guidelines were addressed to MPs and Senators. If he is suggesting that in this particular case—

Mr. Nystrom: The letter was.

Mr. Mulroney: The letter. If he is suggesting in this particular case involving Mr. Blaikie that there has been a violation by an MP or Senator, perhaps he ought to say so.

With regard to the allegation, Mr. Blaikie is a distinguished member of the Quebec Bar and I suppose my hon. friend would agree, I hope he would, that Mr. Blaikie, along with other Canadians, benefits from the presumption of innocence.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

GOVERNMENT POLICY

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is directed to the Prime Minister. Last week, his Minister responsible for Regional Industrial Expansion and Science and Technology stated that Canada had no strategy for industrial development and thus acknowleged the helplessness and incompetence of the Conservative Government after having been in power for three years. During the weekend, the Minister responsible for Regional Economic Expansion in Quebec, Mr. Marc-Yvan Côté, while in attendance at the convention held by the Union of Regional Municipalities asked that the federal Government put its house in order and provide

a program which will really help the underdeveloped regions of Quebec. Will the Prime Minister tell us that after being inactive for three years his Government is without any policy on regional development and whether he will heed the provincial minister's suggestion and put its house in order?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, in the first place I should point out to my colleague . . . that I can also read newspapers. We inherited rather disastrous conditions. There had been no policy for regional expansion for 25 years. During that period, the Government was unable to reduce regional disparities throughout the country. This Government has taken several major steps. I mean more especially the creation of the Atlantic Canada Opportunities Agency, the setting up of a special expansion program for Northern Ontario and the establishment of a diversification office in Western Canada. We have taken a new approach to economic expansion, and to industrial expansion, as well as a new approach combining the very important activities related to science and technology to enable us to be more competitive in a world where the high technology sector is continuously changing.

REQUEST THAT PRIME MINISTER DECIDE IN FAVOUR OF MONTREAL

Hon. Jean Lapierre (Shefford): Mr. Speaker, if only this Government were that active! My supplementary is directed to the Prime Minister.

The Minister in the same interview stated that indeed the Montreal Space Agency was on the Prime Minister's desk, and all it was waiting for was a personal decision from the latter.

The Prime Minister himself stated over the weekend that he had not taken any decision because of a very heavy schedule.

Here is my question to the Prime Minister: Could he take a few minutes this afternoon, go through the file and decide in favour of Montreal for the Space Agency?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I would first point out to my hon. colleague that over these last three years, we have not been inactive as regards industrial development. We created hundreds and hundreds of jobs, contrary to the previous Government.

Speaking about a decision, why are you bent on killing Bill C-22? Why are you bent on preventing Canada from developing that area, from developing that high technology, which could create thousands of jobs?

• (1440)

[*English*]

CANADA POST CORPORATION

MEETING PROTESTING PLANS FOR FUTURE SERVICE

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. The Minister will be aware that a number of representatives of organizations representing ordinary Canadians held a press conference today to indicate that in their view the Government's plans for the Post Office will result in a reduction in service. They had received post cards from tens of thousands of Canadians across the country.

What has the Minister to say to these ordinary Canadians who are protesting the fact that the Government's plans for the Post Office will result in a reduction of service?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I understand the ordinary Canadians included J. C. Parrot and the Member for Winnipeg North Centre and a couple of his colleagues.

Some Hon. Members: Hear, hear!

Mr. Blackburn (Brant): Watch it, Harvie, you're going to screw up.

Mr. Andre: Perhaps we have different definitions of "service". By "improved service" we mean getting the mail delivered reliably, early, and in a fiscally responsible way. That is what the Post Office is trying to do and the Government is encouraging it in its efforts.

[*Translation*]

WOMEN—POSITION OF MINISTER

Mr. Cyril Keeper (Winnipeg—North Centre): Mr. Speaker, the ordinary Canadians have included the National Action Committee on the Status of Women, The National Anti-poverty Organization, and the signatures of tens of thousands of ordinary Canadians in eleven mailbags. What did the Minister tell the women who understand services curtailment also entails a salary cut for postmasters?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, there were several random and inaccurate thoughts in that statement. I will repeat that the corporate plan of the Post Office calls for the opening of 6,000 new postal outlets so that people will have services closer to where they usually shop and to where they live. The plan calls for independent auditors to provide independent verification that the mail is being delivered within the specified time, which may be two days or three days depending on its class and the distance involved.

We are trying to do that so that the price of stamps will remain within the reach of the famous ordinary Canadians the

NDP now purports to represent. The NDP seems to be supporting policies which would result in Canadians having to pay 60 or 70 cents for the delivery of a letter.

* * *

ENVIRONMENTAL AFFAIRS

ACID RAIN—DAMAGE INFLICTED BY EMISSIONS FROM UNITED STATES

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in the absence of the Minister of the Environment I will direct my question to the Prime Minister. Canadians are dismayed at the lack of progress on the acid rain front. In 1985 the Prime Minister lost one year waiting for the acid rain Envoys' Report. In 1986 he gave Washington the wrong signal by agreeing to five years of coal technology research and demonstration. This year in this Chamber the Prime Minister enthusiastically applauded President Reagan when he committed himself merely to consider the possibility of an acid rain treaty.

Now that the Government is awakening to the realities of Canada-U.S. relations, will the Prime Minister find the courage to total up the damage to Canadian buildings, to forestry and agriculture, to our maple syrup producers, and to human health, and present a bill to President Reagan for the damages inflicted on Canada, as we did as a result of satellite debris falling in northern Canada some years ago?

Mr. Gauthier: Consider it.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend says "consider it". Canadians did consider the fact that the inaction over many years in the area of the environment, particularly acid rain, was something for which they paid a heavy price. If my hon. friend, who seeks a non-partisan level, is critical of us, I think he would agree that his record as a former Minister of the Environment is substantially less than sterling in terms of his accomplishments with regard to abating acid rain.

My hon. friend is aware of the progress made in this area by the Minister of the Environment, most recently in ozone protection. He is aware of the advancements which the Minister of the Environment has made with South Moresby National Park. He is aware of the advances made by the Minister in introducing an Environmental Protection Act. I think he is aware of substantial accomplishment by the Minister of the Environment and I hope that at the appropriate time he will celebrate that accomplishment as well.

Mr. Caccia: Mr. Speaker, I am sure that Canadians will be comforted by that decisive answer by the Prime Minister and his acceptance of his responsibility with regard to acid rain.

[*Translation*]

ACID RAIN—DAMAGES SUFFERED BY MAPLE SYRUP PRODUCERS—POSSIBILITY OF COMPENSATION—GOVERNMENT POSITION

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, here is my question: Is at least the Prime Minister ready to bill Washington for the damages done to Quebec maple syrup producers, who have complained about the damage done by acid rain and are claiming a $1 million compensation for damages due to the acidity caused by the Americans?

The Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we are keeping in close touch with Quebec producers in that industry and are trying to get justice for them by the most legitimate and efficient means. I think my honourable friend will agree that when he was Minister of the Environment, he did absolutely nothing for years, so I think one might suggest he is not serious when pointing out the consequences of his own failures.

* * *

[*English*]

EXTERNAL AFFAIRS

ARREST OF CANADIAN CITIZEN IN INDIA—CONSULAR ACCESS

Mr. W. Paul McCrossan (York-Scarborough): Mr. Speaker, in the absence of the Secretary of State for External Affairs I will direct my question to the Minister for External Relations. Two weeks ago I asked whether consular access had been provided for our High Commission in New Delhi to Daljit Singh, a Canadian arrested in the Punjab.

Since India is obliged to provide Canada consular access to Mr. Singh under the Vienna Convention, can the Minister assure the House that consular access has now been provided and that our officials have verified that Mr. Singh did not suffer any physical abuse while in police custody?

[*Translation*]

Hon. Monique Landry (Minister for External Relations): Mr. Speaker, I would like to thank my hon. colleague for his question and to reassure him that the High Commission in New Delhi has been advised by the Indian authorities that consular access has been authorised for Mr. Singh. An official of our High Commission will now be in the Punjab to meet Mr. Singh.

[*English*]

CANADIAN SECURITY INTELLIGENCE SERVICE

BRITISH COLUMBIA CARPENTERS' UNION—AGENT'S MEETING WITH MEMBERS

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is for the Solicitor General. On Friday I met in British Columbia with representatives of the Carpenters' Union who are deeply concerned and angered by CSIS involvement in the internal affairs of their union. Would the Minister explain to the House why an agent of CSIS met with members of the Carpenters' Union seeking to oust the incumbent executive during their 1985 elections? Will the Minister agree to the request of the union executive to meet with their officials to explain this very serious abuse of the powers of CSIS?

• (1450)

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as the Hon. Member well knows, there was correspondence between my predecessor, the Minister of National Defence, the then Solicitor General, and Mr. Zander, president of the union, back in 1986. The then Solicitor General wrote to Mr. Zander on May 2, 1986, and I quote from that letter: "Concerning union members of Local 452 meeting with an employee of CSIS, I am able to assure you that such contact was voluntary on their part. CSIS committed no improprieties in relation to the internal affairs of this union and has no interest in legitimate union activities".

Mr. Robinson: Mr. Speaker, all that letter says is that there was not a gun held to the heads of the members of the union, who in fact were seeking to oust the incumbent executive.

[*Translation*]

PRESENCE OF CSIS IN TRADE UNIONS

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have a confidential document of the CSIS indicating that the secret service hired in Montreal a regional co-ordinator for information on subversive activities in labour unions. Can the Minister tell us the specific duties of this position, whether this agent co-ordinates sources in the CEQ, the CSN or other Quebec unions, and whether the Minister will finally order a parliamentary inquiry into these very serious matters? What are the duties of this agent who is working within the labour movement in Quebec?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I have advised the Hon. Member in the House on many occasions, CSIS has no authority under the Act to investigate labour unions because they are labour unions. It does have the right to investigate anyone who is considered a threat to the security of Canada.

Because of allegations of this nature that were raised earlier in the year, I acted very promptly. In June of this year I asked the Inspector General to commence his investigations as provided for under the Act. The Security Intelligence Review Committee agreed to undertake an investigation in July. In addition, I have asked the Osbaldeston committee to take a look at this whole matter.

In addition to that, I would remind the Hon. Member that Section 41 of the Canadian Security Intelligence Service Act provides that people who have concerns about improper investigations under the Act have the right to go to the Security Intelligence Review Committee and ask for an investigation. I suggest, with the greatest respect, that that is what they should do—follow the safeguards that Parliament has provided under the Act.

* * *

[*Translation*]

PUBLIC WORKS

INTER GESTION GD. LTÉE—RESIGNATION OF MINISTER

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Prime Minister and concerns once more the Inter Gestion GD matter. The affidavit filed before the courts by the RCMP alleges that there was a meeting between the former Minister of Public Works and a Metropolitan official in June 1985, 19 months before the Minister resigned.

Can the Prime Minister tell this House at what exact moment he was informed of this matter and whether this was a factor in the resignation of the Minister from Cabinet?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, this issue has been dealt with in the House by the Solicitor General and the Minister of Justice. I have nothing further to add to the answers provided by the Minister of Justice on two occasions last week.

Mr. Boudria: It is interesting to see that the Government has nothing to say on this issue.

JOLIETTE AIRPORT CONTRACT

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my supplementary question is directed to the Acting Minister of Transport. Again it concerns the Inter Gestion GD. Given that Inter Gestion GD is only listed with the Government as having expertise in the area of conferences and conventions, will the Minister explain why this company received a $75,000 contract for a feasibility study of an airport in Joliette, to do such things as prepare a preliminary design, cost estimate, and conduct an environmental impact study of an airport?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, if the Hon. Member wants an answer to that he will have to ask the City of Joliette. It is my understanding that it was they who contracted with the individual involved.

In terms of the qualifications, the Hon. Member may want to correspond directly with the City of Joliette.

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NATIONAL ENERGY BOARD

PRICE PAID BY MANITOBA CONSUMERS FOR NATURAL GAS

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is directed to the Prime Minister. Late last week the National Energy Board refused the application made by the Manitoba Government to force TransCanada PipeLines to carry natural grass-

Some Hon. Members: Oh, oh!

Mr. Blackburn (Brant): He said natural.

Mr. Murphy: The decision by the National Energy Board means that Manitoba consumers will be paying much more than they should for natural gas. The concern of the people of Manitoba is that they are not getting the benefits of deregulation. What will the federal Government do to ensure that the consumers of Manitoba will be paying less for natural gas?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am sure the Hon. Member is quite aware that the National Energy Board is a quasi-judicial body that renders decisions from time to time with respect to energy. It has rendered a decision in this case.

There is a involved, and if any party wishes to appeal or wishes to register a differing point of view, a mechanism is in place for that to happen.

In light of the circumstances and the fact that contracts have to be observed—I think that was essentially the finding—I hope that the two jurisdictions, the Province of Alberta and the Province of Manitoba, can get together to resolve this matter in an amicable way.

NEGOTIATION OF PRICE BY LARGE CORPORATIONS

Mr. Rod Murphy (Churchill): Mr. Speaker, considering that natural gas deregulation was sold to the House of Commons and the people of Canada on the basis that it would benefit the small consumer, why is it possible for large consumers and large corporations to negotiate lower prices while it is not possible for the people of Manitoba to negotiate lower prices?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I can only assume that the Hon. Member is suggesting that contracts should be broken. A contract is a contract. I believe that is the principle the National Energy Board upheld.

The fact of the matter is that under the deregulation of natural gas prices there has been a general reduction in the price of natural gas. He should not lose sight of that.

* * *

HAZARDOUS SUBSTANCES

DIOXIN IN PAPER PRODUCTS—CHLORINE BLEACHING PROCESS

Mr. Alan Redway (York East): Mr. Speaker, in the absence of the Minister of the Environment my question is directed to whatever Minister may be answering for the Minister of the Environment. Dioxin, which has been found in paper products in the United States, I understand is formed through the chlorine bleaching process that is used by American and Canadian paper mills. Bearing in mind the danger of dioxin, will the Minister give his undertaking that the Government will require Canadian paper producers to switch from the dioxin producing chlorine bleaching process to the safer oxygen bleaching process that is used by European paper mills?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the Department of National Health and Welfare is doing a detailed assessment of the health hazards related to dioxin. We will give those findings to the Department of Consumer and Corporate Affairs. We are also working with Environment Canada.

I want to make one other point to the Hon. Member, concerning changing from the chlorine bleaching system to the oxygen system. There are certain studies that would indicate that it does not necessarily have the same efficacious health results as some people are putting forward. However, we are looking at the entire question.

* * *

AGRICULTURE

LOSS OF MEAT INSPECTION STAMP AT KITCHENER PLANT

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is directed to the Minister of Agriculture. He knows that several weeks ago a meat inspection stamp was lost at the J. M. Schneider plant in Kitchener. This, along with the general transfer of inspection responsibilities from inspectors to the company itself, could represent a threat to Canada's enviable reputation for meat inspection. What action is the Government

taking to ensure that this stamp is not being improperly used and that the integrity of the system will be maintained?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Indeed, Mr. Speaker, we did some checking, but not concerning the loss of this stamp. It was misplaced, we immediately took the measures required to locate it, and this has been done. We follow this kind of incident very closely to prevent abuses. I want to assure the House that we will do everything possible to avoid similar occurrences in the future, even if that means calling in the police or taking any other such measure.

• (1500)

[*English*]

REDUCED NUMBER OF INSPECTORS

Mr. Maurice Foster (Algoma): Mr. Speaker, I wonder if the Minister would be ready to admit today that the cut-back in the number of inspectors is having an adverse impact on the integrity of the system. For instance, we are told that in some poultry plants the number of inspectors will be reduced to 85 per cent starting in the next month. Could the Minister explain to Canadians how, by reducing the number of inspectors in some of these poultry plants and changing to the American streamlined system, we can have as good a quality of inspection?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): In my opinion, Mr. Speaker, Canada would be justified to boast having one of the world's best—if not the world's best—inspection system in this sector where we have always taken measures to rank among the best. The mere fact that a stamp might be misplaced in a plant—and found the following day—does not justify questioning the soundness of a whole inspection system. We hired inspectors when there were staff shortages, and the House can rest assured that we will maintain our high standards in that sector and monitor this kind of incidents very closely.

[*English*]

Mr. Speaker: This will be the last question.

* * *

AIR SAFETY

AIR-INDIA—REQUEST FOR SERVICES OF BOMB-SNIFFING DOGS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Solicitor General. Will he confirm that the Indian Government and/or Air-India requested bomb-sniffing dogs to protect its flights from Canada to India seven months prior to the Air-India crash? If it is true that they did ask and the Government of Canada did say no, will the Minister explain to the Canadian people why the Government did not provide that protection?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am advised that Air-India did make a request that all bags be checked by dogs. It was not acted upon because it was decided X-ray equipment would be used to screen the bags and also because of the fact that, through discussions with Air-India, it was proposed they would use a mechanical sniffer.

I should also point out that dogs are used from time to time when there is a specific threat on a specific flight. In this particular case, because there was not a specific threat, those precautions were not taken.

GOVERNMENT SECURITY MEASURES

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, the Deputy Prime Minister will be aware that not all the bags that were processed for Air-India flights over that period of time were in fact X-rayed or properly inspected. Would he now indicate to the House exactly what steps were taken, after hearing the request from Air-India, both for increased surveillance and the possibility of bomb threats? What steps did the Government of Canada, through the Department of Transport, CSIS, the RCMP, or whatever, take to ensure the protection of the people on those flights?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): With respect, Mr. Speaker, I did not say what the Hon. Member said I said. I tried to answer the question on the basis of the information which was provided to me. With regard to the specific flight, as has been indicated on many occasions in this House, there had been a request for additional security for all Air-India flights. That additional security was provided. That has been alluded to both in the CASB report and, indeed, the judicial inquiry by the Indian Government. It indicated that they had requested the additional security measures and that they were provided.

In addition to that, they did provide, on a regular basis and particularly in the case of Flight 182, for the attendance of a security supervisor who was flown in from New York. He works for Air-India and he supervised the whole operation. Really, in essence what I am saying to the House is that the requests that were made in terms of a general beefed-up surveillance that was required were in fact responded to by the Canadians.

PRIVILEGE

ALLEGED MISLEADING INFORMATION

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, on Friday last I raised a question with the Minister of Consumer and Corporate Affairs (Mr. Andre) concerning leaked documents showing the presence of dioxin in ordinary paper products. The Minister in response to my question as to what he was doing to investigate and to ensure that Canadians were not being exposed to dioxins through their paper products replied that he had no such responsibility. He said:

> I have to inform the Hon. Member that under the Hazardous Products Act, as passed by Parliament, it is not legally my responsibility. It is the responsibility of the Minister of National Health and Welfare—

He said further:

> I will send the Hon. Member a copy of the Act and perhaps over the weekend she can read it and acquaint herself with Canadian law.

He did not send me a copy of the Act, incidentally, but that is not my complaint today.

The Minister said further:

> Perhaps the NDP do not feel that the legal niceties need be obeyed as long as they have pronounced on it.

He also made a very mysterious statement. He said:

> Under the Hazardous Products Act, we have the responsibility of making sure that hazardous products are identified, but not identifying what is or is not hazardous. That would fall under the Department of National Health and Welfare—

His first three statements are very clear. He does not have, in his view, any legal responsibility to act. However, if we actually look at the Act, and I have re-read it, we see it says in Section 8(1):

> The Governor in Council may by order amend Part I or Part II of the schedule by adding thereto
>
> (a) any product or substance that is or contains a poisonous, toxic, inflammable, explosive or corrosive product or substance—that—is or is likely to be a danger to the health or safety of the public.

Clearly dioxin, as the most toxic substance we have, qualifies and one might think it would be worthy of investigation if indeed the reports are true that there is dioxin in paper products.

Section 6(5) of the Act further states that an order amending Part I of the schedule may be made by the Governor in Council on the recommendation of the Minister or the Minister of National Health and Welfare. The definition section clearly states that "the Minister" means the Minister of Consumer and Corporate Affairs. It further says that where the Minister has reason to believe that a product, material or substance is a product, material or substance that may be added to Part I or II of schedule I by an order made pursuant to subsection 6(1), the Minister may request information as the Minister deems necessary for the purpose of determining whether the product, material or substance is or is likely to be a danger to the health or safety of the public.

Again it is clear that "the Minister" means the Minister of Consumer and Corporate Affairs. The Minister has enormous discretion. He may or may not act. He may choose to abrogate his responsibilities. He may choose not to act. However, I submit that there is no evidence in the Act that he is forbidden by Parliament to act in this area and I think his statement has been misleading.

Mr. Speaker: Perhaps the Hon. Member can assist the Chair. First, I think as Hon. Members know, the Chair has always had a very great concern about environmental matters and a great deal of latitude is sometimes allowed on those questions a latitude which some other Members might think is perhaps overly generous. However, I am having difficulty seeing how the Hon. Member's rights or privileges or her capacity to carry on her duties as a Member of Parliament have been affected by the answer of the Hon. Minister.

The Hon. Member may be absolutely correct when she suggests to the Chair that the Hon. Minister perhaps ought to have read the Act himself. However, that does not seem to me to be a question of privilege. I am having some difficulty in understanding exactly what the Hon. Member's point is.

Ms. McDonald: Very briefly, Mr. Speaker, my point is that the Minister has certainly been misleading to the House. He has made a false statement. He has also suggested that I am unwilling to obey the law. He said: "Perhaps the NDP do not feel that the legal niceties need be obeyed". He suggested that I have never read the Act. He is certainly reflecting on my capacity as a Member of Parliament, a critic in this area. It is quite clear that this is a misleading statement. I think that if he is not prepared to withdraw it, he has infringed upon my privileges as a Member of this House.

• (1510)

Mr. Speaker: Is it the wish of the Minister to make an intervention?

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, in view of your comments and in view of the comments of the Hon. Member I do not think it is necessary to make any submissions.

Mr. Speaker: I have listened carefully to what the Hon. Member has said. I will examine the comments as they are presented in *Hansard*.

The Hon. Member certainly has a complaint. I am not completely satisfied at this point that it amounts to a question of privilege. As I said, I will give the Hon. Member the courtesy of reading *Hansard*.

Because Hon. Members sometimes have some difficulty with the distinction between a complaint and a question of privilege, as also does the public sometimes, I wish to point out that there are many things said in this place by both sides that are not agreed with by the other side. Sometimes things are said by members of the Opposition, and sometimes there are

replies by Ministers, which are misleading, in the sense that they may or may not be absolutely accurate. Of course, what is the forbidden thing is to intentionally mislead. I suppose that often in the heat of debate things are said which may mislead a little bit but which are not necessarily intended to mislead. That of course is what I would have to look at very carefully in the comments made by the Minister, and I will do so.

I wish to say to the Hon. Member for Broadview—Greenwood (Ms. McDonald) that the substance of the matter raised is of importance and the Chair will look carefully at the matter and report back to the Chamber.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

The Acting Speaker (Mr. Paproski): When the House rose at one o'clock the Hon. Member for York West (Mr. Marchi) had the floor.

Mr. Sergio Marchi (York West): Mr. Speaker, before lunch I was speaking on the safe country concept. I was beginning to address what is a safe country and to perhaps press upon the Government the need for a better and clarified definition.

We put to the Government on many occasions practical examples with respect to whether or not the United States of America can be considered such a candidate for inclusion on such a list given its record of refugees coming from Central America who are subsequently deported from the United States. We asked with respect to Salvadorans and Guatemalans whether or not the United States can be considered to be a safe country. We also set out Great Britain as an example. From that country a good number of Tamils are deported.

On several occasions the Minister has spoken about guarantees, safeguards and agreements with countries in terms of trying to define precisely our standards and the standard of those candidate countries we would be considering for such a safe country list. Those agreements, safeguards and guarantees have not found their way into the legislation. Therefore the Government has refused not only to define the phrase "safe country", but it has also failed to signal a willingness to enter into an agreement with a country or in fact to define what it means to have a standard that we claim to be safe. It also refused a number of amendments to alter such words as "returning to a safe third country" in exchange for "entry" or "admission" to that country which would more precisely define what it is we mean when we talk about returning to a country, since anyone can return to a country. However, that does not guarantee an individual the right to stay, to enjoy this status, or the right to even enter into the refugee determination system.

A very interesting witness appeared in committee on this subject. He is a lawyer from the New York City area working on behalf of the Committee for Human Rights. His name is Arthur Helton. With respect to the intransigence of a government in terms of not defining what it means by "safe country" and perhaps also answering whether or not the United States of America would be on such a list he said, "I think certainly that the United States does not deserve to be called a safe third country for Salvadorans, Guatemalans or Haitians. I can certainly tell you that if the United States was left off a safe third country list it would cause great embarrassment to authorities in the United States. It would create such enormous diplomatic pressures that the United States authorities would call on the Canadian authorities". He concluded by saying that it is incumbent upon the countries that have traditionally played a leadership role in refugee protection to resist most strongly any efforts to move away from that commitment.

Mr. Helton raises another area of concern. It is that we have the highest political body in the land charged with drafting such a list. The Government reversed a policy of the previous administration by eliminating the B-1 list. This is a list of countries to which the Government of Canada said under no circumstances, because of those human rights violations in those lands, would we ever return a refugee to face continued torture or persecution. Not only did it remove the B-1 list, which means that anyone can be deported back to any country regardless of human rights violations awaiting those individuals, but it is also prepared to draft a list of countries to which the Government is willing and prepared to send people back with no questions asked and without seeing the guarantees or agreements about which I spoke earlier.

When the highest political body in the land, that is, the federal Cabinet, decides which countries shall be on a safe country list, that Cabinet will of course be subject to great international political and diplomatic pressures. Our concern is that those pressures will be so huge and so powerful they will undermine the individual circumstances that should be addressed in terms of refugee claimants coming to Canada, having a possible safe country concept legislated in response.

The question which we must ask is whether or not some of those countries should be on that list. Or will it be the fact that our allies, our NATO partners or other countries with which we do trade will be on that list despite the fact that they may not merit being so because of their human rights violations? The question to ask is, of course, "What happens to individual refugees who because they come from a safe third country return to that country and we assume, or we would want Canadians to assume, that they are safe when in fact the opposite may be true?"

The other matter not answered by the Government is what will happen in the case of an uprising overnight in some corner of the globe. Here is a Cabinet which is in charge of drafting a list. Presumably it is also charged with adding or deleting member countries from that list. But how can a Cabinet react so swiftly and quickly in terms of internal strife in some country which would produce refugees who would come to our country and ask for status and we would check our list and say, "Well, I am sorry, the country from which you came is still on the list. We cannot help you". That would not take into account the latest and the most updated scenario in that country which may in fact be legitimate but because they are still on the list the prescreening officers will have to follow our safe country list.

The Cabinet is in charge of the nation's business and it faces domestic pressures. At this time the Cabinet is very much involved with the free trade question and other issues concerning the economy. We might have the Deputy Prime Minister (Mr. Mazankowski) or the Prime Minister (Mr. Mulroney) stay away for a period of time so that there would be a delay in terms of reviewing that list. In the meantime, what is the human cost to those individuals who have claimed status and have not been permitted to land here and have their cases considered because they happen to come from a country that is still on the list, but that should not be on the list? Those are practical concerns that must evolve with this policy. Entrusting Cabinet to oversee the drafting of such a list could be a very precarious responsibility indeed.

• (1520)

Therefore, in light of those circumstances, I together with others moved a number of amendments to attempt to overcome this situation. Our first suggestion was that a safe country concept is not necessary. In fact, those people who come to this country and obtain an oral hearing should have the refugee board members determine if their cases are legitimate without playing a game of chess and taking risks with prescreening and the safe country concept.

If the Government wished to insert in the legislation the safe country concept, we suggested that the Cabinet draft a list that would be advisory and not be the letter of the law and written in stone. That list would serve in an advisory capacity to the refugee board members. In that manner, if there was a mistake in the list, or if any changes were needed, then the refugee board members in that division would take it upon themselves to use that as an advisory list and make the required deviances. The Government refused.

We also suggested that the refugee division be empowered to draft such a list regarding the safe country concept. On a day to day basis they handle refugee claimants, they are in touch with the geopolitical situations in other countries, and they are in touch with the United Nations High Commission for Refugees and the international network. Therefore, there would be the assurance that this list had been devised, drafted, changed, and monitored regularly by people who are in the business, are knowledgeable, have credibility, and make it their top priority, rather than a Cabinet with a million and one things on the go with this having to wait at the bottom of the list.

Those recommendations were made in an effort to overcome the practical problems envisioned by most organizations when they testified on the safe country concept. All of our efforts were unsuccessful. The Government persisted, it wished to move on the Bill, and it has.

What are the effects of legislating a safe country under the United Nations Convention? Will the United Nations High Commission on Refugees be enamoured with the possibility of Canada enacting safe country legislation, basically washing its hands of its responsibility, and passing the problematic buck to someone else? What message are we sending to the countries where we would be sending those individuals, or the countries that are members of the United Nations Convention when they are being asked to stay the course and make their commitment to refugees and at the same time we are stating in our policy that, if we can, we will send you somewhere else?

The message is not positive. Moreover, it will allow and encourage other countries to do the same thing. Other countries will say if Canada has been a leading authority in the plight of refugees and it can enact safe country legislation, why could we not do it. If Canada does it, perhaps it is the correct thing to do. One can see the cumulative effect of that type of thinking. Virtually every country under the pact, and non-members of the Convention, will legislate safe third country and the whole world will be a safe third country. Refugees will bounce between countries, orbit around countries, become more desperate and, therefore, perhaps give more impetus to those consultants, smugglers, abusers, and manipulators among us to take those desperate individuals and attempt to have them come in the back door rather than the front door.

While we do not condone abuse and fraudulent claims, we would prefer to send out the message that, if you have a claim then you have an opportunity to lay that claim fairly and quickly at the front door of this country, rather than locking the front door and encouraging more desperation and having the cumulative effect of people and manipulators spearheading the movement of coming in through the back doors of this country and other countries.

In the long run, having a safe country concept will not do Canada, or our international partners, any favours at all. We would rather pay the price now and have a system that gives people a chance, and which takes away the desperation and the impetus for those people to give $10,000 to $20,000 to a captain of a ship in order that they can be brought to Canada because they perceive no other way of getting recognition as a refugee. We are suggesting that that be removed, that we pay the price now rather than paying a higher price later on.

Another spin-off from the safe country concept that is left with many refugee organizations is that the Government is not intent or enthusiastic about having individual claimants

processed on shore. Perhaps the Government would prefer to return to the simple 1960s where it liked to be selective in the refugee camps. The situation then was a lot cleaner and more orderly. I suppose everyone would like to live in that ideal world, or perhaps everyone would like to relive the past and history. We are no longer in that era. We are in the present attempting to solve the problem faced by us and the international community for the next number of years. Therefore, it is impossible and irresponsible to wish to return to a different era. Governments and nations must take the future in hand and guide us through those treacherous waters and ensure that we come out in a healthy state at the end of the process.

Therefore, a government suggesting that it only wishes to select refugees from abroad, select the young rather than the old, the healthy rather than the ill, the skilled rather than the unskilled, the wealthy rather than the poor, or leaving the women in the camps with the first preference going to the male refugees is not a very realistic or responsible way to go.

For those reasons we cannot accept the safe country concept in the manner it is defined in the Bill without the guarantees and the agreement between the countries on that list, and without agreement that the list will not be drafted by the Cabinet. If there is to be a safe country concept the list should be drafted by the refugee division. We are only prepared to go as far as the Cabinet being able to draw up such a list, but that it only serve in an advisory capacity and not as the law of the land.

The final of the three areas of concern that our Party had a great deal of difficulty with, as did many organizations, is the appeal mechanism. There was a perception that the system is as good as the appeal. In terms of dealing with human beings, mistakes are very costly. Often mistakes can be fatal. Therefore, there was a sense that there was an urgency and a necessity to ensure that there is an appeal process that is as foolproof as possible. An appeal system will never be 100 per cent correct, 100 per cent foolproof. Yet we can strive toward that ideal appeal mechanism rather than stopping at a mediocre system that we have presently.

The present proposal suggests that there is an appeal with leave to the Federal Court only on points of law. It is seriously flawed. First, it is only done with leave rather than an automatic appeal. Second, it is to a Federal Court which most organizations and expert witnesses have stated is the incorrect body to deal with refugee related matters, that is not its area of expertise and a different body is required. Finally, it can only be done on points of law rather than, as we have suggested, to encourage and include points of fact, and circumstances involving the refugee claim. We do not want to have a court that does not look at the actual circumstances but looks at the process if the law was followed.

• (1530)

If the refugee board followed the law, it would not be necessary to consider the claim because it would meet the test under points of law. It may be seriously flawed, the refugee board may have erred, or new circumstances may have been brought forward by the refugee, but the refugee would not have an opportunity to appeal because they would not be points of law but points of fact and circumstance involving the case.

Rather than allow that appeal system to take place and to shape the new refugee determination system, we moved amendments. We talked about the inadequacies of the Federal Court before which only 2 per cent of appealed cases were successful. This means that 98 per cent of appeals were ruled out of order or not accepted. That is the reality of the Federal Court in respect of current appeals. It is universally maintained that it is not functioning correctly and is certainly not erring on the side of refugees.

Therefore we proposed a number of models. We suggested that perhaps there should be an automatic appeal and not one with leave. This would mean that the Federal Court would decide whether to hear an appeal, rather than saying that if an appeal is triggered the court must hear it. We suggested that it should not be on points of law, that it should be on points of fact and circumstance. Then we suggested other meaningful changes, such as, for example, that there should be an independent refugee body which would listen to appeals. We also suggested the possibility of a paper review, after which an individual reviewing the case would be empowered to order a new hearing.

As well we suggested an appeal to the deputy chairman of the refugee division or to a group of refugee board members who had not heard the claimant's case but would be in a position to review and to recommend a new hearing if a new hearing were justified.

All those models were rejected, even though they were presented to try to deal legitimately, under the process, with the situation that there may be mistakes in the process. Mistakes in this case are not mistakes that we can correct by other pieces of legislation or by a letter. These mistakes may not be correctable, because when a person has gone from being within our borders we may not know what fate awaits him if we indeed made an error. We wanted to assure ourselves that those fatal mistakes would not occur. We wanted a proper appeal mechanism in place in order to attain such a goal.

It was with good cause that many groups suggested that they would approve the Bill if substantial changes were made in terms of the three areas of concern—prescreening, safe country, and appeal. We moved amendments on these three areas in committee, believing quite firmly and genuinely that if amendments were not caused or accepted by the Government, the other amendments it would want to accept or promote would be academic by comparison.

What is the use of crossing the t's or dotting the i's on some page of the Bill if prescreening kept people out, if people were in orbit because of the safe country concept, and if an appeal would not be granted legitimately.

We believed that the current piece of legislation is seriously and fatally flawed. We hoped that through the public hearing process before the committee those changes would have had a chance to survive. As it is, today we are at third reading stage and we are still asking the Government one last time, in an eleventh hour plea, to make changes in those three areas. It should allow other people a place to stand and provide inspiration or satisfaction to the community serving refugees that some of its concerns have been heeded, considered, and implemented.

This piece of legislation was drafted in the Department, and at third reading stage it is largely in the same vein. Those individual Canadians are asking themselves what real democratic input and persuasion they were able to exercise, and the answer is an obvious one.

Aside from these three major issues, there are a number of other elements of concern. They were tabled before the committee and before the House. For example, in the area of legal representation a claim must be heard within 72 hours. Therefore, the suggestion is that unless the claimant obtains a lawyer within 72 hours the Government would appoint legal counsel for the individual. Many legal experts suggested that this would fly in the face of the Charter, in that every Canadian or other individual has the right to seek legal advice. A claimant who may wish to hire a lawyer who may be busy in Vancouver on another claim, may not have a chance within 72 hours to obtain the proper solicitor for himself in order to defend his claim for refugee status. It would be quite inappropriate for a government sponsored lawyer to be defending the individual against the Government.

We have suggested—and it was suggested by the court, the Canadian Bar Association, and others—that there be more flexibility so as to allow the claimant the full opportunity and option to select counsel of his or her choice rather than to throw in a rookie counsel or an individual who may not be immersed in the refugee law to defend an individual who in fact is fighting for his life.

Another area of concern was indicated by the National Association of Women and the Law which presented the committee with a forceful presentation on how the refugee phenomenon affected women. It was simply amazing to note from its presentation and statistics that over 80 per cent of all refugees in the world were women and young girls. That staggering figure brings with it a number of very serious questions and issues. The association had another extremely valuable statistic in terms of trying to understand the phenomenon. It indicated that 50 per cent of refugee women arriving in Canada had been harassed or sexually assaulted in the process of either fleeing their country or arriving in Canada.

When we couple those two very alarming statistics, we realize that the presentation on behalf of the National Association of Women and the Law made a moving and compelling argument that we needed to focus on the dilemma being faced by women, a dilemma which is not faced by men. Women have been moved to be refugees as a result of sexual harassment and the fact that many of them have tried, in various parts of the world, to stand up for women's rights and individual rights. In certain parts of the globe that is seen as an offence against the state and therefore they suffer persecution.

Someone standing up for his or her dignity in our country—and in this case it is a woman—is not regarded as an affront to the state or to our way of life. However, in many parts of the world women must flee because of sexual persecution; they must pick up their bags and leave. Yet it is not recognized in the Geneva Convention as a reason for legitimate refugee status.

We must consider that 50 per cent of refugee women who come to this country have already faced sexual harassment and assault. Since most of the refugees selected from refugee camps are men and boys, there is something wrong within the refugee process. Given those statistics and the very compelling arguments made in committee, we owe it to refugees, and specifically women refugees, to re-evaluate our regulations governing the selection of refugees.

• (1540)

We suggested that if the Government wants to have a prescreening provision and use the safe country concept to deport someone, the United Nations High Commission for Refugees should be alerted so that it may play a role in the process. If a person is to be deported to a country in which he may face the danger of torture, harassment or persecution, we suggested that as a last-ditch attempt, the United Nations High Commission for Refugees could intervene to find that individual a safe home. That proposition was turned down.

The Government had to decide if it wanted the refugee board to play an adversarial role or a non-adversarial role. We suggest that it pretends to be non-adversarial. The legislation currently provides that an immigration counsel may question and challenge the authenticity of a refugee's claim and that information may be obtained at the very beginning of the process through the prescreening. We suggest that if the Government is trying to sell the legislation as being non-adversarial, it should follow this up in law and remove from the refugee board the very adversarial immigration counsel.

The Government was reluctant to make a provision for written transcripts of the first interview of the prescreening stage for appeal purposes. The Government suggested that the interview would be tape-recorded, but we suggested that it would be a very small price to pay to have those interviews officially transcribed. It should not be left up to the claimant or his lawyer to take from an interview what he wants to take and then have its authenticity challenged by the Federal Court of Appeal. We suggested that CPP disability hearings and workers' compensation hearings be officially transcribed and decisions in those forums made in writing so that an appeal

body may review a claim by reading the transcript rather than going by hearsay.

In the time allotted to me on third reading stage I want to reiterate our concerns about many things. We are concerned about the message this Bill will send to the international community and to those countries which subscribe to the United Nations Convention. There are essentially three concluding remarks I would like to leave with the House.

First, we must play a role of international leadership. We cannot look to other countries with substandard refugee protection laws. We won the Nansen Medal for a good reason. For the very first time, the Nansen Medal was won by a people as opposed to an individual or an organization. That suggests that Canada has set the trends and standards by which countries should be measured. Therefore, it is very important that we maintain that leadership, inspiration and encouragement to other countries to stay the course. We do not want to lead the international community in the wrong direction. If we do, we will not help provide an international solution to what is an international problem.

We do not want to be the architects of an international corridor of locked doors. By the time a refugee gets to the end of a corridor of locked doors, he is a desperate individual who is fighting for his life and liberty. When a human being is in a desperate state of mind, he fights back. That opens up opportunities for manipulators and smugglers who feed off human misery and desperation. Rather than encouraging people to come through the front door, this piece of legislation will encourage refugees to believe that the only way their claims will be assessed is if they come through the back door and try to rough it out. That is the wrong message. While there may be a short-term gain the Government wishes to sell, the long-term viability of the policy will be under attack.

The second part of my conclusion is that the Government owes Canada a clear vision of its immigration objectives and goals. It needs to trigger an enlightened and mature national debate. It needs to articulate a national goal for immigration. It needs to talk about immigration as a national building block and to talk about it in a positive and constructive way. It should not do something reactionary as it did when it introduced Bill C-84 at a time when some 300 individuals came to Canada while there is a backlog of thousands upon thousands lined up.

The Government must take into consideration our dwindling birth rate and our aging population. Some 50,000 people leave the country every year and we have a small population of base of only some 26 million people. We have a large land mass and great economic needs. We must still go abroad to find those with education that is not provided here. The Government must take cognizance of these factors and trends and ask how immigration can address them. It must ask how immigration can help Canada build a newer, better and more improved country. It must ask how many immigrants this country can absorb.

What is the reality of the refugees who have been in Canada for five years? Are they milking the system or is the vast majority just as productive as every other Canadian citizen? Some of the studies which are available but are not promoted offer a very rosy picture of the refugee experience in Canada.

The vast majority of the 106,000 Vietnamese boat people whom Canada accepted as refugees are now Canadian citizens and are doing very, very well. Many of them have jobs or have opened small businesses. They have integrated into the community. In many cases, their children are doing better then their peers in the educational system. These people are doing well. They are tomorrow's leaders and tomorrow's Members of Parliament.

That is the reality of the majority. I know that we cannot have an ideal world in which there is no abuse of workers' compensation, unemployment insurance, CPP disability payments and the like. There is abuse by immigrants and non-immigrants, young and old, people who have been here for many years and those who are here only a few weeks. You strive to eliminate that abuse, but what is the over-all picture? If it is positive, if it contributes to this country we call Canada, then let us show it to other Canadians. Let us remove the fear and pacify the critics among us. If the picture is positive, then the Government has a responsibility to demonstrate that and promote it rather than manipulate public opinion and fabricate a crisis which does not exist except in the imagination of government Members. That is the responsibility of a progressive Government because this country was built in partnership with immigrants.

• (1550)

Immigration is the most emotional area of federal public policy. When I go back to my riding office there is nothing more emotional than an immigration problem. People cannot understand why a relative cannot come here. A person cannot understand why his or her cousin, a refugee, cannot come here. Someone cannot understand why someone else was refused a visitor's visa. On and on and on. We must be very careful how we deal with an emotionally charged issue like this.

The Government must define the number of refugees in this program. It must define the number for family class immigrants. Is that the most important? If not, why? How many business immigrants should we encourage? Many? Few? Somewhere in between? How many visitors should we allow in? Should they all have visas? How many visas should we provide for foreign students? What about the people who complain that their son or daughter is bumped from school by some foreign student? What is the story on student visas? Many reports show that those people, when they go back to their own country, become ambassadors for Canada. If one of those foreign students ends up as the marketing director of a company in his own country, then you can bet your bottom dollar that Canada will be one of his markets.

The Government needs to have a mature debate on this subject in partnership with Canadians. It cannot dictate. It cannot refer it to a weakened committee which sends the Bill back to the House in its original form. That does not solve the real problem. It does not restore public confidence. The Government was elected to show responsible leadership on tough issues. It was not elected to run away from a challenge.

If the Government acts accordingly, we will once again be in a position to bring in special refugee flows like the Vietnamese boat people. If the Clark Government in 1979 or the Trudeau Government in 1980 reacted like today's Government, which makes a crisis out of 300 people, where would the Vietnamese boat people have been? Canada can safely lay claim to leadership in this area because it brought 106,000 of those people to our shores. Some 50,000 were sponsored by communities. Canadians said they want to participate. They accepted their responsibility and, together with the Government, led the way. Why can that not be done again? Why must we stoop to Bill C-84 and Bill C-55? Let us follow our best instincts and not the worst. Let us eradicate the fear rather than feeding off it. Let us tell Canadians the real story rather than a fabricated story.

Legitimate refugees are people who live in a world which can be described as one of horror. They live with the fear of being sent to prison, being tortured, and they live with continual harassment. That is the real world of the refugee. It is not an orderly world. It is disorder. They fight to put order back into their lives. They seek to bring dignity back into their lives. Fate dealt them an unfair hand. Fate dealt very harshly with those who were born in a number of countries which we do not even want to visit, never mind live there. Yet we can overcome fate. Why should the privileged countries not assist those people? Why can we not have a system as good as possible? One that offers leadership rather than mediocrity.

All Canadians have problems. All Canadians have day-to-day challenges. A husband and father becomes unemployed and that becomes a problem. Senior citizens experience escalating property taxes. They cannot pay and keep their home. We have substandard housing. University graduates cannot find employment. Someone gets sick or dies. Those are legitimate problems that Canadians face day after day. Sometimes those problems seem all-encompassing. We say we cannot deal with the world's problems because we have too many of our own. That is a legitimate human response. We try to solve our problems and hope the world will solve its.

Some people say it is tough to try to sell a progressive policy because the world is more complicated, life is difficult, and not everyone has pulled their share of the load. Notwithstanding those legitimate concerns, the problem of human life and human safety takes precedence. The responsibility for protecting human life is the first and foremost of our collective responsibilities. As parliamentarians we are in the business of solving problems. Nothing can be more important than trying to come to grips with the problem of a human being seeking protection on our shores. Is that a crime? Should we look upon that person as a criminal?

Give people a legitimate choice and there would be no immigrants anywhere. Given a choice my parents would have stayed in their homeland. They did not have a choice. They faced poverty and had no future, so they left. This is their home now. They are proud, loyal citizens who would never dream of returning to their original homeland because this is their home.

• (1600)

There may be confusion between immigrants and refugees. It is incumbent upon immigrants not to close the door to others who follow them.

The problems of the world are very large, but we are in the business of solving them. We cannot run away from this challenge. We cannot afford to do so, nor can the rest of the world. We may be overwhelmed by the 10 million to 15 million refugees around the world. We know that Canada cannot solve the entire problem, but we can lead other countries toward the solution.

I will conclude by reminding the House of some of the words of Rabbi Plaut. He said:

> Refugees are a fact of life. We are a large country. We are a rich country. I think that we can at least afford to be fair to the very few who come to our shores.

He concluded by saying:

> If you save one life, it is counted for you as if you had saved the whole world.

We should remember those words when we believe that we cannot move the world.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Ottawa—Vanier (Mr. Gauthier)—Free Trade—Articles published in two Montreal newspapers—Government position/Free trade negotiations—Government position; the Hon. Member for Broadview Greenwood (Ms. McDonald)—Acid rain—position of United States President—Government position/Canadian message; the hon. Member for York East (Mr. Redway)—Harbourfront—Toronto project—future development.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. Dan Heap (Spadina): Mr. Speaker, I am pleased and proud to have the honour of speaking against Bill C-55, not only on behalf of my Party and thousands of refugees from many countries, but also on behalf of tens of thousands of Canadians who have helped refugees to settle in Canada and will continue to help them to do so regardless of legislation such as this.

I am advised that there have been consultations among the Parties with regard to the length of time which I might speak, notwithstanding the normal rule. I will leave that to the appropriate people. I will simply advise that my speech would not take more than 50 minutes, if that is agreeable to Hon. Members.

I wish to make four main points in connection with this Bill. We have discussed the details of the Bill on previous occasions and there is much to be said about the context in which this Bill will operate.

First, it is significant that Canadians, in extraordinarily large numbers and at no little cost of their time, have mobilized to register grave alarm against Bill C-55. Second, many Canadians are amazed and troubled that the Government has so adamantly ignored them in Bills C-55 and C-84 and has sharply changed Canada's policy toward refugees. They are asking why.

Third, the Government's chosen line of action against refugees is now seen by many Canadians to fit a pattern of other government actions during the past year, a pattern hostile not only to refugees but also to Canadians. Fourth, Canadians who have opposed the Bill and heard the Government's defence of it still oppose the Bill. They are now asking themselves what kind of Government we have that will turn needy refugees away from one of the richest countries in the world and, for that purpose, also reduce the liberties of Canadians. Canadians are creating a greater vision of Canada which may have no room for the outlook, values and policies of the Government.

Of the many distinguished Canadians who appeared before the legislative committee and spoke against Bill C-55 the best known is Rabbi Gunther Plaut. He pointed out that as a former refugee, therefore knowing the heart of the stranger, he had done a report on refugees almost three years ago that won world-wide acclaim. He was invited by the United States Government to give a one-day seminar to leading government officials which was also attended by many ambassadors.

Yet, he said that we now have a Bill that was constructed by the Commission of Employment and Immigration and is brought forward as the will of the people. This Bill has the wrong focus. It is not primarily a Bill to determine refugee status; it is primarily a Bill on how to deport people. It is filled with constitutional problems. The process it proposes is not shorter but longer. However, he said that it has accomplished one unique thing, and that must be said to its credit. This Bill, like Bill C-84, has managed to unite all religious factions in this country.

Rabbi Plaut was right. These two Bills have raised a sense of alarm among Canadians not often heard. They have challenged Canadians fundamentally, challenged our sense of justice and even threatened our liberties. For that reason, not only the churches of Canada but also the Jewish Congress, by a remarkable consensus, have fundamentally opposed this Bill.

The Canadian Council of Churches representing 11 major non-Roman Catholic Christian denominations in Canada came together with the Canadian Conference of Catholic Bishops through the Inter-Church Committee for Refugees to oppose this Bill. They said that for 10 years the church representatives have urged reform of the present cumbersome refugee determination procedures which are slow to recognize genuine refugees and which attract abuse.

Church leaders have presented the Government with alternative refugee determination procedures consistent with its own principles and with the report of Parliament's Standing Committee on Labour, Employment and Immigration. It is frightening to think that a climate of panic could be created from the arrival of a mere 174 asylum seekers. It is more frightening that this should lead to the precipitous passage of Bill C-55 in the face of a more just, efficient, and viable alternative. A few minor amendments cannot rectify the fundamental flaws of the current Bill C-55.

The Inter-church Committee for Refugees spoke clearly for the right of the individual declared by international law and scorned by Bill C-55. It said that Bill C-55 flies in the face of a very strongly held principle of the churches, that is, universal access to a fair and just determination process. Blanket tests would arbitrarily remove from Canada persons who have a right to a full and fair hearing of their claim. We must always remember that it is an individual claim and it is an individual who says that he or she has been persecuted.

When hearings were finished the Government rattled through clause by clause amendments with very slight change. The Canadian Council of Churches wrote to us and said that this is a far shot from our obligation to give an individual who arrives in Canada fair hearing of his or her claim to a need for our protection. They urged us to abandon Bill C-55.

[*Translation*]

At their annual meeting the Canadian Conference of Catholic Bishops expressed their views through the President, Monsignor Bernard Hubert: The legislative measure submitted

to Canadians does not respect any of the principles we have always promoted. It is even a step backward with respect to our international responsibilities. In addition it is unfair to refugees and to the other already heavily overloaded first asylum countries.

• (1610)

[*English*]

We also received a telegram on behalf of a third group of Christian churches in Canada. It states:

> World Relief Canada, which serves as the refugee resettlement arm of the Evangelical Fellowship of Canada, an association of 23 evangelical protestant denominations, strongly urges our Government not to pass Bill C-55 and Bill C-84 as originally proposed.
>
> While we agree that abuses of our national largesse need to be prosecuted, we request that Parliament carefully consider amendments to the Bills which will strengthen fair treatment of bona fide refugees and protect Canadians who helped them out of compassion and conscience.
>
> R. E. Reimer, World Relief Canada.

The Canadian Jewish Congress said:

> As Jews, we ask you this time not for ourselves but for all those who arrive at our shores seeking refuge . . . (we) implore you not to close the gates by enacting this seriously flawed piece of legislation.

A few minutes later they were scornfully downgraded by the Hon. Member for Nanaimo—Alberni (Mr. Schellenberg) as being among the special interest groups.

In fact, we have heard this scornful put-down from the Government for months. Every group that has worked for refugees and assisted the Government's refugee program and, on the basis of that expertise, opposes this Bill, is dismissed as a special interest group.

This way of dismissing criticism which cannot be answered, as the criticism of the churches and Jewish Congress has not been answered, is indeed quite traditional and goes back at least thousands of years.

We find in the Book of the Acts of the Apostles, Chapter 17, verses 6 to 7, that when Paul and Silas came preaching the good news of new life in Thessalonica, some of the townspeople organized a riot against them on the complaint:

> These that have turned the world upside down have come here also—and they all do contrary to the decrees of Caesar, saying there is another king, one Jesus".

No doubt, the climate of panic was enhanced by the fact that Christianity was understood as an offshoot of Judaism. The Jews were considered a troublesome lot in the Roman Empire, partly because of their dangerous teaching that slaves ought to be freed.

Since many refugees are modern equivalents of runaway slaves, I am proud to see that Jews and Christians still get into trouble for trying to set them free.

We have not heard from the religious teachers of Canada's First Nations, but I doubt that they would support Bill C-55.

Besides these religious teachers, the labour movement spoke out. Both the Canadian Labour Congress and the *Confédération des Syndicats Nationaux* last spring issued condemnations of Bill C-55.

The Canadian Bar Association, representing 3,500 lawyers, was particularly firm in its rejection of Bill C-55. Its spokesperson reminded the Government that: "Section 3 of the Immigration Act sets out our objectives; the objectives with respect to refugees are: 3(12), to fulfil Canada's international legal obligations with respect to refugees and to uphold its humanitarian tradition with respect to the displaced and persecuted".

They also pointed out that when we signed the UN Convention relating to the status of refugees we did not obligate ourselves to select refugees overseas. The only thing to which we obligated ourselves in that Convention was to protect any refugee who arrived in Canada from being sent back to the country by which he would be persecuted.

In Bill C-55, Canada abandons its obligation on that point. Even though refugee claimants are returned only to countries that comply with Article 33 of the UN Convention, there is no guarantee that those countries will allow them to return and live there, or that they will allow them to make refugee claims there so as to get the protection of Article 33 against being returned to persecution. If Canada has refused to hear their refugee claims, how can we demand that other countries do it?

Of the many other witnesses we heard, I shall mention only the Canadian Ethnocultural Council. It represents immigrant groups whom this Government has tried to turn against refugees by saying that refugee claimants are queue-jumpers, preventing immigrants from bringing their relatives to Canada. Nevertheless, the council made it clear that it opposes Bill C-55 and, instead, supports the alternative model presented by Mr. Lorne Waldman of the Coalition for a Just Refugee and Immigration Policy. It also said:

> We would like to ask you to remember in your deliberations the wider context of the refugee issue. We feel that Canada should play a role in pressing for peaceful solutions to conflicts in areas of the world that produce refugees.

A total of 63 witnesses appeared before our committee, squeezed into 44 and a half hours. Every one, except ten from the Immigration Commission and two from the airline companies, opposed Bill C-55, and the chairman complained that they were repeating each other.

They all made the same chief points as the representatives of the United Nations High Commissioner for Refugees. First, the UN asked that Canada, according to the Convention we signed 20 years ago, should examine all refugee applications made on our territory, including ones that came from a so-called safe country. The Government refused this, and will send many away without a full and fair hearing.

Second, the UN asked that claimants not be excluded from a full refugee division hearing primarily on the basis of decisions about people who came before from the same

country. They said that more weight should be given to the circumstances of the individual who is coming now. The Government refused.

Third, the UN asked that a decision against a refugee should be reviewed because a mistake could cost a person's life. Again, the Government of Canada, a member of the executive of the United Nations High Commission for Refugees, refused.

These three main objections to Bill C-55, made by every witness before the committee except those representing the Immigration Commission or the airlines, have been argued in Parliament and in public at every opportunity. The Government's refusal to heed them stands as a disgrace to Canada.

I also warn Hon. Members of the House and my brother and sister Canadians that we cannot deny justice and liberty to refugees without at the same time undermining and weakening the rights and liberties of Canadians.

We have seen how Bill C-84 denies the right and freedom of Canadians to help an undocumented refugee come to an immigration office in Canada to claim refugee status. Now Bill C-55, in the course of denying to a refugee claimant the right of a meaningful appeal of review of his or her claim, also denies to all Canadians the right to ask the courts to correct a mistake made by an immigration officer in the case of a Canadian applying to sponsor a relative for immigration. The Progressive Conservative Government, by whipping up a false panic about refugees, is eroding the freedom of individual Canadians to do what they believe is right.

I have described the strong opposition of Canadians to Bill C-55. However, the question many ask is: Why is the Government doing this? There is no doubt that the number of refugee claimants has risen very fast. There are ten times as many coming to Canada as there were a few years ago. There were 18,000 refugees last year. This is the Government's chief excuse, yet the previous Progressive Conservative Government decided to bring 50,000 from Vietnam in 1979, nearly three times as many. Why is there panic now?

The biggest shift in the flow of refugee claimants is in the countries of origin. After World War II, most refugees to Canada came from the communist countries of eastern Europe. They were anti-communists—including some Nazi war criminals, we find—and they were white. Now, most refugee claimants are from former colonial countries, often from brutal right wing regimes and not all clearly anti-communist. Most of them are not white.

Why are they coming? This new wave of refugees is a sign of much larger trouble in the world, especially in the past ten years.

During the fifties and sixties, and into the seventies, the Governments of western Europe and North America accepted millions of immigrants, legal and illegal, short-term and long-term, Caucasian and non-Caucasian. They fueled our manufacturing and service industries with cheap labour, and strengthened the expansion of our markets into the former colonies of Latin America, the Caribbean, Africa, Asia and the southern Pacific.

However, when that expansion reached its limits in the mid-seventies, and markets began to shrink, the countries of western Europe and North America began to cut back. Wage freezes, currency devaluations and restriction of immigration began. To bolster our industrialized nations, agricultural prices were cut, impoverishing many former colonial countries. Multinational manufacturers also began shutting down factories and data processing services in industrialized countries and moving to the former colonies for cheaper labour. The recession of the early 1980s speeded this up. One result was a sharper cut in the demand for cheap labour in Canada and our neighbours in North America and western Europe. At the same time, areas like Latin America experienced growth of Governments preaching the doctrine of national security. With arms, military advisers and police training, provided mainly by the United States and western Europe, these Governments began attacks against what they chose to call "communist subversion", such as did Pinochet's coup in Chile in 1973.

• (1620)

Powerful corporations joined with the military to suppress labour unions and hold wages well below the rate of inflation. In areas such as Latin America, the Philippines and Sri Lanka, peasants were forced off the land. Foreign-owned factories recruited labour at starvation wages, and more military repression was used to suppress unions. At the same time, the foreign owners of industry, including much agri-business, with the help of international banking institutions, ensured that more capital flowed out of these countries toward western Europe and North America than flowed into them.

The poverty of the people deepened rapidly. So the seeds of civil war were sown in many of the former colonies. From these same countries came refugees fleeing persecution because of their attempts to defend their right to eat or fleeing hunger in a land they no longer owned or where they could no longer grow food to eat.

More recently these former colonies have been burdened with huge external debts. Money spent to build and service factories there for foreign corporations, money lost to sinking agricultural prices, and cost of arms provided for industrial countries and used by the military to suppress discontent, was all charged against these impoverished Governments and hungry people. The refugees kept coming in search of a chance to live.

The peoples of these countries, officially politically independent, began movements and even wars of liberation from economic bondage that was killing them. The North Atlantic powers intervened to support Governments that would repay their debts to our banks regardless of cost to the people. More arms, military advisers and occasional military invasions

as in the Caribbean increased the misery and drove out more refugees. For these reasons, there are perhaps 15 million displaced people in the world, mainly in the former colonies.

Canada, the United States and western Europe which benefited from the financial rape of those countries, are now visited by some of these victims looking for some of the good things we have taken from their countries, so we have a refugee crisis.

What is the usual answer of the North American Governments? Fear, panic, hostility and the building of bureaucratic walls to keep people out. It suggests a guilty conscience. This has certainly been the answer of senior Canadian Immigration Commission officials and the Cabinet. One-sided pictures are fed to the media suggesting that nearly all refugee claimants are bogus or maybe even terrorists, in spite of lack of evidence by the RCMP.

Negotiations within the United Nations High Commission for Refugees to encourage burden sharing so that struggling countries like Mexico and Pakistan would not be overwhelmed by refugees, are being reversed. Instead, Canadian, U.S. and western European immigration officials—

The Acting Speaker (Mr. Paproski): Order, please. The Hon. Member's time has expired. However, I believe there is unanimous consent to allow the Member to continue. Is there unanimous consent?

Some Hon. Members: Agreed.

Mr. Heap: Mr. Speaker, I appreciate this privilege conferred on me and I hope those who voted for it will not regret their decision when they hear what I have to say. As I was saying, Canadian, U.S. and western European immigration officials meet in secret, excluding the UNHCR representative, to plan burden shifting, how to dump more refugee claimants onto countries too weak economically or politically to refuse them.

The Canadian Government's action in slamming Bill C-84 and Bill C-55 through in August and September is part of this exploitation of panic and exclusion. As aircraft companies manufactured more planes, as airline companies enticed more passengers, as the planes flew in both directions, as wars over markets and liberation of workers in ex-colonial countries increased, inevitably more refugee claimants arrived year by year in Canada. How did our Government handle this? In 1976, a new Immigration Act was adopted by Parliament.

After much discussion, the Liberal Government refused the urging of the churches and refugee aid societies and agencies who said that the only sound way to tell who was a real refugee was to let him or her tell the story face to face with those who decide a life and death question, in what the lawyers call an oral hearing. The Government said it would cost too much. Instead, the Government set up a cumbersome system, controlled mainly by the Immigration Commission, with hearings under oath, transcripts, a separate committee to study transcripts without looking claimants in the eye, an appeal board with more ponderous procedures, and it starved them for staff. The system slowed down and a backlog began to build up. The commission staff, to cover up, began leaking slanted stories to the media about hoards of bogus refugee claimants.

The Liberal Government, instead of giving the necessary staff, commissioned reports the Robinson report in 1983, the Ratushny report, and then the Plaut report. The Conservative Government came in in 1984 and delayed tabling the Plaut report from December 1984 until June 1985. Clearly, neither the commission nor the Cabinet was ready to face the embarrassment of the system's breakdown.

On April 4, 1985, the Supreme Court exposed the basic flaw in the system by its decision on the Singh case. It said justice and the Canadian Charter demand that every refugee claimant physically in Canada be heard face to face in an oral hearing before those who must decide whether to send him or her back to possible imprisonment, torture or death. The commission was stunned at being invaded by the forces of justice. The then Minister, the Hon. Member for Kingston and the Islands (Miss MacDonald), dutifully issued a statement, apparently drafted by the commission, saying that now the Government must decide who will have access to the refugee determination system with its oral hearing. This was a clear and cynical declaration of contempt for that very decision of the Supreme Court and the Charter of Rights and Freedoms, Canadian rights and freedoms, on which it is based.

The Progressive Conservative Government has consistently followed that line of contempt for the Singh decision from that day through Bill C-84 and Bill C-55 to this day.

In June, 1985 the Government stalled by asking the Standing Committee on Labour, Employment and Immigration for yet another report, the fourth report in three years. The committee studied the Plaut report, interviewed commission officials and public witnesses, and tabled in November, 1985 its all-Party report, which essentially agreed with the Plaut report. It recommended that refugees status determination be seen as not an immigration question but a question of human rights. It said that there should be a refugee board independent of the commission. Refugee claimants should be sent directly to that board to be examined by people competent to decide human rights questions such as: "Is he or she a refugee?" Then the Immigration Commission should decide whether to land or remove that person.

A fair and quick system that would have taken all the profit from the racketeers who are taking big fees for bringing in bogus refugee claimants with the promise of several years of work before they are removed.

The Government was obligated by the new reformed Standing Orders of Parliament to give a comprehensive answer to our report in four months. It never did. In 22 months, the Progressive Conservative Government has refused to give a comprehensive answer to our report. It has refused to say which recommendations it accepts and which it rejects, and

why. This began the dismal pattern of this Government's habitual contempt of Parliament and the Government's duty to answer committee reports seriously, contempt which has continued toward other reports and other committees.

No doubt the commission bureaucrats impeded any attempt by the then Minister of State for Immigration to answer our committee seriously. Therefore, the commission's adamant hostility to refugees has helped to undermine the necessary rights of all Members of Parliament.

• (1630)

In May of 1986 the then Minister of State for Immigration made an attempt to respond to some of the committee's recommendations on the refugee backlog. These were soon twisted and undermined by the commission bureaucrats. The Minister of State was replaced by one who would do as he was told and not interfere with policy decisions.

The Portugal-Jehovah's Witness refugee scam brought in 3,500 bogus claimants, to be followed by a couple of thousand from Turkey and Brazil. The Government imposed visa requirements too late and, in 1987, after two years, began to lay charges against the scam operators. All this, of course, was presented to the media as a condemnation of refugees. It is the old dodge of blaming the victims.

Into 1987 the new Minister of Employment and Immigration (Mr. Bouchard) was giving press statements that insulted refugees and sometimes other immigrants saying that Canadians are getting fed up with bogus claimants, telling the church and refugee aid representatives that he would base his new refugee system on the Canadian backlash he perceived and not on what he scornfully called Euro-Canadians, bragging that his part of Quebec had not been *dérangé*.

On February 20, 1987, he imposed new restrictive regulations. Central American refugee claimants were coming to our border to escape a new harsh law in the United States that would deport 98 per cent of them back to the death squads of El Salvador and Guatemala. New regulations cut that flow into Canada by less than half by forcing them to return to U.S. immigration officials and wait for an inquiry date in Canada.

Chileans, fleeing a crack-down by Pinochet, were stopped at Buenos Aires by a new transit visa requirement written literally with their country's name on it, although it blocks many others too, except of course it does not block eastern Europeans.

Refugees were not the only scapegoats chosen by the Government to divert public anger from government corruption and untrustworthiness. Unions are, of course, the target that this Government loves to bash. The postal workers were blamed for management's decision to reduce postal service in the interest of privatization. The staff person-years of the Canada Employment Commission and the Canada Immigration Commission were slashed while their workloads rose.

Vancouver Port grain handlers were locked out by employers and accused by the Government of striking against prairie grain farmers. Letter carriers were forced to strike to defend their jobs and were upheld by the Canadian public. Railway workers were forced to strike and were immediately legislated back to work.

As we sit in session today, Canada Post, in violation of the Canada Labour Relations Board ruling, is stealing jobs from inside postal workers to give to under-paid, untrained, unequipped contracting small storekeepers who are in no position to defend themselves against predatory management.

In addition, of course, the Government continues the tradition of treating all unemployment insurance claimants as suspected cheaters. The Standing Committee on Labour, Employment and Immigration reported upon the Forget Commission's recommendations that urged a unanimous recommendation, No. 55, that:

> —under all circumstances, clients be treated with dignity and respect. Unemployment Insurance is the clients' program, and staff should presume that clients' intentions are honourable unless there is objective evidence to the contrary. In all cases, the onus of proof for ineligibility or disentitlement must rest with the Commission.

Again, as with the committee's report on refugee status determination, the Government refused to answer.

On the other hand, the Government issued in June its much publicized White Paper on National Defence in which it gives a rosy picture of arms manufacturing in Canada with never the slightest hint of multimillion dollar scandals by which defence production corporations reach into Canadian taxpayers' pockets. In fact, the Minister states in the section entitled "Defence Industrial Preparedness" the following:

> Maintaining the conventional forces of NATO as a credible deterrent requires that our industrial base be able to respond to the needs of our armed forces and those of our allies, both for initial readiness and for follow-on sustainment.
>
> A key element of both readiness and sustainment is the ability to equip and resupply military forces.

He also includes our research and development capacities in defence spending.

So there is method in this Government's madness and there is madness in its method. In order to promote super profits for what the Hon. Minister of National Defence (Mr. Beatty) calls "the North American defence production base", this Government revives the cold war politics of fear and counter-terror saying—

The Acting Speaker (Mr. Paproski): I would be the last one to interrupt the Hon. Member. However, I think that he is a little off the topic of Bill C-55. I hope that he will come back to the Bill, if he does not mind.

Mr. Heap: Mr. Speaker, I will point out the relevance of what I have been saying. I am talking about a climate of fear being introduced in a number of ways. Fear of refugees is one of the leading examples. I am pointing out the consistency of

the Government's policy because in order to whip up the extra expenditures for the war program the Government is promoting a climate of fear and even panic. In fact, it is relevant to the Bill which is before us. Within a few weeks the Government will introduce second reading on Bill C-77, the security measures Bill. That Bill also allows the Government to suppress dissent by declaring an international emergency while our ally, the U.S., judged that its economic interests are threatened in the Persian Gulf, the Middle East or Central America.

These are dangerous politics for the Government to be playing. It seems that the Government wishes, whether it is with refugees, postal workers, or defence policy, to scare us into accepting these very dangerous politics.

When the boatload of Sikhs arrived in Nova Scotia in July, the Government was all ready to make a huge production of it with military guards and a military base. Potential refugee claimants were held incommunicado for a week without access to the press or lawyers, in violation of our Charter. There was scary talk of an invasion of turbanned aliens and security risks.

The Prime Minister (Mr. Mulroney) and other Ministers kept calling the Sikhs and other refugee claimants "queue-jumpers", hoping to turn immigrants against them by suggesting that refugees were hindering them from sponsoring their relatives. Some Tory MPs also told their constituents that the Liberals and the New Democrats in the House of Commons blocked Bill C-55, thereby preventing the Government from having legislation to deal with the Sikh boat. That is clearly and deliberately false. They showed their purpose by giving out the constituency office phone numbers of the Liberal and New Democratic critics, encouraging constituents to tie up our phones with mistaken complaints.

The Government's hoax failed with the immigrant community. The Canadian Ethnocultural Council, in addition to presenting strong briefs against Bill C-84 and Bill C-55, sent an open letter to the Prime Minister dated August 10, accusing the Government of an information campaign that resulted in the manipulation of the media and public opinion.

Specifically, the CEC charged that in addition to holding the Sikhs incommunicado, the Government released the most controversial person first, Mr. Amrik Dhinsa, apparently to create a negative reaction; obtained damaging statements through questionable means, faulty interpretation and use of statements out of context; leaked a confidential unfinished report on security suggesting problems with immigrants; leaked false information claiming that 33 Sikhs had criminal records. Then there was the musical comedy spectacle of the Canadian Navy and Air Force searching the Canadian coast for an empty freighter, the *Walvis*, that was anchored near England. I welcome the courageous plain talk of the Ethnocultural Council in exposing this hoax.

The Hon. Member for Calgary West (Mr. Hawkes), until this spring known as a leading advocate of refugees, heightened the hysteria by appearing on TV the day Bill C-84 was tabled, stating, "This is not a Bill about refugees, it is a Bill about security". In fact, both Bill C-84 and Bill C-55 cast a shadow on all refugee claimants at a Canadian port of entry by allowing the Minister to order extraordinary detention, up to 28 days, renewable, and to issue a security certificate against them on secret evidence and without a fair trial. They are then denied the right of access to the refugee determination system, which Canada solemnly undertook to give them when we signed the UN Convention relating to the status of refugees 20 years ago, and which the UN representatives speaking to the committee urged us to honour.

• (1640)

The hoax that refugees are all to be suspected of being terrorists was exposed by the RCMP itself, just as it exposed a similar hoax used by the Liberal Government in 1942 as its excuse to imprison and rob 22,000 Japanese Canadians. In the case of the refugees, the RCMP witness at the Bill C-84 committee testified that none of the refugee claimants on last year's "Tamil" boat, or on this year's "Sikh" boat were found to be a security risk. When asked if any of the 5,000 screened by the RCMP in 1986, and the 6,000 in 1987 were determined as causing a threat to Canada, Deputy Commissioner Belanger answered, and I quote, "We have no documented evidence to that effect either".

Perhaps unintentionally, one more anti-refugee hoax was exploded by the Immigration Commission issuing the information that of the 99,206 immigrants landed in 1986, 6,571 were landed from within Canada through the administrative review of the refugee backlog in Canada. In other words, the actual recruitment of immigrants overseas, including refugees, fell short of the minimum target of the Government by almost 6,000, and its maximum target by almost 16,000. But it would have fallen short by more than 12,000 or 22,000 if the refugee claimants were not included. This means that there never was a queue, therefore, there could be no such thing as queue-jumpers in immigration.

Here is a context that explains the Government's rigid insistence on Bill C-55. First, following the former Minister of Employment and Immigration who justified the commission in trying to find ways to evade the Supreme Court decision in the Singh case, both the Hon. Member for Etobicoke—Lakeshore (Mr. Boyer), and the Hon. Minister of National Health and Welfare (Mr. Epp) during debate this spring hinted strongly that we must change the Supreme Court's decision on Singh about the right of every refugee claimant to a full oral hearing before those who are competent to decide their fate. Instead of an open principle challenge by reference to the court, as we asked, they seem to be attempting to overturn that decision by indirect legislative tricks. They show their contempt for the court and the Charter in that manner.

Second, the hysteria whipped up against refugees is clearly to be used to exclude most refugees except those who are recruited overseas as immigrants. This would go hand in hand with a shift in Canadian government labour policy and may

herald further freezing or reducing the target levels for family class immigration.

In this context, what can we make of the promise of the Minister of Employment and Immigration on the day that he introduced Bill C-84 to allow unmarried children of all ages to come as family members? He has given us no details. Past experience with his new point system makes immigrants very doubtful that he will do them any favours.

It seems that the ghost of the Nielsen report is the guiding hand. That report intended to cut government expenditures harshly, and proposed four things on immigration. The Government should restrict refugees to overseas recruitment as immigrants, except for those in "hot flight" directly from the country of persecution which, in practice, is possible only from Communist countries. Second, phase out government sponsorship and rely entirely upon charity to bring in refugees. Third, reduce family class immigration. Fourth, concentrate on bringing in immigrants with investment capital or specially needed skills.

The Government has taken its stand against the rights of refugees as recognized in international law which Canada has pledged to uphold, and in doing so knowingly restricts the rights and freedoms of Canadians.

I have stated what I see as the source of the crisis over refugees. I have stated what I see as the Government's chosen response, and a very unfortunate one it seems to me. Now I wish to describe what I see as the actual response chosen by the Canadian people in their own personal right.

The people of Canada have spoken strongly for refugees. In *The Toronto Star* poll 75 per cent said, "Let legitimate refugees come". At first, when very few had received copies of the Bill, let alone understood it, many supported the Bill, including newspaper editors. Many of those switched their stand when they learned the facts about what this Bill does to refugees.

Canadians have used the people's organizations of Canada, notably the churches and synagogues, to express their opposition to this Bill. The churches act in the ancient tradition expressed by Paul's letter to the Galatians (3:28): "There is no such thing as Jew and Greek, slave and freeman, male and female, for you are all one person in Jesus the Anointed One of the Creator". Nowadays I believe Paul may have added, "No such thing as citizen and alien".

The Jews speak from a tradition more than a thousand years older from the time when Moses organized the first brick-makers' strike in Egypt and led his people as refugees in the Exodus, the great walk-out from Egypt. They still remember the law he gave in Exodus 20:2-3: "I am the Lord your God who brought you out of Egypt, out of the land of slavery. You shall have no other god to set against me".

All the other hundreds of people's organizations who came as witnesses, wrote letters and sent telegrams, and took up petitions and visited MPs; all the townspeople in Fort Erie, southern Quebec, Windsor, Thunder Bay, Winnipeg, southern Alberta, Vancouver, and Charlesville, Nova Scotia who welcomed refugees with food, shelter, and friendship; all the editorialists in *Le Devoir*, *CSN Nouvelles*, *The Toronto Star*, *The Globe and Mail*, *Calgary Herald*, *Vancouver Sun*, and many other papers; all these and more knowingly and instinctively took the side of the United Nations High Commissioner for Refugees in favour of refugee claimants and against the Bill's exclusions.

Nevertheless, with all that pressure we gained very slight amendments. The word "any" is now placed in the "credible basis" clause so that the adjudicator or refugee board member must send a claimant to the refugee board if they find "any credible and trustworthy evidence". For some there will be a bar against refoulement, sending someone back to the country of feared persecution. Those claimants sent back to the "third country" they came from and returned by that country to Canada will be allowed to re-enter the refugee determination process at the next stage.

The Bill is still unjust. Claimants are "guilty" until they prove themselves innocent. They may be forced to return to a country with no agreed standard on whether they will be able to make their refugee claim there. "Credibility" is still mainly at the caprice of the Minister's staff. There is no fair review or appeal.

The churches, the labour movement, and many other Canadians will continue to demand a fair refugee policy, according to the Canadian Council of Churches' proposal; a fair immigration policy, oriented to families rather than to the rich, the skillful, the powerful, or the politically correct; a foreign policy building development and peace rather than arms trade, rape of natural resources, and debt slavery to make it no longer necessary for people for people to flee their native lands as refugees; in Canada, full employment, not to make the instruments of death for export but to produce the means of life; and the principle that we should observe the needs of the poor before the wants of the rich.

More and more Canadians are asking, Mr. Speaker, for a change of heart in government; a change by which complete love of our neighbours will cast out fear.

Mr. John Oostrom (Willowdale): I am pleased to have the opportunity to speak on third reading of Bill C-55. I wish to express my gratitude to all those who during the last month have participated in the debate on Canada's refugee policy. The contributions of Hon. Members, and those who appeared before the legislative committee, have served to raise the level of understanding on this issue.

I was somewhat surprised and disappointed when the Hon. Member for York West (Mr. Marchi) stated earlier today that fewer refugees and immigrants are coming to Canada, and that our Conservative Government is less compassionate. The opposite is true. During the last three years of Conservative Government, immigration levels have increased from some

80,000 to 125,000 annually, while government sponsored refugees alone have increased from 9,000 to 12,000 annually. This is the best record ever for any Canadian Government in recent years.

• (1650)

This morning the Minister of State for Immigration (Mr. Weiner) took the high road on refugee measures, but not the Hon. Member for York West and previous Liberal Governments that only seemed to favour bogus refugees with money.

The Hon. Member for York West favours people who have money obtaining false passports and visas and paying large sums of money to transportation companies. The Conservative Government reaches out to the desperate and the needy in the world. The Government looks for places where they are waiting in camps. The Government goes there with its immigration officers and picks them up in Hong Kong, Bangkok, and other places where often the Americans got there before us to pick out the best.

The Conservative Government is not looking after the wealthy refugees, whom the Hon. Member for York West seems to be protecting, bogus refugees who pay fees to boat captains and immigration lawyers. The Government looks after all refugees in real need who have no other means to get to Canada.

The Conservative policy is clear. It is forward looking, humanitarian, and compassionate. As the Minister indicated this morning, it has three dimensions. First, the Government assists the UNHCR and Red Cross in many refugee camps in countries all over the world with food, shelter, and health costs. That is the first requirement for them to be safe. Second, we bring those refugees, especially the needy, to Canada in an orderly and timely fashion. Third, we assist those refugees and their families to settle properly in Canada. We assist them in finding shelter and jobs and in acquiring language skills.

The pre-1979 Liberal Government obtained only some 5,000 refugees from southeast Asia. However, what is the record of the Conservative Government? The Conservative Government, under the leadership of the Right Hon. Member for Yellowhead (Mr. Clark), started to invite 50,000 Vietnamese from southeast Asia to Canada, which has been increased since then.

The pre-September 1984 Liberal Government sponsored only 9,000 government refugees annually, whereas the Conservative Government of today sponsors over 12,000 annually. Similar trends and figures can be cited for refugees from Central America from where very few refugees came to Canada under previous Liberal Governments. That has all changed today. The Conservative Government is far more humane toward Central and South American refugees.

Bill C-55 is part of a continuous process to ensure that our refugee policy is right for today's world. Canada's search for an updated refugee policy reflects our need to come to terms with new global pressures. We are doing it in a way which respects our humanitarian tradition while seeking a practical solution to contemporary problems.

In this connection I should like to thank all church groups, the Jewish community, human rights groups, UNHCR, and others who not only assisted for many years in settling refugees in Canada but also assisted the Government with briefs and comments on both Bill C-55 and Bill C-84.

That Canada has a long and honourable tradition in helping refugees is beyond question. Even before the refugee was recognized as a legal entity, Canada was offering a safe haven to those who needed it. The United Empire Loyalists were probably the first group to come to Canada under those circumstances. Later, in the mid-1800s, black Americans fled slavery by making their way to Canada on the underground railway. After General Custer was defeated at Little Bighorn, Sioux Indians sought refuge in western Canada. Religious dissenters such as the Mennonites and the Doukhobors found freedom in Canada, along with many settlers who were fleeing persecution in their homeland.

However, it was not until after World War II that a specific policy for refugees began to emerge in Canada. Millions of people displaced by war were resettled throughout the world in those post-war years. Canada has done her share, offering haven to more than 500,000 refugees in the intervening years.

Although Canada participated in the drafting of the Convention on Refugees in 1951, refugees were still considered under general immigration policy. However, under those terms Canada accepted some 40,000 Hungarians after 1956 and some 12,000 Czechoslovakians after 1968.

One year later Canada signed the UN Convention and Protocol for Refugees, formally recognizing refugees as an entity separate from the general immigrant population. This marked an important watershed for the refugee policy. In the interim, Canada welcomed some 7,000 Ugandan refugees.

Our refugee policy continued to evolve. The proclamation of the Immigration Act in 1976 provided a legal framework for the determination of refugees among individuals arriving in Canada. The Act allowed us to control the intake of refugees based upon our priorities and international commitments. Refugees, like all other persons intending to settle in Canada, were expected to apply abroad. However, as a signatory of the Convention and Protocol for Refugees Canada also agreed that it would not return to their homeland those determined to be refugees and to whom we have granted protection.

Canada faces a different set of circumstances today from 1951, 1969, and even those of 1976. When Canada signed the Convention it was assumed that a number of applications by people who appeared spontaneously at our borders would be manageable, given Canada's relatively isolated position and her acceptance of refugees from abroad. However, refugee issues cannot be divorced from general world developments. We are currently in the midst of one of the largest migration

movements in history. It is estimated that between 70 million and 80 millions have left their countries of origin in search of a better way of life.

The problem is twofold. Unprecedent population growth in the Third World has raised expectations all over. The drift from the country into the city and severe economic problems have led to a vast movement of people looking for a better standard of living. On the other hand, changing economic fortunes in the late 1970s and early 1980s led developed countries to reduce greatly the opportunities for immigration and employment. As a result, a claim of refugee status became virtually the only means to obtain entry and work authorization.

This situation was further aggravated by a spate of ideological and civil conflicts in Africa, the Middle East, and Central America. Inevitably a large number of people affected by economic, political, or natural disasters not of their own making have tried to use the refugee claims system to enter developed countries.

There is no doubt that many of these individuals are genuine refugees in the true sense of the term. However, there are also many others trying to take advantage of asylum who are not persecuted or in fear of their lives because of their expressed opinions or beliefs. They are economic migrants who rightfully belong in the immigration stream.

The Acting Speaker (Mr. Paproski): Before calling it five o'clock, I should like to indicate that the Hon. Member for Willowdale (Mr. Oostrom) will have 10 minutes remaining on debate when we continue this matter tomorrow or whenever, plus 10 minutes for questions and comments.

It being five o'clock p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

• (1700)

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

NUCLEAR ARMAMENTS

ADVISABILITY OF DECLARING CANADA A NUCLEAR ARMS FREE ZONE

The House resumed from Monday, August 31, consideration of the motion of Mr. Young:

> That, in the opinion of this House, the government should consider the advisability of declaring Canada a nuclear arms free zone by prohibiting the deployment, testing, construction and transportation of nuclear weapons and associated equipment through and within Canada, the export of goods and materials for use in the construction and deployment of nuclear arms and further, the government should encourage cities, provinces and states throughout the world to undertake similar action.

The Acting Speaker (Mr. Paproski): When the motion was last before the House, the Hon. Member for Ottawa—Carleton (Mr. Turner) had the floor. I now recognize the Hon. Member for Humboldt—Lake Centre (Mr. Althouse).

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I am pleased to join in this debate on the Private Member's Motion presented to this Chamber by the Hon. Member for Beaches (Mr. Young) and seconded by the Hon. Member for Spadina (Mr. Heap).

The motion calls upon the House to urge that, in the opinion of this House, the Government should consider the advisability of declaring Canada a nuclear arms free zone by prohibiting the deployment, testing, construction and transportation of nuclear weapons and associated equipment through and within Canada, the export of goods and materials for use in the construction and deployment of nuclear arms and further, the Government should encourage cities, provinces and states throughout the world to undertake similar action.

A nuclear weapons free zone can be established as an international zone by treaty or by national declaration and policy. They are generally considered to be a confidence-building measure which serves in peacetime to enhance international stability and provide a positive climate for arms control negotiations. Nuclear weapons free zones are a sane approach to the slowing of the momentum in the arms race by reducing the flexibility of nuclear weapons options and the circumstances under which they could be used.

At this time, roughly 59 per cent of all Canadians now live in nuclear weapons free zones. This is a circumstance that arises because some 169 municipalities have declared themselves to be nuclear weapons free zones. In fact, each time I leave my riding to return to Ottawa by way of the Regina airport, I am greeted at the outskirts of Regina by a sign that says: "You are now entering a nuclear weapons free zone". In fact, 168 other municipalities across Canada have made similar declarations.

In addition to the 169 municipalities, the Province of Ontario, the Province of Manitoba and the Northwest Territories have all declared themselves to be nuclear weapons free zones. The municipal councillors who attended the Federation of Canadian Municipalities' annual general meeting actually formed a nuclear weapons free zone committee to found a national organization sometime in 1988.

The activities at the municipal and provincial levels have been ongoing. There is acceptance in many parts of Canada for this kind of a proposal. Today's motion would urge the federal Government to get involved as well to ensure that the other 30 per cent of the population will live in nuclear weapons free zones.

Around the world, there are now four international treaties that set up nuclear weapons free zones. These treaties cover the Antarctic, all of Latin America, the sea-bed and outer space. A fifth treaty, the Raratonga Treaty, attempts to

establish the South Pacific as a nuclear weapons free zone, but the treaty has run into some difficulties. While it has been recognized by those members of the South Pacific forum, including New Zealand, Australia, China and the U.S.S.R., both France and the United States have refused to sign.

As well, there are a number of other proposals for nuclear weapons free zones in the world. Talks continue among the Nordic countries to create a Nordic nuclear weapons free zone. Several countries in the Balkan Peninsula from Greece to Romania, Albania, Bulgaria and Yugoslavia are attempting to participate in an agreement that would make that area a nuclear weapons free zone. There is considerable discussion ongoing about extending that zone into Central Europe. Countries in the Indian Ocean area, some African and southeast Asian countries and some of the Middle Eastern countries are also discussing such a proposal.

It is of interest that the Inuit Circumpolar Conference is also at work drafting a proposal for an Arctic nuclear weapons free zone to comply with the ones in the Antarctic and the South Pacific. Seventeen nations including Austria, Japan, New Zealand and Sweden have declared themselves unilaterally to be nuclear weapons free zones.

As a symbolic gesture, the declaration of a nuclear weapons free zone is an expression of will to oppose the nuclear arms race. As one of the proponents has put it, it is a formal declaration by countries that they will neither acquire nuclear weapons nor facilitate the build-up of nuclear weapons by other states, that they will complement and support the non-proliferation treaty and that they will strengthen the momentum to freeze, reduce and eventually eliminate nuclear weapons.

Canada has long taken an official stand in international circles that is supportive of the declaration of nuclear weapons free zones. At the UN special sessions on disarmament in 1978 and in 1982, Canada voted in favour of joining the final declaration on the establishment of such zones. This stated support, however, has not materialized into concrete action in Canada. Only some of the provinces, territories and municipalities have participated.

In reality, Canada appears to provide support for the testing, development and training in the use of nuclear weapons. We allowed the testing of Cruise missiles, for instance. Canada places no restrictions on Canadian industrial involvement in the production of U.S. nuclear and nuclear-capable delivery systems or their components. Canada allows port visits by nuclear-armed naval vessels and has supported this commitment even further by the acquisition or declared acquisition of nuclear-powered submarines as proposed in the recent White Paper.

In addition to these more obvious breaches of our stated non-nuclear policy and our commitment made at the United Nations, Canada is less than stringent in the application of policy restrictions on the export of nuclear-fissionable materials. Although these are not to be used in Canada or anywhere else for the production of nuclear weapons, there is some evidence to show that our exports to South Korea, France and the United States are making their way into the atomic bomb programs of those countries.

There are a number of things we can do to aid the program we claimed we supported at the United Nations. We can cancel Cruise missile testing and the testing of other nuclear weapons systems or their components in Canada. We can prohibit port visits of nuclear-armed ships as has already been done in Denmark, Norway, Iceland, New Zealand and many other countries. We can pursue the creation of a nuclear weapons free zone in the Arctic together with other nations with Arctic interests, and we could end Canadian industrial participation in the development and production of nuclear weapons systems or their components.

In summary, I would like to put on record the words of representatives of Project Ploughshares. They said:

> A nuclear weapons free zone is not an attempt to make one immune to the effects of war, rather it is an attempt to influence national and international behaviour before war breaks out, ... A nuclear weapons free zone is a peacetime measure to restrict the spread of nuclear weapons, to withdraw political and technical support for the nuclear arms race and to build trust between nations and regions of the globe.

I think Canada could have no better goal than the acceptance of this motion. I would hope that the preliminary step would be taken to establish Canada as a nuclear weapons free zone.

• (1710)

Mr. William C. Winegard (Guelph): Mr. Speaker, the motion before us reflects a concern on the minds of many Canadians. I refer to the role of nuclear weapons in preserving collective security and Canada's responsibility in that regard. Given the awesome destructive power of nuclear weapons it is understandable that Canadians want to be informed and knowledgeable about their Government's policy in this area.

First, I would like to emphasize, as a matter of reality, that Canadian policy and practice is in many respects already in conformity with the resolution before us. Canada does not possess nuclear weapons. In normal peacetime conditions no nuclear weapons are deployed, tested or constructed within Canada, or transported through Canada. Neither could such nuclear weapons-related activities occur on Canadian territory without the express permission of the Canadian Government. I remind the House that Canada is distinct from several of our NATO allies in that we do not have nuclear weapons in our inventory or on our territory. As for Canadian exports, which we just heard about, it is Canadian policy that all exports of nuclear material, equipment and technology shall be for peaceful, non-explosive uses only.

Second, I emphasize that the Government is sympathetic in principal to the broad concept of nuclear weapons free zones. Canada has supported resolutions at the UN calling for the creation of such zones. I note, however, that in the few cases where such zones have been officially proclaimed, they do not

necessarily include prohibitions as comprehensive as those set out in this motion. For example, the South Pacific nuclear free zone, which Canada welcomed, does not prohibit transit through the zone by vessels which may be carrying nuclear weapons. This reflects the fact that even in the few regions where steps have been taken to establish such zones, the measures are adapted to the specific strategic realities and security interests of the countries concerned.

Our Government's approach is pragmatic. Our central concern is to ensure that our policies contribute to national security and international stability. A central pillar of this Government's national security policy is collective defence as exemplified by our membership in NATO and NORAD. The primary role of the alliance is to safeguard the security of member nations by deterring aggression. This Government believes, as do other NATO Governments, that the nuclear deterrent strategy of the alliance has been a critical factor in maintaining peace in the East-West context for over 40 years. Canada voluntarily shouldered the obligation to contribute to the capability of the alliance to implement its strategy of deterrence. It would not be consistent with our alliance membership, or with our own security interests, for Canada, as a matter of principle, to attempt to dissociate itself from any and all aspects of the nuclear deterrent strategy.

The second central pillar of our national security policy is arms control and disarmament. The Canadian Government, like other alliance Governments, recognizes the desirability of moving toward reduced reliance on nuclear weapons. The fact that the U.S. and the Soviet Union appear close to successfully concluding an agreement on the elimination of both short and medium-range nuclear weapons is most encouraging. I remind you, Sir, that those negotiations began as a result of an alliance initiative, and progress has in no small measure been due to the ability of the alliance to maintain a consistent and co-operative approach to the negotiations. Similarly, the alliance is lending its support to the efforts of the superpowers to negotiate radical reductions in their strategic nuclear weapons. As we move toward a less nuclear world, the conventional balance of forces gains an importance. In this area, too, alliance members are co-ordinating their efforts to bring about negotiations toward balanced, and preferably lower, conventional force levels in Europe.

Canada has been able to offer serious and constructive input to these several arms control negotiating efforts because of our presence at the table as an alliance member. Even in multilateral arms control forums, much of Canada's credibility and capacity for influence derives from our alliance membership. This signals to others our level of knowledge about arms control developments and our enhanced access to the deliberative forums. Without that membership we would have been poorly informed of developments, and our credibility seriously depreciated.

The question must be asked: What would be achieved by passing the motion before us? In many respects, as I noted, nothing would change. Canada would remain a country without nuclear weapons and without direct involvement in the manufacture or maintenance of nuclear arsenals. By signalling a desire to dissociate ourselves from key aspects of the collective defence strategy, our credibility and influence would be significantly diminished. Our own security would certainly not be enhanced, and it could even be compromised. Our influence elsewhere would in no way be enhanced, and it could in fact suffer. It would, in sum, be worse than a futile gesture which would fly in the face of the reality of interdependence, which is as real in the area of national security as it is in other policy areas.

It took the world 40 years to get itself into the current situation of East-West tension and the build-up of nuclear arms. During the last year we have at last begun to see agreements which lessen tension and actually reduce the number of nuclear weapons. It has always been my contention that there is no easy half-hour television solution to disarmament and arms control. It will take patience as we move step by step towards the goal desired by everyone.

The conference on peace and security held last year, in which Canada played a major role, provided new measures to reduce tension in Europe. The proposed agreement between the U.S. and the Soviet Union on short and intermediate range nuclear weapons will eliminate, it is true, only about 3 per cent of the world's nuclear weapons. However, it is an important start.

Let us work towards the reduction of tensions and suspicions to a more open verification system for nuclear arms, troop movements, and chemical weapons. Let us continue to work carefully towards further verifiable reductions while at the same time keeping NATO strong. It is my contention, Sir, that the resolution before this House at this time does not do that.

Mr. Dan Heap (Spadina): Mr. Speaker, I am very pleased to have this opportunity to speak to this motion put forward by my colleague, the Hon. Member for Beaches (Mr. Young). The motion says:

> That, in the opinion of this House, the government should consider the advisability of declaring Canada a nuclear arms free zone by prohibiting the deployment, testing, construction and transportation of nuclear weapons and associated equipment through and within Canada, the export of goods and materials for use in the construction and deployment of nuclear arms and further, the government should encourage cities, provinces and states throughout the world to undertake similar action.

● (1720)

This, of course, is a very large subject. In the ten minutes I have I wish to concentrate on only one part of it. First, I wish to respond to two things said by the Hon. Member who just spoke. He said toward the end of his remarks that arms reduction will take a long time and will need patience. I agree with him. He, I, and many others in this House can remember discussions of this more than 40 years ago. I also agree with him that it is very heartening that now that the Soviet Union has achieved some parity with the United States on nuclear arms there seems to be some willingness on the part of the

United States to negotiate some arms reduction. I regret that it has taken so long and hope that it does not always depend upon the balance of terror, as the establishment likes to call it.

I do not agree with the Hon. Member when he argues that Canada should reject this resolution because we need to participate in nuclear alliances in order to have access to their information so that we can to be credible when negotiating arms control. That reminds me of a cartoon in the *Toronto Star* by the famous cartoonist, Ben Wicks. The king was sitting on his throne with his jester in front of him and he said, "Make me laugh, tell me the one about getting disarmament through making more bombs".

It seems to me that if Canada, which has very considerable civilian knowledge of nuclear matters, were to withdraw from nuclear alliances, we would not lose our credibility. Unless the Government wants to cancel everything which the National Research Council does, we need not lose our ability to understand the peaceful uses of nuclear weapons. I think we would be more credible to the smaller and middle-sized countries of the world if we divested ourselves of our ties with the nuclear powers.

I want to concentrate mainly on the Arctic. I admit that I have not been there much. I went to the Yukon once, but all Canadians, most of whom do not live in the Arctic, must give it more thought because the Arctic is becoming very important. It could be the focal point for the expanding ambitions of several countries and, therefore, a focal point for the risk of nuclear war which, it is agreed, we need to prevent.

The Arctic is a major theatre of interest for the American Star Wars program, the American air defence initiative, which some people call Son of Star Wars, and the American maritime strategy, which includes invading Soviet ports in order to destroy the Soviet submarine fleet. For that they may want to use the Arctic, perhaps even part of the Canadian Arctic.

All of these plans are inherently destabilizing and aggressive. Deployment, which makes it possible to make such moves as I have described, is threatening the Russians with the possibility of a U.S. first strike against their retaliatory or second strike capacities. Most arms experts and nuclear experts agree that that would be the shape of a plan which would be perceived in that way by the Soviet Union. Even if we say that the U.S. does not intend to use it, it is very foolish to give the appearance of intending to use it. If they do not intend to use it, they could say so which, of course, they refused to do.

The Prime Minister (Mr. Mulroney) spoke about this on May 25, 1987, when he warned that if Star Wars are deployed with counterforce weapons, they do produce the option of a first strike. Some of the Government's actions are not consistent with that important understanding expressed by the Prime Minister. The policy of allowing Canadian corporations to engage in Star Wars research clouds that issue very gravely. It is important for the Government to show leadership in this matter.

As the Prime Minister and the Secretary of State for External Affairs (Mr. Clark) have said and demonstrated through their actions, we have the opportunity to get many other powers in the world to listen to us when we have a serious program. We could extend leadership toward the goal of helping to ensure that there is no nuclear war.

One way in which to do that is to negotiate for a nuclear free zone which would cover the Arctic. Not only the Canadian Arctic would be involved, and this is where the negotiating comes in. The Americans are present in Alaska and the Soviet Union is present throughout its side of the Arctic. Greenland, Iceland and the other Scandinavian countries all have a strong stake in the Arctic and the benefits of a nuclear free zone there. Canada could take a lead by inviting them to talk about that and trying to set up agreement in which all countries could participate on an equal basis to reduce the threat throughout the Arctic without any one country making itself dangerously vulnerable.

For Canada's part we would probably have to agree on several things. We would have to deny the use of Canadian soil and waters to the U.S. for their air defence initiative, their Star Wars, and their maritime strategy. The present Government of Canada has been investigating this possibility vigorously. We would have to investigate it more vigorously and perhaps more contentiously. We would have to continue the general work, especially as it relates to that area, of discouraging the build-up and deployment of nuclear weapons, at least within the Arctic.

We would also have to refuse to test the cruise missile, particularly the one using the stealth technology, which is the most obvious threat to the Soviet Union. We would have to ask that the Soviet Union also refrain from testing similar missiles on its northern territory. We would have to stop allowing the transit of nuclear weapons on Canadian soil.

We have some rather slippery agreements with the United States which seem to say that they will not store, deploy, or use these weapons on our soil except when there is a crisis, in other words, except when they want to. They do say that when they are going to, they will let us know and we will have a chance to agree. It sounds like a 30-second phone call to tell us that they are coming over with the bombs and asking whether we object. I do not know what Canada will have to say about it at that point. We must make it clear that our territory is out of bounds for an action that might bomb the Soviet Union.

We must take over our own northern defence and warning system to ensure that it will be used for strategies which promote peace and the cooling down of tensions rather than threatening war. We must cancel low-level flight training for B-52s and other nuclear capable planes from the NATO countries. Finally, we must talk with the Inuit and other northern people around the Circle to find out what they are doing by way of negotiating among themselves.

• (1730)

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, I want to congratulate the Hon. Member for Beaches (Mr. Young) for his presentation of this motion because it is efforts such as this by public figures that make it possible for organizations throughout the world to take action.

I also want to congratulate the organizations on disarmament and other anti-nuclear organizations whose persistence in many of these nations has made this a cause of the public rather than a cause of the few.

I sometimes wonder what kind of world we would have today without those small groups of anti-nuclear activists, who march in the streets and demonstrate in front of the City Hall in Toronto or Vancouver. If they were not there to pressure the Government to put the reins on the development of nuclear weapons, what kind of world would we have? What kind of world would we have if the public did not take an interest in limiting nuclear arms?

I can only imagine the horror of what might have happened if there had not been organizations that dared to stand up and oppose the war machines of the world. I think, for instance, of the group holding hands around the nuclear base in England. This is the type of action that brings the concern of people to the attention of Governments throughout the world. If these groups were not persistent in making their views known throughout the world, there would probably be a much greater prevalence of nuclear development and armaments throughout the world.

We must give all our support to this kind of public intervention. I join an anti-nuclear march whenever I see one because I think it is that type of support that allows people in nations of the world to speak out against the development of arms that can destroy the world.

This debate has taken place on several occasions, and we hear the same arguments which attempt to negate the support we wish to give disarmament groups. However, I believe that the passage of such a motion for a nuclear weapons free zone would send a message that we not only support peace, we are willing to send a political message throughout the world that Canada is ready to take a decision on disarmament, particularly nuclear disarmament. As long as nuclear weapons exist, there is always a chance they will be used.

The U.S.S.R. and the United States will retain those nuclear weapons for as long as they believe a nuclear deterrent is required. Presently, discussions are taking place in an attempt to reduce the number of weapons in the East and the West. However, if the U.S.S.R. and the United States believe they require a nuclear deterrent, why is it necessary for other countries to be part of the nuclear armament structure?

If Parliament is unable to pass a motion such as this, we will not be encouraging the development of the peace movement, or even giving the current disarmament discussions the support that is necessary in order to succeed. While this motion will have no effect on the deterrent force of our allies, it would send a message to the rest of the world that there should be no further development of arms that can eventually destroy the world. Once the button is pushed, it makes no difference whether these weapons are designed for first use or for defence.

If the number of nuclear weapons free zones throughout the world increased to the point where the majority of countries declared limits as suggested in this motion, nuclear armed countries like the U.S.S.R. and the United States will perhaps listen to what we say.

[*Translation*]

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I would like to take part briefly in the debate on the motion moved by our friends to the left on August 31. First, I want to say that this issue is quite serious. On the one hand, we have heard some of our colleagues in this House support a motion to have Canada withdraw from the nuclear club. On the other hand, others say that agreeing with this motion would displease our allies since we could no longer take part in some aspects of our agreements with them.

• (1740)

[*English*]

The issue before us is indeed one that is of unimaginable proportion. In 1945, the first atomic bomb was exploded in the desert of New Mexico. From that point on life itself changed. Man and humanity had created the power to destroy itself. We cannot change that. It has happened. It is here and here to stay. Some people will argue that since the Hiroshima disaster, the so-called theory of mutually assured destruction has worked. Mutually assured destruction is abbreviated as "MAD" and there is something to be said for that abbreviation.

Of course, not only do we have mutually assured destruction in the event of a war but at the present rate of building up nuclear armaments, we have in fact mutually assured destruction whether we press the button or not at some point in the future. The point I am making is that in everyone and every thing there is a margin of error. The people who work in nuclear silos, the people who operate that machinery, and even the decision makers are not beyond the potential situation of making an error. Sooner or later—hopefully, much, much later, or not at all until we have totally dismantled nuclear warheads—we will have an error of some sort. Obviously, given that there is no room for any error, that day could be quite sad, not only for the people who started the confrontation, not only for the other side, but potentially for everyone.

The Secretary General of the United Nations gave a speech to the UN General Assembly on December 12, 1984. He described the situation I have just outlined with the following words:

> No ideological confrontation can be allowed to jeopardize the future of humanity. Nothing less is at stake: Today's decisions affect not only the

present, they also put at risk succeeding generations. Like supreme arbiters, with our disputes of the moment we threaten to cut off the future and extinguish the lives of the innocent millions as yet unborn. There can be no greater arrogance. At the same time, the lives of all who lived before us may be rendered meaningless. For we have the power to dissolve in a conflict of hours or minutes the entire work of civilization, with all the brilliant culture heritage of humankind.

[*Translation*]

What Javier Perez de Cuellar was telling us, Mr. Speaker, was that we have not only the power to destroy, but also the power to make our future and our past completely meaningless because the destruction would be of such a magnitude that what came before and what will come in the future would have no real meaning as our way of life would be completely destroyed.

[*English*]

The only atomic bombs which have ever exploded have been in two cities of Japan, Hiroshima and Nagasaki. We commemorated the 40th anniversary of that event here on the steps of Parliament Hill sometime ago. I was there at that august ceremony to remember 40 years ago. There was a woman there who came to describe to us how she had lived through the incident. She was there the day the bomb exploded. She described the horror of those days. Today we have one million times the nuclear power that destroyed Hiroshima. I am told that the nuclear power the world has now is enough to destroy the planet 40 times over. One would think that once would be more than enough, but we have enough to do it 40 times. Obviously there is a message there. Apart from everything else, there is the tremendous waste of energy and human potential, the tremendous waste of resources. Surely there are better things we can do with our money than to buy enough armaments to blow ourselves up 40 times over.

One cannot help but wonder what the last 39 times is supposed to do after we have destroyed our world once? I do not know the answer to all of those questions.

[*Translation*]

It is quite possible that no one in this House can reply to all these questions, which makes it difficult to understand why Governments, individuals and countries would want to accumulate these nuclear devices.

I believe that it is important for us Canadians to do two things. First, we should take concrete action to encourage other countries, and preferably all of them, to get rid of their nuclear weapons. Second, I believe that it is important, and here I disagree with the previous speaker, the Hon. Member for Spadina (Mr. Heap), to preserve our alliances with our friends. However, Mr. Speaker, even though someone is our friend and our ally, this does not give him the right to destroy our planet.

While I am myself in favour of Canada remaining a member of NATO and NORAD, I believe that it is important for us to support such a motion to indicate to the United States, to the Soviet Union and to all other countries that what we want most of all is a bilateral agreement between the United States and the Soviet Union to get rid of their nuclear weapons. By giving our support to this motion, and I hope that it will be adopted, we shall at least be telling those two countries that we are willing to do our share even though we are not a major power, and that we have the courage to do something which might lead the way to more concrete action by greater powers than Canada.

[*English*]

In conclusion, the Secretary General of the United Nations also stated that no one had given the United States and the Soviet Union the right to decide whether this world was to live or to die.

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I rise with pleasure to support the motion put forward by my friend, the Hon. Member for Beaches (Mr. Young), that the Government should consider the advisability of declaring Canada a nuclear arms free zone. I note that in his motion the Hon. Member included the transportation, testing, construction and deployment of nuclear weapons and associated equipment.

First, we must acknowledge that while Canada has begun to take steps which contribute to the ultimate goal of Canada becoming a nuclear arms free zone by ensuring that nuclear weapons, as my hon. colleague stated, are not stored or deployed on or from Canadian soil, we have not taken as a nation full measures which would show to the world our commitment to the full participation in the prevention of war. In fact, some countries might say that Canada's stance has been hypocritical. For example, Canada has voted in favour of treaties establishing nuclear weapons free zones on the seabed, in the Antarctic, Latin America, outer space and similar initiatives in Africa, the South Pacific and the Middle East. Despite the fact that 169 Canadian municipalities, and Ontario, Manitoba, the Northwest Territories and, I am proud to say, the area I represent, the Yukon, have declared their regions nuclear weapons free zones, Canada has declined to do what it supports others doing. Ostensibly, one of the reasons given is our NATO commitments.

• (1750)

NATO commitments aside, whether we agree or disagree with them, the North Atlantic Treaty makes no reference at all to nuclear weapons. In fact, the eight members of NATO have some sort of prohibition on the deployment of other NATO members' nuclear weapons in their territories. This excuse just does not wash.

Despite sentiments supporting Canada's role in the non-proliferation of nuclear arms, the Government still places no restraints on industrial involvement in the production of U.S. nuclear and nuclear capable delivery systems or their components. Canada still allows port visits by nuclear-armed naval vessels. Canada is a regular producer of components for an arsenal of nearly 30 different nuclear weapons and related weapons, aircraft or other weapons systems. Nuclear weapons

training by the United States, and possibly other NATO powers, takes place across Canada from the Northwest Territories to the U.S. border.

As my colleague, the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly), so eloquently stated the other evening when he was presenting another Private Members' Bill, "Citizens are not reassured by the proliferation of arms; citizens are reassured by the reduction of arms", as noted by the recent welcome news that the U.S. and the U.S.S.R. have been successful in at least some measure of arms reduction. The argument that we can only be strong as we participate in increasing arms, because that will make our citizens feel secure, just does not wash either.

Today, there is an immediate action that the Government can take, an action that would send a strong signal that the country does not support the potential proliferation of nuclear trade. Currently, the United States is in the process of deciding whether to sign an agreement to transport plutonium dust over Canada's North. While this is reactor-grade plutonium, there will be enough plutonium on each flight—and it is estimated that there will be a flight every two weeks over 10 years—there will be enough plutonium to build 15 to 20 bombs, each one the equivalent of the Nagasaki bomb. Should this plutonium fall into terrorist hands, not only Canada's North but all of Canada and the world would be at risk. Canada must not participate even by default in such a potential horror. Should this agreement take place, 26 times a year this possibility will exist. Over 10 years the odds for hijacking or a crash, which would have equally devastating environmental effects, may also occur. We have only to say, "No".

Similarly, in the Arctic, as my hon. colleague from Spadina pointed out, despite proposals since 1964 to de-nuclearize the Arctic, about one-third of the nuclear submarines proposed by the Government will be sent there. It is considered that there will be an escalating effect of both militarization and nuclearization of the entire Arctic.

Canada has a proud history of peace-keeping. Through this motion we have the opportunity to be a part of peace-making.

Canada is certainly not a major world power in terms of our amount of arms and in terms of being a major physical deterrent to war. We are not one of the superpowers in that sense. However, we have shown through our history that we have been able through negotiation, through moral suasion, and now with this motion through action, to show that we do not support the proliferation of the nuclear race in any way, not only by not storing arms on our soil, which we do not do, but by not participating in any way in the production, the transport, or components—in any part of the nuclear race.

I believe that if the House supports this move, as many municipalities and regions in Canada have done, what we will see is much greater support by Canadians who want to be a part of the peace-makers of the world and who do not want to join the nuclear race through any form of production of nuclear arms. We have an opportunity here to be a leader in this area. As I mentioned earlier, Canada has supported very strongly the fact that other regions such as Africa and Latin America have treaties with respect to the non-proliferation of nuclear arms. We can join them by taking such action and by reinforcing that leadership.

I urge all Members of the House to support this motion unanimously and to show the people of Canada that we will not participate in a war in any way, that we will make a strong statement and we will work for the preservation of the world and all its citizens.

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, I think that this is a question that is not only important today but is one that has been important in the past. We have been able to arouse the interest of Canadians. We know that this is a priority subject.

I certainly had the opportunity to bring it forward in another forum in which there was a referendum held on whether or not people wanted their municipalities to be nuclear weapons free. There was an overwhelming response in favour of that referendum. We then asked all the municipalities across the country if they would put such an issue on a referendum. Over 60 per cent of the Canadian population spoke out on such a motion.

What we are looking at today is the ability of the House of Commons to support this motion and to bring forward a Bill which would say to Canadians, "We are leaders. We understand the nonsense of being able to destroy ourselves 40 times over. We recognize the fact that we have the ability of showing other countries that Canada is truly a peace-loving and peace-keeping country".

The Acting Speaker (Mr. Paproski): Order, please. When debate is resumed on this motion the Hon. Member will have seven minutes.

[*Translation*]

The hour set aside for consideration of Private Members Business has expired.

[*English*]

Pursuant to Standing Order 36(2) this order is dropped to the bottom of the order of precedence on the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

Adjournment Debate

TRADE—FREE TRADE—ARTICLES PUBLISHED IN TWO MONTREAL NEWSPAPERS—GOVERNMENT POSITION / FREE TRADE NEGOTIATIONS—GOVERNMENT POSITION

Mr. Jean Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I should like to follow up on the question I asked last Friday, September 25, concerning the break off of free trade negotiations with the Americans.

Last week, Mr. Speaker, we saw so many contradictory moves and heard so many contradictory comments on the part of the Government that we simply did not know who was telling the truth. As the common saying goes, it was as though we were looking at a government running around like a chicken with its head cut off.

For his part the Prime Minister (Mr. Mulroney) speaks from both sides of his mouth, depending on where he is and which newspapers he is talking to. The English newspaper *The Gazette* has him stating that there can be no question of convening a summit meeting to discuss the break off of negotiations. To the French daily *La Presse* he is reported as having said that he is prepared to meet with President Reagan. In Saturday's newspapers certain editorial writers referred to the situation as a dialogue of the deaf. *Le Devoir*, *La Presse*, everybody was asking: But who is telling the truth in this case?

In the House of Commons, Mr. Speaker, the Prime Minister said, and I quote his very words: It would be, I think, inappropriate at this time and perhaps unhelpful at this very moment for the President and myself or anyone else at that level to get involved. As he was saying this his Chief of Staff Derek Burney was talking to his American counterpart Howard Baker, and today we see that two of his Cabinet colleagues, the Minister of Finance and the Minister for International Trade, are in Washington to discuss with American negotiators in the hope of getting the negotiations back on track.

Mr. Speaker, the truth in all this is that last Friday a rumour was circulating among the public, in fact there was a news item in several daily papers that the Minister of Finance had contacted American Treasury Secretary James Baker to tell him about five conditions to reopen negotiations. I will read the text of the conditions which the Minister of Finance (Mr. Wilson) allegedly gave Mr. Baker. Indeed *The Globe and Mail* rather accurately sums up the five conditions. First:

• (1800)

[*English*]

Rules applying to fair and unfair trade such as dumping, countervailing duties and subsidies, spelled out in extremely clear terms and subject, in the event of disagreement, to "impartial, binational and definitive resolution;"

Clear general rules interpreted in an objective fashion with all elements of the agreement subject to speedy dispute settlement procedures;

Balanced widening of access for each country's agricultural and food products in the other's market;

Changes to automotive trade rules only if they hold the potential for more trade, production and employment in both countries;

A 10-year period during which virtually all tariff and non-tariff barriers to almost all trade would be removed with no new barriers introduced.

[*Translation*]

When I asked the question Friday, I was told: No! No! That does not exist, and to quote him, Mr. Speaker: "The answer to the question is no, the Government of Canada did not submit five conditions—nor three nor seven—since the chief negotiator suspended negotiations". I am not the one who said that, the Right Hon. Joe Clark did, the Secretary of State for External Affairs who, in reply to my question, said: No! No! There were not five conditions. Mr. Speaker, the question that comes to my mind is where will we get information and who is telling the truth.

Mr. Speaker, the truth of the whole matter is that the Canadian Government once more was deluded by the Americans. Mr. Simon Reisman himself, the chief negotiator, over the weekend stated on CTV's Question Period that in his opinion, the American administration had many other concerns besides free trade. The discussions never received all the attention they deserved at the highest level of government, and to quote him: "They only got involved over the last 24 or 36 hours".

This Tory Government is so obsessed with the United States that it is missing completely the time perspective of the rest of the world. As stated today in Toronto by the Leader of the Official Opposition (Mr. Turner), and I will quote him because this is important:

[*English*]

"In its obsessive focus on the United States in the last three years, our Government has lost opportunities in the Pacific Rim, in the European Economic Community, and with many of our other trading partners outside North America. Our trade deficit with the Pacific Rim countries has jumped from $764 million in 1984 to $4 billion in 1986.

With Japan alone, our deficit went from $71 million in 1984 to $1.7 billion in 1986. Imports from the United Kingdom and other European countries are up 54 per cent from 1984, while our exports to those countries have only increased 14 per cent in the same period".

• (1805)

That was a quotation from the Right Hon. Leader of the Opposition (Mr. Turner) from a speech that he made in Toronto today at noon.

[*Translation*]

If at least, Mr. Speaker, that blindness, that boundless attraction to the United States had been benefical to us, we could and we would then understand that something had to be handed out in the negotiations. But the net result of the Canada-US relations is rather sad. Let me recall it. According to Mr. Reisman, they never took us seriously in those free trade conversations. During that time, Canada for its part dismantled the Foreign Investment Screening Agency and abandoned the National Energy Policy to please the Americans. The latter responded by imposing all kinds of restrictive

and punitive measures against Canada, as the import tariffs on books, the export tax on lumber, cedar shakes and shingles, the pressures on the pharmaceuticals industry with Bill C-22. The list is long, Mr. Speaker, it even includes Christmas trees. Is that long enough? Now they are talking about potash, pulp and paper, cultural industry, the Auto Pact, just to name a few. Mr. Speaker, there was a lack of seriousness in these negotiations: in the discussions the Government should have talked about such realistic things as how to implement a comprehensive agreement, an agreement which would have boosted trade between both countries. But no, they talked about other things, and I should like to remind the House that a very sobering article by Maxwell Cohen was published in weekend newspapers.

[*English*]

Maxwell Cohen says it very nicely:

> It is difficult to understand the mind-set that led to the delay in focusing on what now appears to be the most serious obstacle to a comprehensive free trade agreement. Indeed, it is arguable that the absence of a vision of the system that was to come out of these negotiations—constitutional, administrative and adjudicative—affects not only the dispute-settlement issue but also many of the implementation and substantive questions, from agriculture to investment, to cultural/intellectual property, to services.

[*Translation*]

Mr. Speaker, I could not put it any better than that. Mr. Cohen said it all.

[*English*]

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, not to be provocative, a lot of people can say it better than the Hon. Member. He started off his diatribe tonight by saying that the Conservatives were running around like chickens with their heads cut off. Can one imagine a federal Liberal saying today that we are running around like chickens with our heads cut off? I mean, they cannot make up their minds on the Meech Lake Accord. They cannot make up their minds on trade. They cannot make up their minds on many things. For the Hon. Member to accuse us of running around like chickens with our heads cut off is being, to be kind to him, a little exaggerated, just a little exaggerated.

I only have three minutes, unfortunately, because there were so many exaggerated, unfounded, and untrue claims in the Hon. Member's speech about so many things.

He said that the Government is attacking Canada on the lumber industry. It was the lumber industry which filed against the Canadian lumber industry; it was not the Government. It was the potash industry in the United States which filed against the potash industry in Canada. It is not the Government attacking the Government.

The Liberals have been going around spreading all these claims. They say that we sold out on shakes and shingles. They slapped a 35 per cent tariff on shakes and shingles. The federal Government, the Government of Canada, stopped shipping our cedar logs to the United States, so they are in a worse situation today in the United States than they ever were. The only thing they accomplished was jacking up the prices. We are still exporting our shakes and shingles down there, as we are our softwood lumber.

The Hon. Member does not have his facts right. He talked about these five principles which are the bottom line for us. Those five principles are nothing new. They were expressed by the Prime Minister (Mr. Mulroney) right from the very start. They are nothing new at all.

He talked about our negotiators. Everyone in the United States who has anything to do with our negotiating team has said that we have the best negotiating team—the best equipped, the best informed, and the most solid negotiating team going.

When the Americans were taking us for granted, the negotiating team walked out. However, now the Americans are not taking us for granted. Now the Americans are saying: "Come on back to the table, we want to negotiate again".

Mr. Gauthier: You are crawling there on your bellies.

Mr. McDermid: We did not crawl. They called us back, and that is why they are down there today.

I will tell the Hon. Member what is going on down there today. Maybe he could understand this analogy, just maybe he could understand it. Let me use baseball because it is current right now; everybody is paying attention to baseball. We are in a rain delay right now. Does the Hon. Member understand that? We are in a rain delay right now. We have to wait for the outcome of the talks between the officials to see if the players will be asked to resume the game or go to the showers. That is what is happening right now. Those talks are going on now, and I hope they will come to—

The Acting Speaker (Mr. Paproski): The Parliamentary Secretary just struck out.

• (1810)

ACID RAIN—POSITION OF UNITED STATES PRESIDENT—GOVERNMENT POSITION—CANADIAN MESSAGE

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, on September 18, I asked a question of the Secretary of State for External Affairs (Mr. Clark) regarding acid rain and what the Government is doing about Canada's number one environmental problem. I received a rather unsatisfactory and complacent response. At that time, the Minister said the following:

> We have already taken a major step because we have here in this House a statement from the President of the United States on the matter of acid rain.

The American President simply reiterated a promise already made about expenditures and about taking the problem seriously, a promise he had previously broken. We are not very optimistic that it will be honoured the next time around. The President still thinks that trees cause acid rain and other kinds

of pollution and still does not see the responsibility of industry or of Government to push industry into cleaning up.

Why are we getting this response from the Americans? I suggest that it is in part because our own Government has sent a mixed message. It has told the Americans it will be friendly and will go along with whatever they say.

The joint report of the special envoys on acid rain by Drew Lewis of the United States and Bill Davis of Canada is an embarrassment and a scandal. It opts for more research, as if the problem was not already too well documented and as if we were not losing time in the battle against acid rain. It was a complacent report, agreed to by Canada's representative. We lost more time dealing with the report.

Why has this become another issue just recently? Just published has been a study by the National Acid Precipitation Assessment Program in the United States. This report has the Minister of the Environment (Mr. McMillan) all riled up, as it well ought to. It is entitled *The Interim Assessment of the Causes and Effects of Acid Deposition.* I might say that the phrase "acid deposition" is a way of escaping responsibility for acid rain.

The report says that acid rain might not be such a bad problem and wants things to be more thoroughly documented. It points out, for example, that the farming soils in Canada are not yet ruined by acid rain. If we waited until the soils on the Prairies were acidified, we would have lost them. Imagine replacing all the soil in Canada because it has become acidified. We will have enough trouble with the waters in our lakes and rivers.

The idea that we should wait until it is too late to correct the problem is totally irresponsible, yet that is what this group has suggested. I suggest that the Government itself must bear some responsibility for allowing it to think that that would be acceptable.

The Minister of the Environment called the report voodoo science. There is nothing wrong with the science in the report but it is short-sighted and does not look to the need to implement measures of prevention before it is too late. It is wrong in its application. In fact, it did not consider the Canadian problem at all. It ignored Canada, and the Government has allowed the Americans to do that.

[*Translation*]

A week ago I was in southern Quebec's Eastern Townships where one third of maple stands have died as a result of acid rain emanating from the United States. Forest decline over there is now far advanced—one third in that region—and the scourge is unrelentless. If one third of trees in the border area are affected, the other regions will be just as badly affected. And perhaps next year half the trees will have died because of acid rain, and again one third or one half in other regions. We cannot afford to wait for an effective remedy against this scourge.

[*English*]

Acid rain is our number one environmental problem. One half of acid rain in Canada comes from the United States. Yes, we must clean up our own act and we are not doing as much as we should, but in the region of Estrie, more than half the acid rain comes from the United States. This area has not been significantly affected by Ontario emissions. We know that the problem is coming from the United States and that our own Government is not acting strongly.

[*Translation*]

The environment is a major concern of Canadians. Acid rain is the most urgent problem with respect to Canada's environment.

Mr. Speaker, Canadians want concrete steps to be taken.

• (1815)

[*English*]

We have had enough of research. It is time we had serious action. The response of the Government to date of just waiting for the Americans, having a chat with the homologue of the Secretary of State for External Affairs is not enough. We need to send a strong and consistent message to the U.S., not just publicity programs. It cannot be botched up by sending a confused message of acceptability of the current state of affairs.

Mr. Ron Stewart (Parliamentary Secretary to Minister of Supply and Services): Mr. Speaker, I welcome the opportunity to discuss the Government's initiatives on acid rain and respond to the Hon. Member. The Minister of the Environment (Mr. McMillan) is in Washington today pressing for a reduction in acid rain causing emissions affecting our country. His schedule includes meetings with congressional representatives, environmental organizations, industry, and the administration. I do not call that complacency. The Minister has done more on the environment than any Minister in the past 20 years and is finally getting the U.S. to react. The message he is delivering is clear, simple and reasonable: Canada is taking action to reduce emissions and expects the U.S. to do likewise. Is that a complacent response? I hardly think so.

Our strategy *vis-à-vis* the U.S. is three-pronged. First, we must continue our efforts to convince the administration of the need for a positive response to our proposal for an international agreement to reduce the transboundary flow of emissions. The President's commitment to consider that proposal will be the focus of our efforts in this regard. Resolution of this problem is one of the Government's highest priorities, and I mean highest. Every effort has been made to this end. We have the Prime Minister's repeated personal interventions, representations by the Secretary of State for External Affairs (Mr. Clark) and the Minister of the Environment, and lobbying by the all-Party Special Committee on Acid Rain. Every effort will continue to be made in pursuit of an agreement.

Second, we must continue to ensure that Congress is fully apprised of the Canadian position. Full and accurate information will be crucial to congressional action on any eventual agreement we conclude with the administration. Members of Congress should have the benefit of our knowledge, research and experience. They should know where we stand and how important their efforts are on our air and rain.

Third, federal and provincial Governments and private individuals alike must work with interested Americans in an effort to broaden the understanding in the U.S. that acid rain is a serious international problem which must be addressed now. We know what we are demanding is not easy. We are conscious that it is not cheap. Delay will, however, not make it any less expensive for either of us. Indeed, in the end it will add to the expense.

We are asking the Americans to do no more than we are doing ourselves. When they act we will both be beneficiaries.

HARBOURFRONT—TORONTO PROJECT—FUTURE DEVELOPMENT

Mr. Alan Redway (York East): Mr. Speaker, a week ago yesterday afternoon I was fortunate enough to attend the official opening of the Harbourside Co-op at Harbourfront in Toronto. From your earlier remarks I know you are a baseball fan and you will be interested to know that that co-op is built on the former site of Maple Leaf Stadium in Toronto. That stadium was demolished a number of years ago and is now part of the Harbourfront site.

I know you are well acquainted with the Harbourfront site because we have chatted about it previously. You will remember, of course, that it amounts to 100 acres on the waterfront. It is owned and operated by the federal Government through a board of directors appointed by us. They have been and are doing an outstanding job. You know as well that they turned the site, which in addition to the baseball stadium included old warehouses and other structures, into some marvellous housing, office and retail sales projects. Some 4,000 different activities are carried on there every year.

I am sure that you saw a recent advertisement in a number of newspapers placed by the Harbourfront board of directors indicating that they just won a very outstanding award. That award was made by the Waterfront Centre of Washington D.C. and is called the Honour Award for Excellence on the Waterfront. The federal Government's Harbourfront in Toronto was selected from over 100 waterfront developments across North America as the best. You can see what an outstanding job they have done.

• (1820)

At the same time there are problems with the Harbourfront. Many people are concerned about what the future holds. They are concerned that there has been overdevelopment of the site. They believe that the waterfront is being closed off to view. Some people say that a ceramic wall is being built between the water and the people of Metropolitan Toronto by all the overdevelopment on the site.

As a result of this concern the City of Toronto placed a development freeze on the site at Harbourfront as did the federal Government through the Minister of Public Works, the Secretary of State and the President of the Treasury Board. They decided that they would step back from it and take a close look at the situation. When that freeze was put on, six buildings were under development or in the pipeline at the time. They are, therefore, called the pipeline properties. All six of the pipeline properties were frozen as well when that freeze was put on by the City of Toronto and the federal Government.

I had the opportunity to be at the opening of the Harbourside Co-op. That is a marvellous co-op which provides affordable housing for low and modest income people. We need a lot more of that in Metro Toronto and right across the country. At that time I spoke to many families and found that their main concern was what would happen with future development at Harbourfront and, in particular, the six pipeline properties. I found that the people either wanted the pipeline properties to be eliminated altogether, shifted to another site, or downsized. They were talking especially about the three properties which are right on the waterfront.

Interestingly enough, just prior to the official opening of the Harbourside Co-op the federal Government released a new report on the site which was done by an American town planner by the name of Garry Hack. Mr. Hack is a well-known waterfront planner who has planned over 12 different waterfronts in North America. He is a man of some reputation.

The things he recommended after studying the Harbourfront are very interesting. He recommended a slight reduction in the amount of housing planned, a slight reduction in the amount of office space, and a substantial reduction in the amount of commercial space. He recommended that nothing be built over 25 metres in height. He also recommended that Harbourfront maintain the same amount of open space as exists at the present time.

With regard to the pipeline properties he recommended that three of them go ahead; the Co-op on Bathurst Quay and the two rampart condominiums on Spadina Quay. He said that the two Konvey condominiums on Bathurst Quay should be redesigned altogether and that the Huang & Danczky building on Maple Leaf Quay should be eliminated altogether.

That is very interesting because it runs exactly contrary to what the City of Toronto council has now recommended. Not too long ago the City of Toronto council decided that all six pipeline buildings should be allowed to proceed as long as the federal Government agreed to transfer 6.5 acres of parkland to the city and to reduce future density of development on the site.

• (1825)

In the past, the federal Government has always followed the advice and recommendation of the City of Toronto Planning Department as far as Harbourfront is concerned. It does not have to do so because this is federal land and under the Constitution the federal Government can override everybody and everything on federal property. However, in consideration of proper planning principles we have always followed the requests and direction of the Planning Department of the City of Toronto. That is the way Harbourfront was developed.

The question is now, when we have two dramatically opposing reports, whether the federal Government will follow our own planning report or the City of Toronto's planning report, which is dramatically different. The people of Toronto want to know and I know the Parliamentary Secretary will reassure them and me tonight.

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, all these questions deal with two different matters: the first one is about a ground lease, and the second one about the progress of a policy review concerning the Harbourfront area in Toronto, or its Old Port area, as we would say in Montreal.

[*English*]

The first question concerns a ground lease which Harbourfront entered into with the development firm of Huang and Danzckay. The question was raised in April, when the lease was signed, and is being raised again by my honourable colleague, the Member for York East (Mr. Redway). Why did the Minister of Public Works (Mr. McInnes) allow the lease to be entered into if a policy review of Harbourfront Corporation's role and mandate was just commencing and a pause in development had been initiated?

The simple answer is as follows: Pursuant to the terms of a purchase and development agreement between the corporation and the developer, all pre-conditions having been met, the next logical step in the agreement was the signing of a ground lease by a date specified in the agreement, April 30, 1987.

Because the corporation would have been legally liable if the lease had not been entered into at that date, and because the signing did not prejudice the outcome of the policy review, the Minister concurred that Harbourfront enter into the lease.

The second question relates to the progress of the policy review. Work on the policy review has continued through the summer and is now close to completion. Those officials responsible for the review have maintained close communication with the city officials, specifically through the Commissioner of Planning and Development.

On August 10, 1987, the city adopted its position on changes it would like to see at Harbourfront, seeking assurances that 40 acres of parkland would be delivered to the City of Toronto. The city's position was based on extensive public input from the Harbourfront Review Committee. The views of the City and the public input have been taken into consideration in the policy review and an announcement will be forthcoming very shortly.

On behalf of the Minister of Public Works, I wish to assure my colleague and the Canadian public that federal commitments on Harbourfront will be met fully very soon.

[*Translation*]

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.29 p.m.

HOUSE OF COMMONS

Tuesday, September 29, 1987

The House met at 11 a.m.

Prayers

[*English*]

HOUSE OF COMMONS

ROUTINE PROCEEDINGS—STATEMENT BY MR. SPEAKER

Mr. Speaker: Hon. Members will recall that several months ago, there was some discussion about altering the form of Routine Proceedings by eliminating the necessity under Motions and Bills of reading an endless list of Hon. Members' names, only to say after each name that the matter would stand. It seemed to be the disposition of the House that we try to eliminate that. As a consequence, the Chair has given consideration to the matter and I will read a statement which will perhaps meet the suggestions of Hon. Members. We could try this at least until the turn of the year.

On June 25, 1987, the Hon. Member for Regina West (Mr. Benjamin) raised a point of order regarding the amount of time spent reading aloud individual items during Routine Proceedings. Specifically, he mentioned the large number of Members whose Notices of Motions are listed on the Order Paper. The same comment would apply to the introduction and first reading of Bills.

The Hon. Member suggested that the Chair not read a lengthy list but rather say something to the effect of: "Shall all the motions shown on today's Order Paper stand?" The Hon. Parliamentary Secretary to the government House Leader supported the suggestion and the Chair undertook to examine the possibility of streamlining the proceedings.

After examination of past practice and the Business of the House as listed on the Order Paper and after consultation with the three Parties, I am prepared to offer the following proposal which will be reviewed after the Christmas recess.

The Chair will announce each heading under Daily Routine of Business. Members wishing to be recognized will, as is customary, rise in their places. After reading the heading Introduction of Government Bills, Introduction of Private Members' Bills and Motions, the Chair will no longer call each Minister or Member whose item of business is listed on the Order Paper under those headings. Rather, the Speaker will simply announce those types of business and be prepared to recognize those Members if they rise. This should provide sufficient opportunity for Members to bring their business forward.

[*Translation*]

In order to ensure the effectiveness of this procedure, I should like to suggest to the Hon. Members that it is always useful to notify in advance one of the Table Clerks of the time they intend to move their motions or introduce their Bills during Routine Proceedings.

I wish to thank all Hon. Members for their helpful suggestions and I hope that this proposal reflects the over-all attitude of the House in its eagerness to operate more effectively.

• (1110)

ROUTINE PROCEEDINGS

[*English*]

ENERGY, MINES AND RESOURCES

PRESENTATION OF EIGHTH REPORT OF STANDING COMMITTEE

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, I have the honour to present the eighth report of the Standing Committee on Energy, Mines and Resources entitled "Oil Scarcity or Security?" in both official languages, to which, pursuant to Standing Order 99(2), the committee requests a comprehensive response.

The committee initiated this study of future oil availability in Canada to dispel the complacency brought about by global oil over-supply and depressed petroleum prices. As the supply of conventional light oil declines in the Western Hemisphere, oil importing nations will turn to the Persian Gulf. Canada must increase its supply of all grades of oil to remain self-sufficient. The committee makes 12 recommendations and believes Government should not intervene in the day-to-day workings of the market-place but come forward with a long-term planning policy to ensure stability in the future.

[*Editor's Note: See today's Votes and Proceedings.*]

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I take this opportunity to meet a commitment which I made to a group of my constituents who were visiting the Byward Market in my riding, to present a petition which complies with Standing Order 106 and which reads as follows:

Whereas, since September, 1984, the federal Government has imposed on Canadian taxpayers 24 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

Whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food;

And whereas food constitutes a vital element of day-to-day life and imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers, such as the aged, families, the unemployed, low and middle income taxpayers, and youth;

Wherefore your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

[*English*]

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Maurice Foster (Algoma): Mr. Speaker, I have the honour to present a petition signed by several dozen constituents in the Communities of Thessalon, Bruce Mines and Desbarats calling on the Government to reverse the plan of Canada Post to eliminate thousands of Post Offices, reduce service, and even remove the identity of a number of communities.

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have another petition in a series from my constituents concerning the Fermi II nuclear reactor in the U.S. just 10 miles from the Canadian border. This petition is signed by 256 Canadians from Amherstburg and Essex.

It stresses the tremendous dangers evident in the safety record of this particular nuclear plant and tremendous problems with its accident record. It forcefully calls on the Government to intervene to see to it that there is a neutral safety review, including both Canadians and Americans, before this reactor is permitted to operate at full capacity.

IMMIGRATION—ENFORCEMENT OF LAWS

Mr. W. C. Scott (Victoria—Haliburton): Mr. Speaker, it is my honour and duty to present a duly-certified petition from a number of residents of various communities in my riding. The 180 petitioners express their concern that illegal immigrants are now allowed to enter Canada. They ask that the Government remedy the situation by making boat people return to where they came from, forcing them to abide by our immigration laws.

HIGHWAY SAFETY STANDARDS—REAR SEAT-BELTS—AIR BAGS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour to present petitions signed by over 150 people from the Cities of Brantford, Hamilton and London, Ontario, New Westminster, British Columbia, Ottawa, Dalhousie, New Brunswick, indeed from across the country, who call upon Parliament to amend existing safety standards for rear seat-belts in passenger cars.

The petitioners believe rear seat-belts in passenger cars are at present inadequate and the cost of medical care for car crash victims can be reduced or eliminated. For those reasons the petitioners urge Parliament to institute mandatory installation of three point adjustable lap and shoulder seat-belts for rear seat passengers. They also ask for installation of front seat air bags.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Sergio Marchi (York West): Mr. Speaker, pursuant to Standing Order 106, I present two sets of petitions. The first is signed by residents of the Cities of Toronto, Scarborough, Burnaby, Vancouver, and Richmond. Essentially they request the Government to implement an accessible, fair and expeditious refugee determination system by deleting from Bill C-55 the reference to increased screening and the safe third country concept, and improving the Federal Court of Appeal mechanism.

CONSTITUTIONAL ACCORD—RECOGNITION OF MULTICULTURALISM

Mr. Sergio Marchi (York West): The second petition deals with the Meech Lake Accord and is signed by residents of Calgary, Etobicoke and North York. They ask the Government to amend the opening clause of the Constitution to recognize Canada's multicultural heritage as a fundamental characteristic of this country.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

• (1120)

MOTION TO ADJOURN UNDER S. O. 29

SUSPENSION OF FREE TRADE TALKS

Mr. Speaker: I have two applications for emergency debates today. I will hear the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy).

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I think this is the fourth day in a row that we have asked for an emergency debate on this very crucial item. I think we have come to your Honour's Chair as often as the Government has gone down to Washington, cap in hand, to try to get the talks reignited.

The Speaker's wisdom has been once again demonstrated. By waiting until today to have an emergency debate we have obviously caught the crescendo of the times at its absolute most important point. The Cabinet is assessing this morning whether or not the talks will continue or whether they will sell out the country, to use a phrase of my colleague.

We have not yet had an announcement from the Government. It may be that you in your wisdom, Mr. Speaker, may want to defer a decision on this application until three o'clock in order to learn whether the Government is finally prepared to make a public statement in this House concerning its position on the free trade talks.

Mr. Speaker: I wish to advise Hon. Members that I also have an application on behalf of the New Democratic Party. I will now hear the Hon. Member for Essex—Windsor (Mr. Langdon).

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I must say that it is becoming a habit to put the argument to you that there is at present a tremendous need for an emergency debate. There are three points which make it essentially crucial.

First, there is a tremendous amount of information which the Government has not seen fit to give Canadians about the course of negotiations as they are occurring. We have not, for instance, received information which the Prime Minister (Mr. Mulroney) suggested was received yesterday. The letters which were exchanged over the weekend between the Governments have not been tabled. As a consequence, it is unclear what the key issues are with respect to the discussions which are presently taking place between the two sides.

I am informed by my House Leader that due to the legislative agenda for this week it would be very difficult to find room for a Supply day on which to discuss this issue. I think, therefore, that both for the information needs of the country and for the potential of Members of Parliament to contribute to the decision-making process, there is a very strong case for an emergency debate at this stage.

Since I understand that the Cabinet is meeting this morning on the issue, I suggest that it might make sense if you, Mr. Speaker, were to defer your decision until three o'clock at which point we would have a sense of whether the Government has a statement to make.

Mr. Speaker: In the interest of all Hon. Members and also in the interest of the public that is watching and listening, I emphasize again that while a matter may be of very great importance it may not, in the opinion of the Chair, be a matter which on any given day is appropriate for an emergency debate.

The public should know that there has been a series of applications by both the Official Opposition and the New Democratic Party each day asking for an emergency debate. The Chair has declined each day to order an emergency debate but on each day has stressed that the matter is of great importance.

There is generally an admonishment to the Speaker not to give reasons for decisions and I have refrained from doing that, although Hon. Members will know that what goes on in the Speaker's head probably has something to do with what the Speaker says. I would like to be able to say that of all Hon. Members.

The suggestion this morning is that I might defer both of these applications until later on this afternoon to see what may happen later today. I think the better practice would be for me, with great politeness and courtesy, to reject the applications at this time. As I have said repeatedly, that fact, of course, does not prevent anyone from making another application at another time.

I want to say one thing which I think may be helpful. The suggestion has been made that the Speaker has very generously agreed to review the Speaker's rulings on the emergency debate each day. For the record it should be noted that the Speaker is not reviewing past rulings. The Speaker is taking each application as it is made on each given day. I think that is proper procedure.

I point out again that although a matter may be very important it may not be appropriate, in the Speaker's view, to order an emergency debate. I want to make it very clear that the Speaker certainly views the matter as important. We will see what transpires.

Members will note that last week I suggested there might be some conversations among the Government, the Official Opposition and the New Democratic Party with regard to another way of having a debate. It is not for me to direct anyone in this House as to what they might do in speaking with each other. However, that may be something which could be considered.

In any event, that is the ruling for this morning. I thank Hon. Members for bringing the matter to my attention. I also want to thank both opposition representatives for their

patience in accepting with good grace the Speaker's rulings in these matters.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

Constitution Amendment, 1987

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

• (1130)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there have been discussions among the Parties as to debate, and I would like to thank Hon. Members for the courtesy they extended earlier this day. The House will know that this is an important debate. There was a great deal of effort expended by the constitution committee during the summer. It went to great lengths to bring in a report. I would suggest to you, Mr. Speaker, it is a report on which the efforts of Members from all Parties were very well expended on behalf of the House and the people of Canada.

For those reasons I would suggest that we deviate from Standing Order 55(1) to the extent that the Member replying on behalf of the New Democratic Party would be allowed the same opportunity to speak at length as the Minister and the Member replying for the Official Opposition.

If you would put that to the House, Mr. Speaker, I think you would find there would be consent.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, indeed, there have been consultations and we have agreed to that.

Mr. Speaker: I thank Hon. Members for their courtesy and co-operation.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, it is with a great sense of pride and history that I rise today to propose the adoption of the Meech Lake Accord. The adoption of the Accord will fulfil one of the fundamental commitments of this Government as outlined by the Prime Minister (Mr. Mulroney) in his August, 1984, speech at Sept-Îles when he said:

> There is room in Canada for all identities to be affirmed, for all aspirations to be respected, and for all ideals to be pursued. I know many young men and women in Quebec will not be satisfied with mere words.
>
> We will have to make commitments and take concrete steps to reach the objective that I have set for myself and that I repeat here: To convince the Quebec National Assembly to give its consent to the new Canadian Constitution with honour and enthusiasm.

This Government's commitment to national reconciliation results from a deeply held conviction that for the nation to fulfil its destiny, the Canadian family must be unified in a common understanding of shared values and aspirations.

This is the one hundred and twentieth year of Canada's Constitution. The passing years have witnessed the creation of a modern state which has proudly taken its place on the world stage. The dream of a nation spanning a continent, linking the Atlantic to the Pacific, the 49th Parallel to the North Pole, has become a reality.

If the result of that dream has been greater than our founders could have hoped or imagined, it is not for lack of challenges to our development or of those who would gainsay every tentative step forward. Our Constitution has not only withstood these challenges, it has grown and matured as has Canada. This is as it must be. A constitution must be a living document which encompasses and meets changing needs. Our Constitution has had the strength which comes from the flexibility and the vitality which comes from growth. The last 120 years have been marked by continuing refinements to our Constitution. The time has now come to take an additional but historic and important step.

While the 1982 Constitution Act was a significant achievement, it remained fundamentally flawed. To impose constitutional reform on any province and its citizens is to deny their rightful participation in Confederation and runs contrary to the spirit and history of constitutional development in this country. Canada is a partnership of its peoples and provinces, a partnership which can be willingly embraced but not imposed. This concept is understood and accepted by Canadians from coast to coast.

[*Translation*]

Mr. Speaker, the Constitution provides the framework for the rights of all Canadians to participate and enjoy ready access. The Meech Lake Accord makes it better still by guaranteeing federal-provincial co-operation concerning shared-cost national programs as well as Senate and Supreme Court of Canada appointments. It acknowledges Canada's linguistic duality and Quebec's distinct character. The Accord provides for a future constitutional reform process by enshrining in the Constitution the holding of annual conferences of First Ministers to discuss economic and constitutional topics.

Perhaps more momentous still, however, it endorses the principle of the equality of the provinces by making their unanimous agreement a prerequisite to any further changes in our national institutions.

Mr. Speaker, I am convinced that these revisions will make Canada even stronger.

[*English*]

I would like to take a moment to review the major provisions of the motion before us today. The interpretation provision formally acknowledges two basic realities of Canada that have long existed in both fact and law. The first is Canadian linguistic duality and the second is Quebec's distinct identity. There are five components included in the interpretation clause confirming Quebec's distinct society. It is a Quebec within Canada. It is a Quebec that includes French speaking and English speaking Canadians. The distinct society does not alter the constitutional division of powers, nor does it alter our multicultural heritage protected in Section 27 of the Charter and, finally, it does not impinge upon the rights and interests of our aboriginal peoples.

The concepts of Canadian linguistic duality and Quebec's distinct society are of course not new. However, the Meech Lake Accord recognizes and strengthens the interpretative influence of these concepts. The inclusion of this new interpretative provision does not override any of the Charter rights, including, of course, equality rights. As noted by more than one constitutional expert, it makes explicit in our Constitution what has until now been largely implicit.

The federal Government's commitment to negotiate agreements with provinces relating to immigration, or the temporary admission of aliens into a province, is of particular importance to Quebec because it will permit administrative arrangements dating back to 1971 and now embodied in the Cullen-Couture agreement to be given constitutional status, resulting in greater certainty and permanency.

As the joint committee noted, these agreements have had no serious adverse affects and will encourage greater federal provincial co-operation in this important area of concurrent jurisdiction. Thus, in the case of Quebec, this provision was not needed so much to alter the current arrangements as to protect them from arbitrary change or, indeed, termination. These provisions will facilitate the conclusion of federal-provincial agreements in which the legitimate interests of the provinces in matters of immigration and temporary admission of aliens can be assured without impairing the national interest.

The provisions expressly state that the Canadian Charter of Rights and Freedoms will apply to these agreements or anything done pursuant to them. As a result, immigrants who become permanent residents will continue to enjoy the right to take up residence and pursue their livelihoods in any part of our country.

• (1140)

The Supreme Court of Canada will be formally entrenched in the Constitution, a befitting status for our nation's ultimate judicial institution. Statutory features of the Accord that will be constitutionalized include the composition of the court with its nine judges and the guarantee of at least three members from Quebec's civil law system.

Future judicial appointments will continue to be made by the Governor General in Council. However, provinces will be given, for the first time, a formal role in the selection of judges who will compose our highest court, one which plays such a vital role in interpreting not only our Constitution but also important federal and provincial laws.

Pending a constitutional amendment that brings about fundamental reform of the Senate, the provincial Governments will also be given a direct role in the selection of candidates for appointment to that institution.

The changes to both the Supreme Court and the Senate recognize the importance of having the provinces play a role in choosing the members of these federal institutions. Both changes are reflective of this Government's commitment to a policy of national reconciliation and recognition of provincial interests in these institutions.

Another important feature of the Accord is that dealing with federal spending power. Pursuant to the Accord the federal Government will provide reasonable compensation to any provincial Government that chooses not to participate in new national shared-cost programs if the following conditions are met. The program must be new, co-financed by the federal and provincial Governments and operate in an area of exclusive provincial jurisdiction; and the province must carry on a program or initiative that is compatible with the national objectives.

This does not restrict the use of the federal spending power, but will require greater co-operation between federal and provincial Governments in establishing future shared-cost programs. It also recognizes the importance of maintaining a degree of flexibility for provinces in establishing programs which are tailored to their needs.

This provision provides implicit recognition of the federal spending power in areas of exclusive provincial jurisdiction, while giving the provinces increased involvement in the establishment and the development of shared-cost programs in their areas of exclusive power.

This is clearly an area where federal and provincial powers overlap and therefore it is necessary to negotiate accommodations to ensure co-operation and avoid court contests. Such plans can only work with the genuine support of both the federal and provincial Governments, and jurisdictional issues must be avoided in the interests of those who are to benefit from such plans.

The revised amending formula will expand those items for which unanimous federal and provincial consent is necessary to include representation in the Senate and in the House of Commons, powers of the Senate and selection of Senators, the Supreme Court and the extension of existing, or creation of, new provinces. It will also provide that provinces opting out of any future constitutional amendments transferring provincial legislative powers to Parliament shall receive reasonable compensation. These provisions strengthen the principle of the equality of the provinces and will not penalize those who choose not to divest themselves of powers that are now constitutionally theirs.

There are a number of basic principles underlying the amendments set out in the Constitution Act, 1987. From a philosophical perspective the following principles are clearly reflected in the proposed amendments. First, Canada is a federal state whose foundation was based on certain unique characteristics, elements of which are found in the Constitution Act, 1867 and subsequent constitutional documents. Second, as a federal state, the provinces have a legitimate interest in the Constitution and the composition of our most fundamental national institutions, and the composition of the federation. Third, the provinces, regardless of size, are entitled to a legally equal status in modifying certain basic institutions of the nation. Fourth, while the national governing institutions must possess ample power and authority to act in the national interest, the process of governing in a federal state requires meaningful collaboration and co-operation between the two levels of Government, especially in areas where constitutional powers overlap or intersect. Fifth, effective government in a federal state must contemplate regular and formal meetings of the First Ministers on certain fundamental issues of co-operation rather than confrontation if agreement is to be achieved.

[*Translation*]

And so it is, Mr. Speaker, that the 1987 constitutional amendment takes into account our ever-changing federalism and will enable us to take a functional and co-operative approach to federal-provincial relations, particularly with respect to the constitutional evolution. It is aimed at fostering consensus rather than confrontation to solve problems of conflicts inherent in the very nature and the administration of a federal state.

The amendment is a far-sighted document which features two major factors: first, in various ways it faithfully mirrors Canada's current constitutional reality; second, its acknowledgement of current realities will have an impact on the trend of our evolution, for it is the very basis of future constitutional deliberations.

[*English*]

In this regard, the joint committee's report has suggested a range of issues for consideration, including Senate reform, aboriginal rights, devolution of power to the territories, multiculturalism, the extension and protection of linguistic rights, the enhancement and further protection of individual rights within the Charter, and any possible problems with the effect on the territories of a Supreme Court and Senate appointments' procedure. These are all important issues, and I assure all Hon. Members that the Government plans to review them during future constitutional discussions.

The two opposition Parties propose a number of amendments which, if taken together, call on Governments to reopen for negotiation virtually every section of the unanimously-endorsed Accord.

In days to come, other government spokespersons will address the particular amendments being proposed. However, I would like to make a couple of general observations as we begin this debate.

First, I must point out that no, and I repeat, no egregious error has been identified by the committee. Indeed, if I may be permitted to say, I make the statement categorically that no egregious errors have been pointed out on a balance of assessment of those experts in the field and those people who are vitally interested in the issue of constitutional reform. Hon. Members will recall that an identification of an egregious error was the only basis upon which First Ministers agreed they would be prepared to reopen the Accord. If we were to agree to reopen the Accord for renegotiation to consider even one amendment, pressure to consider others would almost invariably and inevitably mount. In that event there would be no guarantee that the necessary consensus which was arrived at by First Ministers could be reconstructed.

• (1150)

This marks the second time that we have used our domestic amending formula. It is an historic precedent because it will be the first that results from the unanimous agreement of all First Ministers. Given the severe test that faced them and the possible consequences of failure, their unqualified success is truly an occasion for national pride and celebration.

As Canadians know, the patriation process that culminated with the Constitution Act of 1982 has remained incomplete in an essential way because the Province of Quebec has consistently and continually expressed its dissent to that measure. That dissent has been expressed eloquently, passionately, and honourably. I take great pride in the Prime Minister's response and his achievement in gaining the support of the people, the Government, and the National Assembly of Quebec in adopting this Accord.

The attainment of complete national sovereignty with domestic tranquility is unfortunately far from the general rule in human history. Wars of revolution, unsuccessful revolts, civil wars, and other conflicts of this nature fill the history of mankind. In contrast, Canada's constitutional struggles have mostly been fought and won in a more civilized, although no less passionate manner.

As Canadians we do not always take sufficient pride in the accomplishments of our nation. I am proud to belong to a Government and to a nation that strives to find common ground in order to create an ever more just, humane, and understanding national society for the benefit of all its members, both individually and collectively. That is what Canada is all about.

I could not speak to this motion without paying special tribute to the excellent work of the members of the Special Joint Committee of the Senate and the House of Commons on the 1987 Constitutional Accord. Their efforts in undertaking this enormous task are worthy of praise and admiration. Their report is thorough and compelling. It merits full study, and it demonstrates how seriously the committee took its task of scrutinizing the Accord.

The Joint Committee heard from Canadians from all regions in all walks of life. This type of public debate is both healthy and essential because constitutional documents are the property of the people. They are living documents which must represent the national will.

[*Translation*]

Many witnesses who appeared before the joint committee advocated the adoption of the 1987 Accord because it achieves national reconciliation and blurs our memory of the shock of the 1980 Quebec referendum and the ensuing isolation of that province during the 1981 and 1982 constitutional patriation process.

The Meech Lake Accord adoption will for ever turn that page of our history. We can look forward to a more challenging future as a result of greater harmony and closer co-operation. This is why I feel confident that we are at the dawn of an era of outstanding achievements for all Canadians.

[*English*]

Under the leadership of the Prime Minister, the Premiers of the 10 provinces have come together to forge a new unity, thereby reinvigorating our land. The task now rests with us, Members of Parliament, to confirm this historic Accord.

To say no to the Accord is to say no to the vision of a united Canada. All of us share a common purpose in the House, to ensure that our Constitution includes all parts of Canada, all provinces, and with special emphasis on this occasion to bringing Quebec into the constitutional family. Therefore, I think our responsibilities are clear.

In a careful way we have an agreement between the Prime Minister and the 10 First Ministers of our country which is well thought out, well considered, properly crafted in a legal and historic sense, and one which has said to the people of the Province of Quebec that we will welcome you with open arms into the constitutional family of Canada.

At the same time we have articulated the nature of our country, a country with wide geographic dimensions but indeed divergent parts; a country that is often said to be difficult to govern, but because of its diversity, because of its natural inherent strengths and the qualities of the regions and the people who make up the different parts of our country, it is one to which all Canadians say that they are proud to be members of this great nation.

I call upon all Members to support this Accord. I know that because of the nature of the House of Commons, being an adversarial forum, it is traditional to take an adversarial position and suggest that this provision or that provision is not totally satisfactory. We now have an opportunity to transcend partisanship in terms of this debate, an opportunity for all of us to join together and send a message to the people of Canada, and send a message to those people who, unfortunately, have been excluded from the constitutional family over the years since the acceptance of the 1982 Constitution.

Finally, if I may be permitted to say so, I am very proud of the leadership the Prime Minister has given to this particular matter. I will not bother you with quoting my own colleagues on the government side of the House to support that.

Mr. Turner (Vancouver Quadra): Where are they all?

Mr. Hnatyshyn: Regardless of political stripe, regardless of the fact that participants represented all political Parties in this country at these meetings, they were unanimous in their praise for the manner in which the Prime Minister gave leadership, and the perseverance and inspiration he gave with respect to bringing forward this Accord.

Mr. Foster: Where is he this morning? Why is the Prime Minister not here?

Mr. Hnatyshyn: We will look forward to the support of the House of Commons for this Accord. To do otherwise is to send an unfortunate message to a very large section of our country, to many people, and to the whole concept of our country as has been developed over the years. I know that there will not be a sense of partisanship here, that there will be a sense of unity which will pervade the debate.

As I said at the outset, it is with great pride that I say to the House of Commons and the people of Canada, this is an historic moment in our history. This is an opportunity for us to join together.

Mr. Lapierre: Where is your Cabinet? Where is your Prime Minister?

Mr. Hnatyshyn: Mr. Speaker, I think that the Opposition may be on the verge of sinking down to partisanship again, but I wish to avoid that.

I wish to call upon them, notwithstanding their difficulties within their own caucus, to speak to this without any sense of partisanship, in order that we can go forward into a new era with all parts of Canada united and working toward a future which is without parallel in the world.

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, earlier in his speech the Minister of Justice (Mr. Hnatyshyn) reminded us that the House of Commons was an adversarial forum. In his closing words he then invited us to dismiss partisanship. He knows the nature of this place. I will agree with him on one feature of his remarks, that this indeed should be an historic debate. Certainly the numbers in attendance this morning for this very important discussion in the House of Commons on the constitutional fabric of our country, on the very bedrock of the laws of Canada, neither justify nor amplify the Minister's remarks in that respect.

• (1200)

We agree that what we are discussing here involves the most important law of our country. It follows upon the 1981-1982 debates, the patriation of our Constitution. The Charter of Rights and Freedoms was a great achievement of Pierre Elliott Trudeau, but it was incomplete. Quebec did not sign the accord at that time. There was a gap or an emptiness which did not bring the country as fully together as all of us would have wanted.

It is for that reason that despite its flaws—and it has flaws—we support the Accord, because it brings Quebec into the Canadian constitutional family politically, emotionally, and psychologically.

[*Translation*]

For all these reasons and despite its shortcomings, Mr. Speaker, I support the Accord. Back in 1982, thanks to Mr. Trudeau we did patriate the Canadian Constitution, but the process fell somewhat short since Quebec, headed by Mr. Lévesque and an independence-oriented administration, had refused to sign the Accord. Although strictly and legally bound under the Constitution, Quebec did feel the need to find its true place within our Canadian confederation and, more important still, within the Canadian family, to be part of it politically, emotionally and psychologically.

[*English*]

I know from the experience of 1971, when I had the honour of holding the place which the Minister of Justice now holds, that the constitutional process is a long, delicate and sometimes tedious one, and for good reason. The balance of powers between the federal and provincial Governments in the uneasy equilibrium of a federation is not to be tampered with unnecessarily.

I felt that in Victoria, under the leadership of Mr. Trudeau, we had achieved a model of political consensus, a model which was dissipated when Mr. Bourassa at that time felt it impossible, because of the pressure of public opinion in Quebec, to ratify that Accord.

Then of course came the rise of the Parti Québecois and its gain in the significant election of November 15, 1976; the referendum of 1980; and the tremendously emotional debate which gripped the Province of Quebec, family against family, colleague against colleague, partner against partner, business associate against business associate. The debate went right to the core of the province and of the French speaking Québecois of the province.

I think the most memorable event was the absolutely magnificent speech of Mr. Trudeau at the Paul Sauvé Arena, a speech which I credit with finally turning the tide in favour of Canada. It was a remarkable achievement. I think it was one of the great political speeches in the history of the country. It was certainly the greatest political speech to my mind in his own political career.

In that speech he gave a commitment to the people of Quebec that there would be a renewed federalism.

[*Translation*]

To put it in French, in a masterly address to a crowd of 15,000 to 20,000 people gathered at the Paul Sauvé Arena, Mr. Trudeau made a commitment by stating that if Quebecers were to reject the seduction of independence and opt for Canada there would be a renewed federalism. This is why Quebec francophones, in particular, supported Canada. This is why I said at the November Liberal Convention that Quebec had said yes to Canada, and that now time had come for Canada to say yes to Quebec.

[*English*]

What we have before us, of course, is the undoubted fact that Quebec is an essential part not only of our Constitution but of that subtle complex called the Canadian identity. The people of Quebec and the institutions of Quebec must be seen to be an integral part of the total fabric of Canada.

However, the 1982 patriation of the Constitution, the 1982 law, and even the Charter were not accepted by the National Assembly in Quebec City. One ought to recall that it was a unanimous vote which rejected the 1982 arrangement, not just members of the Parti Québecois but the Liberal Members as well, because the people of Quebec felt that their province had been left out. They felt that the achievement ratified by Parliament and the other provinces was incomplete.

It is that essential fact which prompts me—and we will analyse this Accord—to support the Accord despite its flaws to ensure that Quebec becomes once again a major party to our Confederation, a major part of future constitutional reform, and that the people of Quebec feel totally at ease and totally comfortable with the Canadian fact and Canadian identity.

I am proud to lead a Party which has always been at the forefront of constitutional reform in Canada. I believe that the constructive work done by members of our Party has helped bring about the process which we are debating.

We did not negotiate this Accord. I was not present at the table. We would have done it differently. Our November resolution set forth the parameters of where we thought the response to Mr. Bourassa's proposition should be. However, we believe that the Accord is a positive step. We also believe that it can be improved without jeopardizing the Accord.

[*Translation*]

I got the process under way on behalf of federal Members of Parliament, Mr. Speaker, by responding to Mr. Bourassa's five propositions during an interview I gave the daily *Le Devoir* in May, 1986, when I acknowledged that Quebec was a distinct society, when we responded in a constructive, concise and precise way, as Mr. Bourassa himself put it. Later on our colleagues and Quebec militant men and women proposed a full resolution at Saint-Hyacinthe, and it was almost unanimously endorsed by the Liberal Party Quebec wing. And finally, when 4,000 militants gathered here in the national capital for the November convention, a majority of 90 per cent supported the November resolution by acknowledging the distinct society, the distinct character of Quebec, along with several points featured in the existing constitutional agreement.

[*English*]

Throughout this debate we took a non-partisan position. I think we set a climate which allowed the Prime Minister (Mr. Mulroney) and the Premiers to negotiate, knowing that they would not be attacked in an irresponsible way in the House of Commons. Shortly afterwards so did the New Democratic Party. Therefore the climate that was set allowed this Accord to be achieved.

[*Translation*]

From both sides of the debate we have heard forceful opinions. Those discussions, Mr. Speaker, have reinforced my personal view that despite its deficiencies, the accord is good for Quebecers and good for all Canadians.

Having carefully examined the contents of the Accord reached by the First Ministers, I believe the Canadian Government is maintaining its leadership role within the Confederation. Overall, I think this is a good step forward although, as the First Ministers themselves indicated, the Accord is not perfect. There is room for improvement.

• (1210)

[*English*]

Since the announcement of the Accord, I took the position I am now taking again in the House of Commons. The position was that we would first support the Accord despite its flaws because it brought Quebec fully into the Canadian family, and second, that we would seek improvements by way of amendment and propose those amendments to the Joint Committee, or whatever committee we thought might be established at the time, and in the House of Commons. Third, we wanted a public debate. We wanted to see the issue discussed thoroughly both in and out of Parliament, because after all, we are dealing with the bedrock of the country, the fundamental infrastructure of Canada, a law more fundamental than any other law and a law needing more scrutiny than any other law.

For that reason, we believe that a clause-by-clause analysis is necessary. We believe that the delicate equilibrium of the division of powers must be analysed. We believe in the primacy of the Charter of Rights and Freedoms outlining those areas of human conduct beyond the power of Parliament, beyond the power of any legislature to impede or intervene. We believe that the language should be as precise as possible. We believe that the courts, particularly the highest court, the Supreme Court of Canada, ought to be given guidance. We do not want to yield our primacy as legislators to the judicial process. We do not believe that constitutional change is a matter to be dealt with in haste.

We welcomed the committee hearings. I would like to pay tribute to my two colleagues, the Hon. Member for York Centre (Mr. Kaplan) and the Hon. Member for Papineau (Mr. Ouellet), who contributed in a very constructive way to the examination of the Accord, to the conduct of the hearings and of course to the preparation of the minority report which is before Your Honour.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): We did not sign the majority report. We issued instead a minority report, and in that report, we stated our reasons for not signing. We regretted that this crucial exercise undertaken by the committee was, we believe, intentionally engineered to limit public scrutiny and serious debate. We could not support the language of the report because some of it, we believe, was deliberately inflammatory and calculated to make our support impossible.

When the majority report suggests that anyone who proposes an amendment is, in the words of the majority report, inviting a risk to the well-being of this country, and when the majority report accuses the previous Government under the leadership of Pierre Trudeau of having operated on conflict and confrontation, it is obvious that majority members were not seeking the type of consensus about which the Minister of Justice spoke this morning. We believe that the Constitution is the most vital document in our statutory fabric. We believe that Parliament should be heard.

We do not believe that the whole process will necessarily unravel if amendments are proposed. I am pleased to see that in this respect, members of the New Democratic Party agree with us. I would like to quote their addendum to the majority report:

> We believe, however, that prior to a resolution being placed before Parliament, certain amendments to the Accord could be accepted by First Ministers without in any way putting the Accord in jeopardy.

Those words are found at page 155 of the committee report, Addendum B.

I regret, however, that members of the New Democratic Party did not see fit to spell out their propositions and amendments in detail as we have done. I would like to suggest to them and to the House that the 1981-82 experience suggests that despite disclaimers by the Minister of Justice, despite the statements of the Prime Minister, amendments can be received. There are Members sitting in this House who can

recall the attitude of the Government of the day. Despite the seeming intransigence of that period, amendments were accepted during the process. I believe it is open to the House and to the Government to adopt a similar attitude in this respect.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Our amendments are not based on the premise that the Accord fails because it does not resolve all the unfinished business of Confederation. Our amendments go completely to the matter discussed and decided within the Accord. We do not trespass beyond its boundaries. We understand that there will be a continuing constitutional process.

We also believe that our amendments do not undermine Quebec's conditions for entering the constitutional fold. We seek two purposes: that Quebec adhere completely to the Canadian Confederation and that fundamental rights of Canadians be protected throughout the country in their entirety and plenitude and without difference from province to province.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I was mildly surprised that the Minister did not see fit to deal with either minority report or to deal with the amendments we proposed. He has said that some of his colleagues will refer to those particular subjects, but I would have thought that as the senior law officer of the Crown, he would have given us the benefit of his views and of—he is giving me the thumbs-down sign. That is not the sign of an open mind. That is not the mark of someone who wants to achieve a consensus. That is not the symbol of a Minister who wants to achieve the widest possible agreement for this Accord.

Our amendments seek to achieve the following purposes, and for the benefit of the House, which is after all the highest forum in our country, they are the following. First, we want to include as fundamental characteristics of Canada not only the linguistic duality as spelled out in the Accord, not only the specific or distinct character of Quebec as spelled out in the Accord, but also the recognition of our aboriginal peoples, the recognition of the multicultural mosaic of Canada and the recognition of the regional identities and the advantages of lower trade barriers between the provinces.

We believe that the native peoples should not now be left to feel "out-distincted", to use the apt words of the Inuit committee on national issues. We do not believe that our aboriginal peoples ought to be made to feel less important than other Canadians. The committee was told by key native groups that such an amendment as we proposed would ensure equity and fairness for their peoples.

[*Translation*]

We also recognize there are Canadians whose first language is neither English nor French. Many groups have stated before the committee that they felt like second-class citizens, and we want to see the Accord stress both their contribution to the Canadian identity and regional diversity. We want the Accord to reflect the true nature of our Canadian society.

[*English*]

Second, we want to offer more protection to official language minorities by ensuring that Parliament is responsible for promoting as well as preserving official minority language rights.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): We want to offer every province the opportunity to commit its legislature to promoting as well as preserving our linguistic duality.

[*Translation*]

Third, we also propose that the Charter of Rights and Freedoms take precedence, in order that the basic rights and freedoms of Canadians are not diminished by possible conflicts with other clauses in the Accord. Especially the rights to equality for women.

We have expressed some concerns over the rights to equality, which might be threathened by the recognition of Quebec's special responsibilities. Canadian women should not enjoy lesser protection than other Canadian women by reason of the distinct society clause.

Although we think that possibility is very remote, we want to ensure that even the most minute threats to our Charter are removed.

• (1220)

[*English*]

We nonetheless state our support, of course, for the distinct character of Quebec. We do not believe this is a revolutionary concept. We believe we are merely confirming in this Chamber the reality. Quebec does have a distinctive character. Quebec is the only province where French is the language of the majority. There is a different system of law, a unique psychology and a unique history. I do not believe that recognizing that fact in the Constitution is dangerous. I do not believe it will lead to special status or sovereignty association or *le concept de deux Nations*. I believe it is a historical and cultural fact that should be recognized. I do not believe there should be any conflict between that concept and the Charter of Rights and Freedoms. We seek to ensure that even a minimal risk of that conflict be clarified and this Parliament unequivocally pronounce upon it so that even a slight ambiguity not be left to the courts.

Fourth, we believe in an elected Senate. Despite all the bafflegab of the Prime Minister and the Minister of Justice and his predecessor, now the Minister of Transport (Mr. Crosbie), we want Senate reform. As I said in this House two and a half years ago, we believe that is the only fundamental reform which recognizes the geographical facts of this country as against the population of Ontario and Quebec. The Minister

of Justice ought to understand that because his constituents certainly understand it.

Mr. Hnatyshyn: Absolutely.

Mr. Turner (Vancouver Quadra): The people of Saskatoon certainly understand it.

Mr. Hnatyshyn: Even my father understood it.

Mr. Turner (Vancouver Quadra): He ought to support any process which would achieve early reform of the other place into an elected Chamber so that the people of Canada would have a true voice there.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Our proposal would accelerate the move from an appointed Senate to an elected Senate by electing Senators now when vacancies occur rather than appointing them based on provincial lists. I believe the democratic rights of all Canadians would be strengthened by giving them the power to elect all their national legislators. Also, given our amendment, it would recognize the right of the citizens of the Yukon and Northwest Territories to senatorial election, a gap left in the Accord which deprives Canadians living north of the 60th parallel of any future representation or appointment to the Senate.

Mr. Hnatyshyn: Wrong.

Mr. Turner (Vancouver Quadra): They have no list to propose. I understand the Minister in personal terms, and I suppose the same is true of his predecessor from Newfoundland, feel that their current close allegiance to the Premiers of the day in their respective provinces protects them. However, when the Prime Minister first brought this proposition before the House of Commons I noticed the surprise and dismay on the faces of members of the Conservative Party when they felt this was a complication to their career plans. In any event, the Minister of Justice sits secure so long as there is "Devine Government" in Saskatchewan.

[*Translation*]

Fifth, we believe, Mr. Speaker, that the Accord clauses dealing with the appointment of Supreme Court justices from provincial lists could lead to an impasse between the federal and provincial Governments. We have therefore suggested a solution that would ensure that at all times the Supreme Court has a complement of Justices, and that would protect the basic rights of Northern Canadians, by granting their Governments the same rights as provinces have to nominate candidates to the Court.

[*English*]

Sixth, we propose that the clause concerning compensation for provinces opting out of national shared cost programs be clarified to ensure greater national consistency in programs available to all Canadians, and to ensure that minimum standards are met by provinces in order to claim compensation for opting out of such programs.

One area that I looked at specifically in gauging my own reaction to the Constitutional Accord, and in this respect there has been a distinct improvement in the Accord over the original agreement at Meech Lake, was that it spells out specifically that nothing in it alters the relative division of powers as between the federal and provincial Governments. In other words, whatever the Supreme Court of Canada determined to be the scope of federal spending power remains in place.

We also recognize there has probably been a strengthening of federal spending power by explicitly recognizing for the first time that it may be exercised within areas of provincial jurisdiction. We are also assuaged by recognizing that national objectives are chosen by the federal Government. However, we should clarify the clause to ensure that Parliament sets those objectives and ensure there is no ambiguity in national standards. I would like to make it clear that we believe this should be spelled out. As we all do in this Parliament, I believe in a strong central Government but in equilibrium with a well-functioning federalism.

I do not fear confrontation with the provinces. That is the inevitable nature of things in a federation. I believe it can be creative and useful. I also believe the Government side-steps that in order to try and get a false perfume of consent. I recommend to the Minister that he not be lulled into believing the agreement is a substitute for achievement.

However, I do not believe in confrontation for its own sake. I believe in co-operative federalism and it does not disturb me that the provinces can opt out. They have done so before and I was part of the negotiating team regarding the Canada and Quebec Pension Plan many years ago.

Seventh, we propose to eliminate the rigid unanimity provision for Senate reform and return to the seven provinces and 50 per cent of the population formula. We believe western Canadians and Atlantic Canadians in particular will want the flexibility we had before the Accord to achieve meaningful Senate reform.

We also suggest that the eventual provincehood of the Yukon and the Northwest Territories and extension of existing provincial boundaries into those territories, should that ever happen, be resolved solely by the federal Government and the territory in question. The last instance we had of a new province coming into Confederation was the 1949 Terms of Union with the Province of Newfoundland. That was negotiated specifically between the federal Government and the Province of Newfoundland and put to the Parliament of Canada for ratification.

Eighth, with regard to future constitutional conferences, we propose to make aboriginal rights a priority. Our aboriginal peoples feel, having been left off the constitutional agenda, any progress made to date will be lost unless First Ministers

continue discussions on self-government and other aboriginal concerns.

We also suggest that the fisheries issue does not have to be on the agenda every year as it will unnecessarily create instability in the industry and, frankly, three of the four provincial Governments in the Atlantic provinces are concerned that any transfer to provincial jurisdiction would result in anarchy in the administration of fishing rights in the Atlantic.

While it is not in these amendments, for our future constitutional menu we would have preferred that Section 33 of the Constitution Act, 1982, be repealed; that is to say, the notwithstanding clause allowing provincial Governments to enact legislation exempt from the Charter of Rights and Freedoms. Although we have not dealt with it here because it went beyond the purview of the Accord, we recommend that future constitutional discussions eliminate those words relating to the administration of minority rights in education, eliminate the words "where numbers warrant" and rely on the general interpretation clause in the Constitution which would allow schools to be set up in a minority language where that was reasonable.

The Minister of Justice has closed his mind to amendments. He did not even do us the courtesy of referring to them or analysing them. The Prime Minister has said it is a take it or leave it proposition. He says if we disagree, or attempt to strike out a single word or change a single comma, or add a word here and there, we will destroy the process. I want to remind the Prime Minister through his Minister of Justice that each one of us was sent here to this House of Commons to do our best in analysing the laws brought before us. No other single piece of statute is more important, more fundamental or more vital than the Constitution of Canada.

• (1230)

What he is saying, and what he has said to the House, echoing the hollow words of the Prime Minister, is that no matter how we debate this issue, no matter what our constituents think, no matter what witnesses may have said before the joint committee, it will make no difference. The Government's collective mind is closed. The Prime Minister has shut the door on possibilities of improvement within the ambit of the Accord.

What he is really saying is we have a new level of Government established here with which no one has dealt specifically in the House of Commons to this date. We have a Prime Minister with an overwhelming mandate in the House of Commons, premiers who have majorities in their legislatures, and what we are really saying is that without prior notice, without prior mandate or prior discussion, 11 First Ministers can meet in secret, even until five o'clock in the morning, and decide a new constitutional direction for Canada. Yet it is irrelevant what Members of the House of Commons say. It is irrelevant, I suppose, what Members of the Senate say, although I have my own views about that. It is irrelevant what Members of the legislatures may say. It is a *fait accompli*. That is what we recognize here.

The Minister of Justice thinks this annual meeting of First Ministers will be a very important function. It is going to be a function now embedded in the Constitution that Parliament better look at very carefully in the future to ensure we have kept control over it.

I believe our Confederation is a little more resilient than the Minister of Justice imagines. I believe that Canada can survive a debate on the merits of the issues which have been put forward to the House today. I want to hear, as I believe do all Canadians, the Government's response to our amendments.

Does the Government, for example, think it is wrong that aboriginal rights or multicultural identity should be recognized? Does the Government feel it is wrong that the Charter should clearly be paramount? Does the Government feel it is wrong if we move towards Senate reform at a faster pace and, in our view, towards an elected Senate? Does the Government reject a deadlock-breaking mechanism on Supreme Court appointments? Does the Government reject the idea that the spending power might need some clarification? Does the Government object that the Territories should have a say in Senate appointments and in appointments to the Supreme Court of Canada? Does the Government object to giving the Territories a clear avenue, should circumstances dictate, for assuming provincial status? Does the Government think it is wrong to make aboriginal rights a priority of First Ministers' conferences? Are all of these proposed amendments to be rejected out of hand by the Government?

By the way, I know the Prime Minister's current priorities are heavy this morning, but this being the most fundamental issue before the House, and without in any way derogating the high office held by the Prime Minister, I would have thought that in the circumstances he ought to have led the debate. I hope the House hears from him on this debate.

I can say to the Minister and to you, Mr. Speaker, that if ultimately, despite our efforts in pressing them before this place, our proposals fail, if our amendments are rejected and voted down, we intend to make these amendments part of our Party's constitutional program. We intend to make them part of the platform in the next federal election and put them before the people of Canada. If and when we form a government, we intend to make them part of the ongoing constitutional process.

Our point of view is that the purpose of the debate will have been fulfilled if Canadians know in detail where we stand on these issues. They also deserve to know where the Government stands on each of these issues and where the New Democratic Party stands. Therefore, in order to inaugurate this process, I would like to propose the following amendment:

That the Motion be amended in paragraph 1 of the Schedule by striking out Section 2(1) thereof and substituting therefor the following:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

I submit this amendment in both French and English. It is seconded by the Hon. Member for York Centre, on his behalf and on behalf of the Hon. Member for Papineau.

Some Hon. Members: Hear, hear!

Mr. Speaker: I want to thank the Right Hon. Leader of the Opposition (Mr. Turner) for his comments and the filing of the motion as has been read and presented to the Chair in both official languages. As is my obligation to Hon. Members, I will consider the motion carefully and report back to the Chamber with respect to its procedural acceptability. In the meantime, we will continue with debate. I thank the right hon. gentleman.

Ms. Pauline Jewett (New Westminster—Coquitlam): It is a great honour for me today to be the lead-off speaker for the New Democratic Party on the Constitutional Accord. I may say that throughout the summer, during the hearings, I have taken a great interest in the Accord and what it accomplishes, which is really tremendous. I have also taken a great interest in some of its shortcomings and some of the future directions for constitutional change and renewal. In that connection, I may say that all of us in Canada have realized during the course of debate this summer that the Constitution should belong to the people of Canada and that the people of Canada should be heard when it comes to constitutional renewal and reform.

Partly because of our lack of experience in constitutional change since the 1982 patriation and Charter, and partly because of the haste of the Government, we have not had as much openness and consultation with the Canadian public as we would have liked. There is a lesson in this for us all and I will return in a moment to the process.

On behalf of the New Democratic Party, I want to say how very much we welcome Quebec's return to the Constitutional family.

Some Hon. Members: Hear, hear!

Ms. Jewett: We have always felt it was a grievous occasion in 1982 when Quebec was isolated from patriation and the Charter. As a political Party we have wanted ever since to see this isolation ended. When the Quebec Government suggested a couple of years ago its five proposals which would make possible the ending of this isolation we heralded them. We agreed with them.

• (1240)

Since our founding as a political Party we have known that Quebec is indeed a distinct society. We have known of the linguistic duality of Canada, and that these are key and vital characteristics of our nation.

We felt that after Quebec had basically said yes to Canada in the referendum that we should do everything possible, compatible with the interests, concerns and ideals of all Canadians, to say yes to Quebec. I remember very vividly Ministers of the Parti Québécois Government coming to western Canada, in particular to British Columbia, and discovering, often to their surprise they said, how much we in British Columbia wanted Quebec in Canada, how much Quebec being a part of the constitutional family meant to us as British Columbians, and how wrong it would be for this nation to go into the future with one of its very basic elements not part of it. It was in British Columbia that I heard the strongest pleas for Quebec to come in, to be in, and for the rest of us to help make that possible.

We feel very badly when we are told that the Constitutional Accord pays some kind of favour to Quebec. I was quite shocked, as some Members of the House will recall, when former Prime Minister Trudeau was before the committee and suggested that all we were doing in this Accord was caving in to something "Quebec wanted" and the rest of us did not want. For we New Democrats, and I speak on behalf of all Canadians on this matter, we are delighted. We feel that the Accord is what we want. We feel that it is good for us, that it is good for all of Canada.

Some Hon. Members: Hear, hear!

Ms. Jewett: Not only does the Accord have the result of reuniting Canada, but it does so in a spirit of what we have always called "co-operative federalism", both in the reaching of the Accord and in its provisions. The Leader of the Official Opposition (Mr. Turner) said a moment ago that Liberal Members could not sign the report of the Special Joint Committee because they did not like some of the language of the document. In particular, they did not like the reference to confrontation and conflict having characterized much of Canada's federal-provincial relations in the years up to 1984. There was confrontation and conflict. There was a tendency—a very strong tendency—to want to tell provinces what to do rather than to seek accommodations with them, in sharp contrast to the 1960s when a strong era of co-operative federalism prevailed.

We think that there cannot be a nation as large, as complex, as dispersed at this country without having a genuine federal system. Within such a federal system there must always be a very high degree of negotiation, discussion, and compromise, in order to reach the national objectives that we want. We think that the Accord gives expression to this vision of the operation

of a genuine federal system. Therefore, on that ground, too, we have welcomed the Accord.

With specific reference to the spending power, it became less and less controversial as the hearings went on. There was a very great deal of evidence presented to us that there was no weakening of the purely federal spending power in areas of federal jurisdiction, no change whatsoever in the relative powers of the federal Government and the provinces, no change in the authority of the federal Government to spend in areas of mixed jurisdiction; and, in areas of exclusive provincial jurisdiction, the authority of the federal Government to spend is constitutionally recognized for the the first time in the Constitutional Accord. What has in practice often taken place—federal spending in areas of exclusive provincial jurisdiction, which has often been a very rancorous affair—we now have constitutionally entrenched. The federal Government and Parliament to spend in areas of exclusive provincial jurisdiction has been entrenched, and provinces wishing to opt out of such shared-cost programs can receive compensation only if they develop a program or an initiative that is "compatible with the national objectives".

If we have a party in power in Ottawa that has no national objectives, or has national objectives which are perhaps anathema to many of us in the New Democratic Party—

Mr. Rodriguez: That is the Tory Government you are describing.

Ms. Jewett: —such as might be the case under a Tory Government, then we as Canadians change the Government.

Some Hon. Members: Hear, hear!

Ms. Jewett: We put one in power, such as the New Democratic Party—

Some Hon. Members: Hear, hear!

Ms. Jewett: —which will pursue the national objectives in a shared-cost program that meets the needs and aspirations of the Canadian people.

We welcome the provisions of the Accord that make possible the achievement of social and economic goals working in cooperation with the provinces that will realize a better Canada. The Constitution provides the framework for the achievement of our national objectives.

• (1250)

In the course of bringing Quebec back into the constitutional family, in developing the constitutionalizing of the federal spending power in areas of provincial jurisdiction, and in making other changes in our constitutional relationships, the Government, and indeed all 11 First Ministers, made one very serious error. I wish to discuss three or four errors, but there is one I wish to raise first, partly because I am a woman and, therefore, particularly sensitive to it.

The First Ministers have met and decided to give special protection in Section 16 of the Accord to our multicultural heritage, and to our aboriginal peoples. We have no objection to that, but we do object in respect of the equality rights of women. Section 28 of the Charter interestingly enough follows Sections 25 and 27 that are included in Section 16 of the Accord. They sat there and absolutely forgot about women, about their place in our constitutional history, about the long struggles to achieve, first, the strengthening of Section 15 of the Charter, and then the creation of Section 28. Notwithstanding anything in the Charter, the rights and freedoms referred to in Section 28 are guaranteed equally to male and female persons. Yet they never even thought of it, they bypassed it, and once again the constitutional history of Canadian women is rendered invisible. It is as if we have to start all over again.

The Government and the First Ministers stated that they did not intend to do this. In an article in *Le Devoir* on August 28, 1987, the Minister responsible for the Accord on behalf of the federal Government said, "*les droits à l'égalité des sexes transcendent la langue et la culture.*" Sexual equality rights transcend language and culture. Why was that not said in the Accord? Why was that not placed in the Accord? Why was it said outside it? We are constantly told to trust the Ministers. In 1982 they said that labour unions and collective bargaining would be protected under the freedom of association clause. They told us that that would be the case. What happened? They were not protected at all. The courts do not listen to Ministers, but we are told to trust them. We are also told to trust the courts.

In a sense, we all got into this ourselves when we put the Charter in the Constitution. Of course, once there is a charter of fundamental rights and freedoms it follows that there will be judicial interpretation of laws or enactments that may infringe upon those rights. A great many of the problems that we as women have today go back to the wording of the Charter itself, Clause 1 of the Charter, the reasonable limits clause, and the relationship of that clause to Clause 15 and Clause 28 and what judges have been and are doing with those relationships.

We understand that a great many of the concerns raised by women's organizations and their constitutional experts during the hearings are concerns regarding the operation of the Charter. It is clear that the Charter is not totally paramount in terms of the rights and freedoms guaranteed in it because they are subject to Clause 1 of the Charter which allows for reasonable limits on those rights, if they are demonstrably justifiable.

By the way, in this connection the Liberal amendment to include the Charter in Section 16 of the Accord is totally ridiculous. Obviously, they have not heard of section 1 of the Charter. I may say no women's organizations suggested that particular amendment because they also saw how ridiculous it was.

We need to bring some understanding to the First Ministers and to the courts that we did not as women fight for nothing when we secured the strengthening of Section 15 of the Charter and the creation of Section 28. At the minimum that is why Section 28, the equality rights section of the Charter, should be included in Section 16 of the Accord. This has been agreed to by the National Action Committee on the Status of Women and by *la Fédération des femmes du Québec.*

We do not think that our equality rights are jeopardized by Meech Lake. They are not. But with the same abundance of caution that the First Ministers put in the reference to our multicultural heritage and aboriginal rights, so they should also put into the Accord in Section 16 our equality rights, the equality rights of male and female persons.

I have a few more comments to make, Mr. Speaker, if I may call it one o'clock.

The Acting Speaker (Mr. Paproski): It being one o'clock, I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

PENITENTIARIES

CRIMES COMMITTED BY PAROLED AND ESCAPED INMATES

Mr. John Nunziata (York South—Weston): Mr. Speaker, some disturbing parallels are emerging between the cases of Daniel Gingras and Allan Sweeney, who was convicted of the rape and murder of Celia Ruygrok, an Ottawa half-way house worker.

Mr. Gingras, an inmate of Edmonton Institution, was serving a life sentence for a murder which he committed in 1978 after he escaped from a federal penitentiary in Cowansville, Quebec. On June 29 of this year he again escaped, this time from an unarmed escort while on a day pass to celebrate his birthday at the West Edmonton Mall. He was recaptured on August 21 and once again faces murder charges in the deaths of Wanda Woodward and Joseph Piquette. He is also charged with armed robbery, possession of a restricted weapon, and possession of stolen property.

In the Gingras and Sweeney cases there appears to have been some serious lapses of information involving both the National Parole Board and Correctional Service Canada on the inmates in question. In both cases as well, the level of risk posed to society by the early release of these inmates appears to have been gravely underestimated.

S. O. 21

In light of the firing of the warden of Edmonton Institution following the investigation into the Gingras escape, I call upon the Solicitor General of Canada (Mr. Kelleher) to explain precisely why the warden was fired and to explain how it was possible for Mr. Gingras to be released on a day pass to celebrate his birthday at the West Edmonton Mall.

* * *

HUMANITARIAN SERVICE

TRIBUTE TO WORK OF CANADIAN SURGEON IN PALESTINIAN REFUGEE CAMP

Mr. Alex Kindy (Calgary East): Mr. Speaker, *The Toronto Star* recently recognized Canadian surgeon, Dr. Christopher Giannou, for his outstanding humanitarianism displayed at the Shatila Palestinian refugee camp in Beirut, Lebanon.

Dr. Giannou dedicated the past three years to a benevolent medical practice in the Palestinian war camps of Beirut. During five months of fierce fighting at Shatila last winter, Giannou and his medical teams performed 200 major operations and between 400 and 500 minor ones. They buried 110 people but saved 650 more who were seriously wounded.

It seems appropriate for the House to recognize the achievements of Dr. Giannou under such extreme and arduous conditions. Not unlike a former Canadian physician practising abroad, Dr. Norman Bethune, Dr. Giannou has demonstrated unique and able courage and dedication to his profession.

The House should publicly recognize the achievements of this doctor in reducing pain and suffering in a horrific Lebanese war.

* * *

CANADA PENSION PLAN

CHANGES TO ASSIST SURVIVING SPOUSES—SITUATION OF SINGLE WOMEN

Mr. Neil Young (Beaches): Mr. Speaker, last week the Minister of National Health and Welfare (Mr. Epp) tabled in the House of Commons a consultation paper dealing with proposed changes to the Canada Pension Plan. The effect of those changes would be to alleviate some of the financial hardship now being experienced by surviving spouses and their families. These changes are long overdue, and we in this Party support them in so far as they go.

Once again, however, these proposals ignore the plight of a substantial number of survivors and their families. While the discussion paper recognizes that there have been major social changes in Canada since the inception of the Canada Pension Plan in 1966, it stops short of proposing to do anything about it. Instead, the proposals continue to perpetuate the notion that

women are only entitled to an adequate pension if they have a man.

This paper does nothing to correct this discrimination against single women, particularly divorced women, and I call upon the Minister of National Health and Welfare to bring forward a further amendment to deal with this issue once and for all.

* * *

[*Translation*]

THE ECONOMY

SITUATION IN ABITIBI—TÉMISCAMINGUE REGION

Mr. Gabriel Desjardins (Témiscamingue): When things are going well, Mr. Speaker, we should come out and say so! Never has the Abitibi-Témiscamingue economy been in such great shape, and we could even say that actually we are rolling in money. The unemployment rate, which had reached the tragic record high of 27 per cent during the 1982-83 years, fluctuated between 6.1 and 7.7 per cent over the past three months, which is Quebec's best economic performance.

What has contributed to this amazing recovery, Mr. Speaker?

First, we had record investments in mine exploration: in fact over 85 per cent of all Quebec investments in this industry were made in our area. Second, a maximum output in our forest industry: over 40 per cent of the lumber produced in Quebec comes from our area.

Finally, Mr. Speaker, to our Témiscamingue farmers who constantly meet new challenges by delivering to our domestic markets new products which appeal to more and more Canadians, I say bravo!

Mr. Speaker, of course this outstanding success would not have been possible without the determination, the drive and know-how of the Témiscamingue people to whom I want to pay tribute today.

* * *

[*English*]

HARBOURS AND PORTS

DREDGING AND WHARF REPAIRS REQUESTED BY PRINCE COUNTY FISHERMEN'S ASSOCIATION, P.E.I.

Mr. George Henderson (Egmont): Mr. Speaker, I bring to the attention of the House the worsening state of the harbours and wharfs in several fishing ports in my riding. This is a matter of utmost importance.

Fishermen in these communities know that the deterioration of their wharfs and harbours will not only disrupt their fishing but will also endanger their health and safety. The Prince County Fishermen's Association has asked the Minister of Fisheries and Oceans (Mr. Siddon) to undertake harbour dredging and wharf repairs in the communities of Alberton, Tignish, and Howards Cove. I have made the same request on previous occasions.

In a recent letter the Association pointed out:

> We fishermen depend on our harbours for safe landing of our catches and safe berthing of our vessels. Our livelihood creates a large portion of the revenue for West Prince. The upkeep of the harbours and wharfs is essential to the economy of our area.

At a time when these fishermen are striving to land the highest quality fish, it is absolutely essential that the federal Government invest in proper infrastructure. On behalf of the Fishermen's Association, I urge the Minister of Fisheries and Oceans to undertake the long awaited wharf repairs and harbour dredging in West Prince.

* * *

• (1405)

SPACE RESEARCH

TWENTY-FIFTH ANNIVERSARY OF LAUNCHING OF CANADIAN SATELLITE

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, today marks the 25th anniversary of the launch of the earth satellite Alouette 1 from Vandenberg Air Force Base in California. With that launch, Canada was the third country into space.

In the last 25 years we have excelled as a world leader in space science, telecommunications, and remote sensing. With the launch of the Anik 1 satellite in 1972, Canada became the first country to operate a domestic communications system based on a satellite in a geostationary orbit.

In the 1980s we built on that technology through Telesat Canada and have gone on to participate in a variety of international programs such as Landsat, Canadarm, and the European Olympus satellite program. In the process, we built the most advanced satellite-testing laboratory in the world, the David Florida Laboratory located in the City of Nepean.

Canada is well in a position to maintain leadership in the decades ahead with such projects as MSAT, RADARSAT and the Space Station. The formula to get us there has been outlined in a recent report prepared by the Standing Committee on Research, Science and Technology entitled *Canada's Space Program—A Voyage to the Future.*

NATIVE PEOPLES

HIGH RATIO RECEIVING PRISON SENTENCES

Mr. Jim Fulton (Skeena): Mr. Speaker, federal Conservative policies affecting Indian, Inuit and Métis citizens of Canada are proving to be ill-conceived and dangerous. Today we learn from the media that two-thirds of the prison population in Saskatchewan is native while natives represent only 14 per cent of the population. Saskatchewan Justice officials claim that this is due in part to racial bias in the justice system. That is no doubt true and something the Government should address.

Across Canada we find the startling statistics on incarceration are paralleled in the native community by the highest rates of infant mortality, suicide and unemployment, along with the other shocking signs of cultural genocide.

Two years ago, under the guidance of the then Deputy Prime Minister, Mr. Erik Nielsen, the federal Government produced and I released the secret document known as *Buffalo Jump of the 1980s*. This document plots out the means by which native families can be forced out of their communities by cutting off economic development, housing, medical care and education. It plots the way to undermine existing native political institutions locally, regionally and nationally by cutting funds and blocking the routes to dispute settlements, specific and comprehensive claims, and closing off test-case funding to the courts and for megaproject impact funds, all of which are now being implemented.

All Canadians should be ashamed at the treatment of our first citizens by this Government. The Government's plan is a self-fulfilling prophecy of assimilation and extermination of the first nations of Canada.

* * *

ENVIRONMENTAL AFFAIRS

POLLUTION OF TORONTO BEACHES

Mr. John Oostrom (Willowdale): Mr. Speaker, all urban centres are facing major environmental problems due to storm water run-off. This summer as in past summers, the residents of Toronto were again denied the use of their beaches due to high pollution levels in Lake Ontario caused by urban run-off.

One solution has been to speed up sewer separation. This is a very expensive undertaking which, ironically, will serve as a more efficient conduit of pollutants to the lake.

It has been brought to my attention that there are many measures which, when implemented in conjunction with storm sewers, will effectively eliminate pollution. Such measures as improved surface sanitation, sewer flushing, and twice-yearly cleaning of catch basins will remove up to 50 per cent of heavy metals transported by storm water. Porous pavement whose structural integrity is not impaired has been found to reduce run-off by as much as 83 per cent.

The measures I have listed have been available for decades and are not costly. The fight to eliminate pollution must embrace all methods available, for the future of our existence is the price.

* * *

[*Translation*]

RESEARCH

MONTREAL'S ATTEMPTS TO ATTRACT PROPOSED SPACE AGENCY

Hon. Jean Lapierre (Shefford): Mr. Speaker, we have known for some months now that the spokespeople for the City of Montreal and the province of Quebec in general pursue a common cause in their attempt to have the Space Agency located in that province.

Mr. Gauthier: In Ottawa!

Mr. Lapierre: At least, my colleague, the Hon. Member for Ottawa—Vanier (Mr. Gauthier), knows what he wants!

The slogans read: "*Montréal, c'est spatial*". Today, however when we read the newspapers, we realize that the NDP silence is special.

With regard to a project of such significance for the economic future of Montreal, Mr. Speaker, they shirk their responsibilities. Even the NDP Leader (Mr. Broadbent) is reported to have decided to look into the matter before making a decision at some later date.

Mr. Speaker, the Chairman of the Quebec Tory caucus who is talking from his seat should have the courage to stand up for the City of Montreal and support the Province of Quebec in their efforts to obtain the Space Agency. The Chairman of the caucus, who is shouting from his seat, can only kowtow before the Government, Mr. Speaker.

Montreal must get the Space Agency. The Leader of the Liberal Party of Canada, Mr. Turner, supports the Montreal initiatives, while the NDP is hiding its collective head in the sand. As to the Tories they cannot make up their minds.

* * *

EMPLOYMENT

EFFICACY OF PROGRAMS

Mr. Marcel R. Tremblay (Quebec East): Mr. Speaker, it gives me great pleasure to indicate today my great satisfaction at the entrepreneurship and efficiency shown by those taking advantage of our job development programs. These projects

have given me an opportunity to appreciate the potential of this country to help us meet our stated objectives.

Quite recently, I was made aware of six thematic brochures published by a Quebec City organization called *Centre femmes d'aujourd'hui* thanks to federal financial assistance. Information on such subjects as homeless women, female solitude and the economic contribution of volunteers and homemakers is now available to the population for the greater good of our community.

Mr. Speaker, this is a good example of what this type of employment program can mean to our society. It is obvious that, beyond the financial considerations, our human resources contribute a lot to the strength and quality of this country.

* * *

• (1410)

[*English*]

LITERACY

ARTICLES OF ILLITERACY—SOUTHAM NEWS CONGRATULATED

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I rise to congratulate the efforts of Southam News in bringing to the attention of Canadians our serious and continuing national problem of illiteracy. By assigning a first rate investigative journalist, Peter Calamai, and backing him with research and survey information, Southam was able to present the following well-documented facts about illiteracy:

Fully five million adult Canadians are functionally illiterate;

The problem is increasing with 100,000 illiterates being added to the population every year;

Less than 2 per cent of illiterates are enrolled in adequate literacy programs.

None of us can feel anything but shame that our educational and training facilities are failing so many. Yet the federal Government, which has only a few token programs, is not responding to the disaster. Where are the federal-provincial agreements to attack this growing problem?

I call on the cabinet Ministers responsible, particularly the Secretary of State (Mr. Crombie) and the Minister of Employment and Immigration (Mr. Bouchard), to give a detailed response to the information uncovered by Southam and tell the House how they will respond positively to this greatest of adult education challenges, providing the necessary learning skills leading to the simple ability to cope in our exceedingly complex society.

THE CONSTITUTION

MEECH LAKE ACCORD—SUPPORT FOR ADOPTION

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, as we begin today to debate the 1987 constitutional accord I wish to add my voice in support of this initiative of our Government. I believe it is the most significant accomplishment of our mandate.

Our Party's political agenda has been one of national reconciliation, and we have not strayed from our course. In 1984 our Leader promised to improve relations between Ottawa and the provinces. As Prime Minister (Mr. Mulroney), with this achievement, he has done just that. He has strengthened our federation and revitalized our national unity. The Prime Minister and the 10 Premiers should be highly commended for succeeding where others have failed.

Canadians across the land have welcomed Quebec, and with it one of our nation's founding cultures, back into the constitutional family. As Members of this federal institution our participation in ratifying this accomplishment is indeed historic. I wish to thank our Leader for providing this significant opportunity, and for an enormous deed well done.

* * *

FINANCE

CREDIT CARD INTEREST RATE SLASHED BY CANADA TRUST

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, last month several credit card companies increased interest charges on unpaid balances. Today one company, Canada Trust, announced it will slash its rate to a record 13.5 per cent. Its cards will not carry any annual fee, transaction charge or monthly statement cost. In effect, credit card balances will become like consumer loans.

If one company can do this, why can't others? This company will make a profit at 13.5 per cent. It is not a charitable institution. We ask, therefore, why must other MasterCard issuers charge 18.9 per cent? Why must VISA issuers add annual fees and transaction charges to their 16.5 per cent rate? Why do leading retail stores charge 28.8 per cent?

The House has given first reading to a Bill that will protect consumers against excessive interest charges. If one major trust company can push rates down to this historic low let no lobbyist tell any Member of this House that rates have to be so high that only an alpine climber can reach them.

• (1415)

ORAL QUESTION PERIOD

[*English*]

TRADE

STATUS OF CANADA-UNITED STATES TALKS—TRADE DEFICIT WITH PACIFIC RIM COUNTRIES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a question for the Prime Minister with regard to trade. Since his Government came to power Canada's trade surplus with the United States has fallen by half. Our trade deficit with the Pacific Rim countries is five times worse than when the Prime Minister assumed office. Imports from Europe are growing four times faster than are our exports from Europe. Believe it or not, Canada's trade deficit with Japan, the world's second largest industrial power, is 24 times worse than when the Prime Minister came to power. Talk about lost opportunities.

In light of the Government's truly pathetic record on world-wide trade would the Prime Minister bring this House up to date on recent developments in his obsessive desire to get a free trade deal with the United States? What did the Americans offer yesterday? What are Canadians conceding today? What is the stage of these negotiations?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, Canadian trading patterns remain strong and buoyant around the world. There has been a great deal of work done.

In fact, I know my right hon. friend will want to reflect upon what he said inasmuch as he was a member of an administration which talked about a third option—reducing our dependence on the United States. When that was begun in 1972, 65 per cent of our exports went to the United States. When it ended, 80 per cent of our exports went to the United States.

Rather than reducing our dependence there was a complete failure on the multilateral side by the Liberals, which brought about a situation in which it is clearly in the national interest to seek a comprehensive framework for such a large part of our foreign trade.

The trade talks have been complex and challenging. There was an important review yesterday. That review is ongoing further to a report of the Minister of Finance and the Minister for International Trade. At the earliest possible moment I will report to my right hon. friend.

[*Translation*]

SECURING OF BINDING COMMERCIAL DISPUTE SETTLEMENT MECHANISM—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I also hope that the Prime Minister will confide in Canadians and in Members of the House. The figures I just gave come from Statistics Canada and are endorsed by the Commons Standing Committee on External Affairs and External Trade.

Before the reopening of negotiations with the Americans, will the Prime Minister at least assure Canadians that the Americans guarantee him to accept the binding trade dispute settlement mechanism? Will he also assure Canadians that he is not making further concessions to secure such a binding mechanism?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, as the Leader of the Opposition would know very well, there were no concessions. It was an important meeting prompted by the positive signals sent by the Americans. As I am speaking, the whole situation is being assessed to see whether we ought to resume negotiations. This assessment is being made by Ministers and Government officials, and I will be pleased to make the Leader of the Opposition aware of the outcome at the earliest opportunity.

• (1420)

[*English*]

POSITION OF UNITED STATES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I only say to the Prime Minister that the House and Canadians would appreciate knowing from him what is going on. One can understand, even after two years of negotiation, that there must be a deep split in his Government as to whether to continue these negotiations.

Some Hon. Members: Oh, oh!

Mr. Speaker: Order. The Right Hon. Leader of the Opposition.

Mr. Turner (Vancouver Quadra): It might be that the Minister of Finance, who appears in a forthcoming mood, would like to respond, but I will put my question to the Prime Minister.

Have the Americans agreed to lay off our regional development programs? Have the Americans agreed to lay off our cultural industries? Have they agreed to give us a meaningful exemption from their 1974 trade law and the current omnibus Bill? Have they agreed to give us meaningful exemptions from their unilateral right to countervail, to use anti-dumping against us without notice and in a unilateral fashion? What further concessions are the Prime Minister and his Government willing to make to get that binding mechanism? What further concessions are they willing to make to get these negotiations back on track, if that is what the Prime Minister really wants to do?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we are discussing a serious matter about which, between the two countries, there are serious disagreements about some fundamentals. That is why the Government of Canada and Ambassador Reisman suspended the talks last

Wednesday. It is because there was serious disagreement about some of the fundamentals. These matters are complex and difficult. They do not lend themselves to harangues, insults, or diatribes by the Right Hon. Leader of the Opposition or by anyone else.

I would suggest to my right hon. friend that if he is in any way concerned about the national interest, he will allow the Government of Canada and our public service negotiators—

Mr. Lapierre: You have had two years.

Mr. Mulroney: Yes, after two years. Indeed, after two years. There is nothing wrong with that—to proceed to resolve this matter, about which we have always indicated if it is very much in the national interests it will be brought forward for consideration by this House. If it is not, as I have said from the very beginning, there will be no deal.

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry.

Some Hon. Members: Hear, hear!

Mr. Axworthy: Thank you.

An Hon. Member: That was not for you, Lloyd.

POSSIBLE RESUMPTION OF NEGOTIATIONS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I want to address some supplementary questions, if I might, to the Prime Minister. He has just acknowledged that a trade deal of this comprehension is complicated, difficult and complex. We know that the deadline for concluding a deal is Sunday night, which is only five and one-half days away, yet the Government has yet to make up its mind if it is even going to resume negotiations.

We know what happened when we negotiated the softwood lumber deal at the last desperate moment. We got a bad deal with terrible flaws in it. How can the Government begin to resume negotiations, making the same mistake twice, when it has to negotiate a complicated comprehensive deal affecting every part of the economy, and hope to do it in a period of four or five days? Is that not a recipe for disaster? Why does the Government not just say it has been a bad bargain right from the start and start developing a much more effective trade strategy for Canada?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I suppose the effective trade strategy is the one like the Liberal Party introduced in 1972 where we did not increase multilaterally. Our dependence on the United States increased directly as a result of the lack of policy of the Liberals, and it is because of the enormity of the problem that we are trying to seek to preserve jobs in Canada and create others by a comprehensive framework which will lend stability and security to the trading relationship.

As far as the negotiating process is concerned, it is well known it has been competently and professionally handled by Ambassador Reisman and his colleagues from the very beginning. There has been an unprecedented degree of co-operation with the First Ministers, all of whom have expressed satisfaction with their involvement and contribution. There has been a debate in the House, and there has been a great public debate. So there has been a tremendous exchange of information as we pursue, as we should, the national interest.

• (1425)

I have indicated from the beginning that if these fundamental differences that have emerged over the course of the discussions are not resolved then there shall be no deal. If we are capable of resolving them, we will bring forward for consideration a comprehensive trade arrangement which we believe will be in the national interest.

Some Hon. Members: Hear, hear!

GOVERNMENT POLICY

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, while the Prime Minister is resorting to history, he might be reminded that the previous Government's trade strategy resulted in the Tokyo Round of negotiations of GATT that gave us secure guaranteed access to the American market for softwood lumber which his Government totally loused up.

Some Hon. Members: Hear, hear!

Mr. Axworthy: Mr. Speaker, with that small introduction, Mr. Speaker, I will turn to the question.

The Prime Minister has still not answered the fundamental problem, that is, you have got five days to go. You have got a negotiating process—

Mr. Speaker: The Hon. Member will watch his question.

Mr. Axworthy: Mr. Speaker, let me ask the Prime Minister this. Does he propose that in the next five days, if his Government decides to resume negotiations, that it will be able to resolve all the differences and work out an agreement that will cover all the potential flaws and fatalities of that agreement? Or will the Government be asking the country to buy a blank cheque, to buy a pig in the poke so that we will not know what we are getting? We will be signing away the future of the country.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, when my hon. friend refers to a pig in the poke, I am reminded that the Liberals under the Tokyo Round neglected agriculture—

Some Hon. Members: Hear, hear!

Mr. Mulroney: —and all the shame that that caused at the Tokyo Round to the Canadian farmers. The Hon. Member

should be ashamed of himself. Western farmers were double-crossed by that.

My hon. friend seems to be traumatized by numbers. For example, he keeps referring to five days. Whether it is five days, five minutes, or five hours, the bottom line remains the same. This deal shall be in the national interest of Canada or there shall be no deal.

Some Hon. Members: Hear, hear!

DISCLOSURE OF INFORMATION—GOVERNMENT POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Prime Minister. We have been told that the Cabinet has been meeting all morning. We have seen the spectacle of cabinet Ministers flying to Washington for seven hours of pleading with the Americans.

I want to ask the Prime Minister why it is that after this much discussion, this much debate within Cabinet, it is not possible for the Government to tell the Canadian people what is going on. Why are Canadians being kept in the dark?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I am reeling under that onslaught. There is something pathetic about hearing a protectionist with his feet firmly rooted in the 19th century trying to talk about changing world trade patterns. I think the NDP is very much on record as having indicated that it opposed the Auto Pact, a great liberalized trading instrument. It has indicated where it is and where it will be in the future.

We have had ongoing negotiations on this important trading matter. Yesterday was an important development in that. Very serious differences remain. We will see if we are capable of resolving them together.

Mr. Langdon: Mr. Speaker, that is precisely the point. The negotiations go on and on with no result, and Canadians are not being told what is taking place.

[*Translation*]

REQUEST THAT GOVERNMENT MAKE ITS DECISION KNOWN

Mr. Steven W. Langdon (Essex—Windsor): Here is my supplementary, Mr. Speaker. This Government has been negotiating with the American for 16 months. Yesterday there was another meeting which went on for seven and a half hours. The Cabinet has been discussing this question all morning. Why does the Government find it impossible to let us know its decision?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, this is exactly the same question in French as in English. Obviously the answer is the same.

In addition the Hon. Member is complaining that he feels he is being denied information. The fact is that the Minister for International Trade did offer to give NDP Members a special and confidential briefing just so they would be fully cognizant with all details. But the NDP Members rejected this offer.

• (1430)

[*English*]

REQUEST THAT GOVERNMENT ADOPT NEW APPROACH

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the Government continues to avoid specific questions on this latest crisis which is facing the Canadian people and the country itself.

Does the Government not realize that the game is over? Does it not realize that time is running out? Does it not realize that it has to decide to take a new and different approach instead of following the same sell-out path which it has taken us on for so long?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I ask my hon. friend to reread the answers that were provided to the earlier questions of the distinguished Leader of the Opposition.

* * *

CORPORATE AFFAIRS

MEMOTEC PURCHASE OF TELEGLOBE—REPORTED POSITION OF GOVERNMENT

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, yesterday I requested a public inquiry into the Memotec purchase of Teleglobe, and the Government refused. Today I feel even more justified in calling for a public inquiry, especially after learning that the Government has ordered Memotec to hold off the announcement of its bid.

Why did the Government advise Memotec to postpone the announcement of its bid? Did the Government not realize that this could increase the risk of insider trading? Why does the Government not believe that each and every Canadian should have equal access to the information?

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, as we pointed out in the House yesterday, there are three inquiries going on: the Quebec Securities Commission, the Ontario Securities Commission, and the Department of Consumer and Corporate Affairs.

I feel somewhat constrained and have some respect for the fact that charges have been laid and no one has been convicted. There are other people who could also take those constraints to heart.

Mr. Nystrom: Why the delay?

[*Translation*]

INQUIRY WHY GOVERNMENT REFUSES TO HOLD INQUIRY

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, Memotec was in an unusual situation. On the one hand, it was being told by the Quebec Securities Commission that it should reveal that it had made an offer to purchase. On the other hand, the Government was recommending that Memotec postpone such an announcement. Yet, in the case of Canadair and de Havilland, we knew two months beforehand who had made purchasing bids. I therefore wonder why the president of Memotec is now complaining that the Government of Canada prevented him from making his offer public. What I want to ask the Government is this: What was the Government trying to hide at the time, and what is it trying to hide now by refusing to hold a public inquiry?

[*English*]

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, the confidentiality agreement is part of normal commercial practice during a bidding process.

Mr. Guilbault (Saint-Jacques): Why not in Canadair and de Havilland?

Mrs. McDougall: I am sure the inquiry will bring out all the facts about this case when the time comes. I think that a parliamentary inquiry, or some other inquiry, could prejudice the outcome of that case.

I have no intention of interfering with the fair process of justice in a commercial transaction.

* * *

CANADIAN SECURITY INTELLIGENCE

ALLEGED HIRING OF AGENT TO CO-ORDINATE ACTIVITIES WITHIN PEACE MOVEMENT

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Prime Minister.

Recently we learned that CSIS has targeted a left wing magazine and infiltrated the labour movement in Quebec and elsewhere in Canada.

Will the Prime Minister now explain to Canadians why in February of this year CSIS hired a senior agent to co-ordinate its activities within the Canadian peace movement? What is CSIS doing with a unit of at least four full-time people specifically targeted to work within the peace movement in Canada?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, the answers given in the House with respect to similar inquiries of a general nature have been addressed very well by the Solicitor General.

He has pointed out that, as a result of representations and suggestions made by our Party when this legislation was brought forward, there are at least two opportunities for investigations with respect to the operation of CSIS which have been established, quite apart and in addition to the prerogative of the Hon. Member to ask questions on the floor of the House and in committee.

It seems to me that the Solicitor General was also correct in pointing out to the Hon. Member that if there are specific complaints that the Hon. Member has, or any other citizen, that they should utilize those inquiry devices that are available under the legislation. In this manner they would have the opportunity of getting a proper assessment and we could then make a judgment on facts rather than on speculation.

Mr. Orlikow: Whitewash.

Mr. Robinson: Mr. Speaker, we are not dealing with speculation. I have before me an internal CSIS document which describes clearly—

Some Hon. Members: Oh, oh!

Mr. Robinson: —the objectives of the individual who is working within the peace movement in Canada.

[*Translation*]

INFILTRATION OF PEACE MOVEMENT IN CANADA— GOVERNMENT POSITION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, the CSIS hired last February a sub-section chief to examine pro-Soviet activities within the bone fide peace movement, using recruitment tactics and the manipulation of human resources. My supplementary is this: What will the Prime Minister do to put an end immediatly to this dangerous and undemocratic infiltration of the peace movement in Canada?

[*English*]

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: Mr. Speaker, if the New Democratic Party believes in principles of justice in our country, they should not be applauding that question.

The reality is that the Hon. Member comes forward and makes an allegation. By way of example, if the Hon. Member were to give information to the Inspector General, or to the independent SIRC committee which has a representative of the New Democratic Party, sworn to the Privy Council, for the purpose of examining the operation of CSIS, and if the Hon. Member were interested in improving the system, then he would do those things.

I can only report that I do not have any access to these documents that the Hon. Member purports to have in his possession. I would ask the Hon. Member to do what is proper and just and in accordance with our principles of justice.

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

MONTREAL CITY—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, in the absence of the Minister in charge of Regional Industrial Expansion and of Science and Technology, I would direct my question to the Prime Minister. For two years the situation in the east end of Montreal, has been tragic. We have witnessed the establishment of the Survival Committee. One year later, the Picard report was tabled and we are still waiting for a response to that report's 86 recommendations. And today, the Pichette report just tabled recommends that the Government take immediate and drastic steps to help the 22,000 unemployed who are involved in the east end of Montreal.

My question to the Prime Minister is this: Is the Prime Minister, following those two reports, those hundreds of testimonies, and considering the situation of all those people in the east end of Montreal who are faced either with unemployment or welfare, will the Prime Minister now show some leadership and deliver on the commitment he gave in the shadow of Place Ville-Marie to do something for the City of Montreal?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, the Prime Minister as well as the Members from Quebec and the Ministers have tried to do something for Montreal that has been thwarted by the Liberal Party, and I am referring to Bill C-22—millions of dollars in investments and jobs for Montreal. And today, they stand in this House and refer to the Picard report and yesterday's Pichette report. The Minister of Regional Industrial Expansion and Science and Technology has indicated he would soon be responding to the Picard report. As to the recommendations of the Pichette report, we will consider them and respond in due course.

REQUEST FOR GOVERNMENT ACTION

Hon. Jean Lapierre (Shefford): Mr. Speaker, we are sick and tired of the rhetoric used by this Government, who constantly refers to Bill C-22.

Mr. Speaker, all reports concerning the east end of Montreal mention the rail industry and the oil industry. There is a difference between train wheels and pills.

Mr. Speaker, this is what I am asking the Minister: For two years he has been doing nothing about the situation in Montreal's east end. There was the Picard report, now there is the Pichette report. Will they stop skating or using rhetoric, and get some action done? This is what the Pichette report is urging you to do. Stop monkeying around and do something!

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, if the Liberal Party is so interested in action, they should talk to the Senators, and let us pass Bill C-22. There is action—it means jobs and investment in Montreal.

* * *

• (1440)

[*English*]

LABOUR RELATIONS

ST. LAWRENCE SEAWAY STRIKE—REQUEST THAT MINISTER APPOINT MEDIATOR

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is for the Minister of Labour. I am sure he knows the importance of keeping western grain moving through the Seaway and that this morning marine engineer union president, Mr. Gilbert Gauthier, said that he would welcome some government involvement in trying to help solve the dispute.

In light of that fact, I want to ask the Minister of Labour whether or not he is now willing to appoint a mediator, which would help to solve the dispute on the Seaway.

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I have been made aware of that declaration, and I am presently looking into it.

REQUEST FOR EARLY APPOINTMENT OF MEDIATOR

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I welcome what the Minister has said, and I would like to ask him whether or not he will do that today, because it is a very important issue to western Canada in terms of keeping the grain moving. The union has already agreed to have the Government involved.

Will the Minister speak to management to ensure that a mediator can be appointed today or, at the very latest, tomorrow?

Hon. Pierre H. Cadieux (Minister of Labour): As I indicated, Mr. Speaker, I have been made aware of the declaration. My officials are looking into it, and they will report to me later this afternoon.

* * *

AIR SAFETY

AIR-INDIA CRASH—LUGGAGE SCREENING PROCEDURE

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is for the Prime Minister and it concerns the bombing of Air-India Flight 182.

Yesterday the Government admitted that Air-India requested bomb-sniffing dogs and that that request was turned

down. The Government also admits that the X-ray machine examining luggage boarded on to the ill-fated flight broke down on the day in question.

My question is very simple. Why was Flight 182 allowed to take off when all the luggage was not properly screened?

Is the Government prepared to admit today that it bears some responsibility for the breakdown in security resulting in the loss of 329 lives?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the Hon. Member is a lawyer, although you would never know it, and he well knows that this is a matter under litigation in the courts of the country, actions taken by Air-India and other people. It is therefore *sub judice*, and there is nothing to be added.

Just because the hon. gentleman has access to court files and comes up with these questions does not mean to say that he should ask them. He should wait for the court actions to be heard.

Mr. Nunziata: Mr. Speaker, I would like to remind the Hon. Minister that I passed law school and his two sons didn't.

Some Hon. Members: Oh, oh!

Mr. Stewart: Sleaze.

Some Hon. Members: Privilege.

Mr. Mazankowski: That says it all.

Mr. Speaker: I am sure the Hon. Member for York South—Weston would put his question—

Some Hon. Members: Withdraw.

Mr. Speaker: —without the necessity of using language that wounds people who are not in this Chamber. I know the Hon. Member would not want to leave those words on the record.

Mr. Nunziata: Mr. Speaker, I would like to apologize for my comments, hoping that the Minister will do likewise.

WARNINGS GIVEN BY GOVERNMENT OF INDIA OFFICIALS

Mr. John Nunziata (York South—Weston): Mr. Speaker, my supplementary question—

Mr. Wilson (Etobicoke Centre): You are in the Chamber, fellow.

Mr. Rossi: Mike, go back to sleep.

Mr. Speaker: The Hon. Member has apologized.

An Hon. Member: Insincerely.

Mr. Speaker: Under the circumstances I would ask that all Hon. Members give the Member the chance and the courtesy to ask his question.

Mr. Nunziata: Mr. Speaker, my supplementary question is on the same subject and is directed to the Secretary of State for External Affairs.

Will the Minister admit that the officials of the Government of India warned his Department about a month before Air-India Flight 182 was bombed? Could he indicate to the House the exact nature of the official warnings? Could he also indicate what was done about the particular warnings from the Government of India?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, both my sons practise law. They don't practise slander in a Chamber from which no redress can be sought.

Some Hon. Members: Hear, hear!

Mr. Gauthier: He can't take it but he can dish it out.

Mr. Mazankowski: It is a bad reflection on you.

Mr. Blackburn (Brant): He is one of your biggest liabilities.

Mr. Nystrom: No wonder Peckford bit his finger.

Mr. Speaker: The Hon. Member for York East.

* * *

INTERPROVINCIAL TRADE

REMOVAL OF BARRIERS

Mr. Alan Redway (York East): Mr. Speaker, in the absence of the Minister of Regional Industrial Expansion my question is directed to whomever may be answering for that Minister.

One year ago in the Speech from the Throne, the Government indicated that it would not only be pursuing trade negotiations with the United States and through GATT but also with provincial Governments for the purpose of removing interprovincial trading barriers.

What has been happening on that issue? When will we see some action? Why is the Government dragging its heels in this matter?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, the issue of interprovincial barriers was raised at the First Ministers' Conference in 1986, and Regional Development Ministers across Canada have also addressed the question.

Ongoing meetings have been taking place on this important matter. Specific areas have been identified for discussion. Negotiating teams have been set up to review the possible reduction or elimination of interprovincial trade barriers.

We are confident that these negotiations among the provinces will continue and that an agreement will be reached.

CANADA LABOUR CODE

CANADA POST CORPORATION—EMPLOYEES' RIGHTS

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Minister of Labour. I pointed out to him in questions last week and the week before that in the recent letter carriers' strike Canada Post has been found guilty of breaking the law with regard to forcing workers to do work which is normally done by workers on strike. I pointed out that the internal document of the Post Office also indicated that this was true.

This being the case, why would the Minister of Labour not issue a statement to all employees of Canada Post explaining to them what are their rights?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I indicated to my hon. colleague in response to his letter, and I quote:

> It is incumbent upon all parties to respect the law, and there should be no necessity for a Minister of Labour to specifically advise one particular party of this fact.

REQUEST THAT MINISTER INFORM EMPLOYEES OF RIGHTS

Mr. Rod Murphy (Churchill): Mr. Speaker, the Minister's letter also said:

> The Board's decision is quite clear, and removes any misapprehensions which may have existed previously regarding the interpretation of Section 184(3)(c), and the protection it affords to employees.

Since many non-unionized workers feel intimidated, why will the Minister of Labour not take the step of informing them exactly what are their rights?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I agree with the quotation from my letter which the Hon. Member just mentioned, and I still stand behind that statement. According to me, all parties in all disputes must respect the law.

* * *

• (1450)

CANADA STUDENT LOANS PROGRAM

REQUEST FOR RELEAST OF REPORT

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, my question is for the Secretary of State. He will know that in Saskatoon in October there will be a national forum on post-secondary education.

Some Hon. Members: Hear, hear!

Mr. Rompkey: It is all very well for government Members to applaud, but I hope the Government will be in a position to applaud when the Minister releases the report he has done on the Canada Student Loans Program. Canadian students coming out of university are suffering a debt load of anywhere from $12,000 to $20,000 per student. That is tragic.

When will the Minister release the report? Will it be before the forum? What will he do about that crushing debt load?

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, as the Hon. Member may know, I met with the executive committee of the Ministers of Education on September 14. At that time we received the report from the officials, federal and provincial, with respect to that matter. I expect that I will be able to make a statement on it within the next week or two.

* * *

EDUCATION

NATIONAL FORUM ON POST-SECONDARY EDUCATION

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, the forum is an important first step but it is only a first step. Are the Minister and the Government committed to a follow-up, to an ongoing forum or to a council as suggested by the Leader of the Liberal Party in a speech he made in Toronto recently so that there can be a national focus and strategy for post-secondary education?

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, when I announced the establishment of the forum some months ago, it was of course the first time in the history of Canada that that had been done. I can assure the Hon. Member that this Government intends to follow up. In establishing the forum itself, the Government is taking on the opportunity to put Canada in the position of having post-secondary education again at the top of the national priority agenda of Canada.

* * *

[*Translation*]

PUBLIC SERVICE

RECOGNITION OF PRINCIPLE OF WAGE PARITY

Mrs. Marion Dewar (Hamilton Mountain): Mr. Speaker, my question is directed to the President of the Treasury Board. Recently the Canadian Human Rights Commission directed Treasury Board to recognize the principle of wage parity by adjusting the salaries of nursing assistants and hospital workers. These men and women who belong to the Hospital Services group of the Public Service were given raises of as much as 25 per cent in many cases.

[*English*]

The fact is that many registered nurses are working for less than registered nursing assistants who are in the same

workplace. Would the Minister please see that the traditional relativity of these salaries is restored as quickly as possible?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I indeed appreciate the Hon. Member's question and I know of her interest in this very important issue. It is a very important matter. The Right Hon. Leader of the Opposition can laugh about it, but the Hon. Member and I have had discussions about it and I appreciate it very much. I also know that she is sincere about it. I want all Hon. Members to know that I am very sincere about it.

There is in place a joint union-management committee that is seized of this particular issue. We are having ongoing discussions within the Treasury Board Secretariat. Hopefully we can come up with a solution to this problem because, as the Hon. Member recognizes, this would impact right across the country on various other areas as well.

ADJUSTMENT MECHANISM

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, the Minister's predecessor made a commitment to give the nurses a method to adjust this by September 1. Would the Minister please put that kind of mechanism in place so that this adjustment could be made? It is separate from the joint bargaining committee.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I would hope that the Hon. Member is not suggesting that we circumvent the bargaining process. I think she recognizes that is something that all Hon. Members treasure. Her suggestion is one that has been presented to me in the form of a letter and I will be responding to her in very short order.

* * *

LABOUR RELATIONS

FEDERAL MINIMUM WAGE

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, my question is for the Minister of Labour. Since 1986 the Consumer Price Index has risen 4.1 per cent but the average industrial hourly wage has risen less than 1 per cent and the federal minimum wage has not risen at all. What measures can the Minister take to stop this erosion of the ability of federal minimum-wage earners to cope with inflation?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I thank the Hon. Member for his question. As the Hon. Member knows, the Government reviews the minimum wage and I will take his comments into consideration when we effect the next review which will be shortly.

ADMINISTRATION OF JUSTICE

LEGAL AID PROGRAMS

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Minister of Justice and is about legal aid. Is the Minister aware of the tremendous deterioration taking place across Canada in the legal aid programs to which the federal Government contributes? If he is aware of it, what is he doing about it?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I cannot be aware of something that does not exist except in the Hon. Member's imagination. These general allegations with respect to the quality of legal aid across Canada have nothing whatsoever to do with the commitment and support of the federal Government for this very important component of our justice system.

All I can say to the Hon. Member is that we have put into the legal aid system, by virtue of agreements put forward for the next three years, record amounts of money to be made available to areas which are essentially under provincial jurisdiction. If the previous Government had had only a particle of the commitment to legal aid that this Government has, I would have been the first to congratulate it.

USER CHARGES

Hon. Bob Kaplan (York Centre): Mr. Speaker, if the Minister is so happy with the legal aid system across Canada, does he feel that user charges are an appropriate part of the legal aid system to which the federal Government contributes?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, this question has, of course, arisen in the course of negotiations with the provinces. There is an element of flexibility in these agreements to allow for cost recovery, in appropriate cases for which legal aid has been provided, from those people who are indeed in a position to contribute. This is a matter that has nothing to do with Party affiliation. For example, in the Province of Ontario where, as my hon. friend will know, there is a Liberal Government, there are provisions whereby moneys can be recovered with respect to the delivery of legal aid. All I am saying is that we are setting down as a basis of the discussions we are having on an ongoing basis with the provinces fair and reasonable propositions with respect to cost recovery.

If there are individual cases, we want to make sure that they are followed in accordance with the agreement we have entered into with the provinces. In terms of actual commitment, this Government has increased substantially the amount of money contributed to legal aid across Canada. I think the Hon. Member should be the first one to acknowledge that and to give us some acclaim for that action.

FISHERIES

CANADA-FRANCE DISPUTE—WILTHDRAWAL OF NEWFOUNDLAND FROM DELEGATION

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is directed to the Prime Minister. Since Newfoundland walked away from the bargaining table in the fish negotiations between Canada and France we have been treated to the spectacle of the Minister of Transport and the Premier of Newfoundland, the two lilliputian titans, engaging in mutual ego bashing. Is the Prime Minister prepared to put his diplomatic skills to work by getting Newfoundland back to the table and by working out a common position with the Premier of Newfoundland so that the people of Newfoundland are not left in the lurch?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the prelude to the hon. gentleman's question was in the same category of literature as that of the author of *Gulliver's Travels*.

I must report to the House that the Leader of the Hon. Member's Party in the Province of Newfoundland and Labrador has made a contribution supporting the position of the Government of Canada. He should take a few lessons from that personage.

• (1500)

Mr. Rodriguez: Mr. Speaker, there are many in this House who think the Minister of Transport is a wit. I think they are only half-right.

Some Hon. Members: Author!

Mr. Speaker: In view of the hour, perhaps the Hon. Member would put his question.

Mr. Rodriguez: Mr. Speaker, so I'm not seen to be a Joe Biden, I want to say that I did not plagiarize that. I give credit to the only Conservative in this House that I have liked, and that is John G. Diefenbaker.

Mr. Nystrom: You like Flora.

Mr. Rodriguez: And Flora!

Mr. Mulroney: What about Maz?

An Hon. Member: And George.

Mr. Rodriguez: And George!

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Member will put his question.

REQUEST THAT PRIME MINISTER CONTACT PREMIER

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is directed to the Prime Minister. Irrespective of what the Leader of the NDP in Newfoundland said, or anyone else,

what is important is that the people of Newfoundland participate at the bargaining table. I am asking the Prime Minister to use his influence and position to get in touch with the Premier and work out a common position so Newfoundland can take its proper place at the bargaining table in harmony with the rest of those who are negotiating.

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I want to send over some startling information to the hon. gentleman who has just done as he is bidden. That information is that I am from Newfoundland. The Hon. Member for Bonavista—Trinity—Conception is from Newfoundland. The Hon. Member for Burin—St. George's is from Newfoundland. We are at the bargaining table. We are protecting Newfoundland and Atlantic Canada and we are going to do so until the end!

Some Hon. Members: Hear, hear!

* * *

PRIVILEGE

ALLEGED STATEMENT BY MINISTER

Mr. Jim Fulton (Skeena): Mr. Speaker, I have a question of privilege regarding a remark made by the Deputy Prime Minister (Mr. Mazankowski). It occurred during Question Period when the Hon. Member for Burnaby (Mr. Robinson) put a question regarding infiltration of the peace movement by CSIS. At that point the Deputy Prime Minister remarked that they are Communists.

Mr. Clark (Yellowhead): That is false.

Mr. Fulton: I know the Deputy Prime Minister would not hold that view. The peace movement in Canada is composed of physicians, members of the church, and many other Canadians from coast to coast. Knowing him to be a fair-minded man, I know he would want to withdraw that remark.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I would be the first one to withdraw that remark if I had made it. I did not make it and that is the honest truth.

Mr. McDermid: Fire your researcher, Fulton.

Mr. Clark (Yellowhead): Get up, Jim, and apologize.

Mr. Fulton: Mr. Speaker, I certainly take the Deputy Prime Minister at his word. As I looked over I heard the words said and I am sure *Hansard* will have recorded them. Perhaps whoever did say it will show the same sense the Deputy Prime Minister and I have, and withdraw those words.

Mr. Speaker: The complaint of the Hon. Member for Skeena (Mr. Fulton) is that the Minister said something. His

reply was that if anyone said it, he did not. The Hon. Member for Skeena has of course accepted that. He now wants whoever said it to identify themselves and withdraw. If that should happen it would solve the Chair's problem. The Chair is not in a position to solve the Hon. Member's problem easily.

I might point out, of course, that the Communist Party is not outlawed in this country. I am not at all sure that it is a question of privilege in any event. However, I ask Hon. Members to refrain from using language which may offend other Members unnecessarily, thereby putting the Chamber to the time and effort of trying to accommodate all Hon. Members and get on with the business of the day.

I am sure the Hon. Member will understand that I do not think the Chair can do anything further at this time.

Orders of the day.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

Constitution Amendment, 1987

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Mr. Speaker: When the House rose at one o'clock p.m., the Hon. Member for New Westminster—Coquitlam (Ms. Jewett) had the floor.

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, on September 22, one week ago today, I asked the Prime Minister (Mr. Mulroney) if he would facilitate a meeting of women's constitutional experts and government constitutional advisers to examine the impact, if any, of the constitutional accord on women's equality rights. The Prime Minister facetiously dismissed the question, as did the Canadian Press.

Today the Canadian Advisory Council on the Status of Women made a similar request, enlarging it to suggest that there be a national conference convened for the purpose of seeing if there is any case to be made for women's equality rights and other equality rights, including that of minorities, having been put in jeopardy. I urge the Prime Minister to look very seriously at this request and not just shrug it off as he did my earlier request. He should facilitate the holding of such a national conference.

I also urge him to pay some attention to the report of the Special Joint Committee on the Constitutional Accord. I was really shocked this morning when the Minister of Justice (Mr. Hnatyshyn) made no reference to the recommendations of that committee. It is as if all the work we did during the summer, all the witnesses we heard at our hearings, all the recommendations they made to us, were for nought. The Minister simply ignored the report. He probably has not read it, but he could have at least tried to have read the last chapter.

Since no other Minister of this House was involved in the process of drawing up the Constitutional Accord, I think all of us would expect the Prime Minister, in preparing himself to speak on the Accord, as I am sure he will, to very carefully study the recommendations of the joint committee concerning aboriginal rights, particularly self-government, and the unfairness of the Accord to the people of the North.

• (1510)

Indeed, there is a very strong recommendation that there is no justice for the exclusion of the territorial government's nominees to the Supreme Court and that the unanimity rule for the entry of new provinces is much too constraining. It is recommended that linguistic duality be promoted as well as preserved, that there be far more attention paid to the ethnocultural reality of Canada, and that the First Ministers should give serious consideration to the possible repeal of section 33 of the Charter, the over-ride section, which is of particular concern to minorities in the country. It is recommended that there be a process of Charter reviews since it became so clear during the hearings this summer that many aspects of the Charter itself are questionable. In some ways we are having a good deal more trouble with the Charter than with the Constitutional Accord itself.

Finally, we hope that the Prime Minister will at least address the question of the process of constitutional reform of which the Minister made no mention at all this morning. Apparently the Minister thinks that the process of the First Ministers getting together to draw up an agreement and consulting the Canadian public only after it had been done was just dandy.

The Special Joint Committee makes a very powerful recommendation that there be a permanent joint committee of both Houses on constitutional reform and renewal which would hold hearings across the country before the First Ministers meet on such matters as equality rights, the ethnocultural reality of Canada, the over-ride clause of the Charter, and the aboriginal peoples' rights to self-government.

It is recommended that we encourage the Canadian public, as well as the constitutional experts and professional associations, to participate in those hearings and that they be funded to do so. We cannot go on forever expecting volunteer groups to take hours and hours of their time preparing learned briefs without any payment for their efforts. We must, therefore, have funded participation. As a result of this process specific recommendations can be made to First Ministers so that they will know what is of most concern to Canadians with regard to constitutional reform.

I hope there would be some indication from the Prime Minister that attention has been paid to this and other recommendations of the joint committee. I would ask also that they read the New Democratic Party addendum. I spoke at length this morning about our concerns for the equality rights of women and our amendment in that connection. My colleagues will be speaking of our amendments already foreshadowed by the joint committee report with respect to fairness to our northern citizens and fairness to aboriginal peoples. They will be speaking in the course of the debate on those proposed amendments.

Finally, I want to reiterate that saying yes to Quebec after Quebec said yes to Canada in the referendum is one of the most exciting achievements that we have known in this generation.

Some Hon. Members: Hear, hear!

Hon. Bob Kaplan (York Centre): Mr. Speaker, I would like to say how pleased I am to be able to participate in this historic debate and to have been able to sit on the committee. The joint committee of the House and the Senate studied the Meech Lake Accord and heard from a number of witnesses. I will come to my conclusions about the witnesses in a moment, but I cannot refrain from putting forward the point which witness after witness put forward, that is, that they needed more time to do a proper job.

The Meech Lake Accord is an achievement which I support for reasons that I will remind the House of in a moment. However, it could have been much better if the Government had been generous with it, if the Government had held hearings to give the people a true opportunity to put forward their opinions.

In spite of the committee hearings we experienced today what can only be referred to as executive federalism, that is, the changing of our Constitution basically by action of the executive of Parliament, the executive branch of the federal Government, and the executive of the provinces. That is not the way in which the Constitution should move forward.

My colleague, the Member for New Westminster—Coquitlam (Ms. Jewett), spoke about the joyous occasion which she thought this ought to be. In many ways it is, but how much better it would have been if the Government had been generous toward the people of Canada and given them every opportunity to prepare their brief in the amount of time they needed and to present them. Even more important, the Government should have given the people of Canada the hearing that they deserve.

I can say as a member of the committee who was present from beginning to end that there was never any intention of the Government to listen to the people of Canada. The Minister who was responsible for the matter, Senator Murray, indicated that they were only interested in hearing about egregious errors. They were not interested in hearing about ways in which the Accord could be improved. They were not interested in hearing about things which could be added to the Accord to make it a document which would have the support of a much broader constituency. That was not of interest to them. Their interest was only in technical errors in the work of the executive at the federal and provincial levels.

I am disappointed in both of those features. I am disappointed because my own conclusion and that of members of my Party who sat on the committee and listened to the witnesses is that it is a step forward, it is an Accord that we should support, but that it could have been a better opportunity for our country. It could have been an opportunity to address concerns of a number of constituencies which could have been addressed without in any way taking anything from the achievement represented by the Meech Lake and Langevin agreements.

A number of criticisms were made of the agreement. There are criticisms of the idea of a distinct society, criticisms of giving the provincial Governments any role at all in the composition of the Supreme Court, and criticism of the way in which Senate reform is to be brought forward, hopefully, but not necessarily, on an urgent basis, much to our regret.

However, by and large the amendments, and certainly the amendments to which the Official Opposition has loaned its support and which we have signed, are amendments which take nothing away from the fundamental achievement of Meech Lake which, as I have indicated, merely—if I can use that term—clarify it in a number of areas in which clarification is in order and add to it by bringing to the Meech Lake Accord the support of a number of groups which feel left out.

I would like to indicate why the Meech Lake Accord has my support. Our Leader spoke this morning of the very important achievement of bringing the Government of Quebec back into the process of negotiating further changes in our Constitution. I understood, and perhaps some Members of the House do not, the circumstances that in my view made it impossible for the Government of Quebec to have approved of the patriation and Charter in 1982. Even if the Meech Lake Accord had been presented by the Government of the Right Hon. Pierre Elliott Trudeau, I do not think it would have been acceptable to the Government of Premier Levesque. Therefore, I am one who looks at that period as one where unanimity was not obtainable.

• (1520)

In the present circumstances, unanimity has been attainable and has been attained. The mere bringing of the Government of Quebec back to the table in constitutional evolution assures that there will be further evolution of our Constitution or, at least, that there can be. Without Quebec at the table we could have reruns of the kinds of sad failures that occurred with the native self-government initiative where, with a certain measure of goodwill on the part of the parties who participated, it was still impossible to work out a satisfactory agreement.

In the future, when we talk about Senate reform, an elected Senate, as I hope we will, and when we talk about the possible redistribution of powers between Section 91 and Section 92, about strengthening the Canadian economic union, and when we talk, as I hope we will, in future constitutional discussions about removing the notwithstanding clause so that no legislature and the Parliament of this country can deliberately pass laws which defy the Charter and to which the Charter is not applicable, Quebec will be there.

When all of that constitutional agenda; native rights, the recognition of the multicultural community in Canada, things that were not done in this round of constitutional negotiations, are discussed Quebec will be there, and that to me is a substantial achievement. It is an achievement which makes the Meech Lake Accord worth supporting and my leader indicated all of that.

I think it is also important to indicate that Quebec's adherence and support was not achieved at a cost of weakening our country. It was not achieved at a cost of making what has been wrongly referred to as the most decentralized federal system in the world—which our system is not—an even more decentralized system. I have studied the Accord. I have heard the witnesses. What I like about the Meech Lake Accord is that it does not do these things.

If one remembers, back in the early 1970s governments and spokespersons from Quebec had a pretty heavy list. They wanted to take control of the CBC within the borders of the Province of Quebec. They wanted to take over the communications power. They wanted a strong and specific power in the area of international relations. They wanted to license radio and television broadcasting stations and cable companies. They wanted the responsibility for the situation of the francophone minorities in other provinces of our country. These were matters which were in the past on the agenda of the Province of Quebec under former governments. They were matters which would have led to a Quebec within Canada with a very special status.

In my opinion, special status is one thing that is not a part of the Meech Lake Accord. A weakening of the federal Government is not a part of the Meech Lake Accord. As I look through it, I see that Section 91 and Section 92 which allocate powers to the two levels of Government are unchanged. Not only are they unchanged, but specific language is put into the Meech Lake Accord to make it absolutely certain that nothing is to be taken away or added to either level of Government's powers under Section 91 and Section 92. That is there specifically. That applies, of course, to spending and to fund raising, raising money by various means of taxation. It is unchanged in the Meech Lake Accord. Both levels of Government retain all the powers they had before without gaining anything and without giving anything away.

I am particularly happy as well that the concept which the former Prime Minister of Canada, the Right Hon. Pierre Elliott Trudeau, brought forward in the Official Languages Bill in 1969, enhanced as we continued in terms of constitutional amendments in 1981 and 1982, is unchanged. Bilingualism, as we conceived it back in 1969, is if anything strengthened in the Meech Lake Accord. It is not strengthened as much as I would have liked, but it is marginally strengthened. The door is open and I hope it will remain open for us to strengthen it in the future.

For example, Section 23, which provides for instruction for minority language communities across the country where numbers warrant, is still there. We in the Liberal Party called for the removal of that condition "where numbers warrant". We wanted a more generous attitude toward the situation of official language minorities across the country, whether English or French. I regret to reflect that, from what we understand, the Prime Minister of Canada (Mr. Mulroney) and the federal Government did not even ask for such changes. No suggestion was made to the provinces that "where numbers warrant" should be removed. However, that provision is there and it is strengthened marginally, as I indicated.

The Meech Lake Accord puts an obligation on the provincial Governments and the federal Government to preserve the linguistic duality of our country. Not only is Section 23 still there to continue to protect the official language minorities, but the Official Languages Act itself is still the law of the land. The provision is still in the Constitution whereby any province can declare itself to be officially bilingual, and where citizens' rights are enhanced in whichever province that occurs.

One opportunity was lost by our whole country through the Prime Minister's failure to raise that issue, to try on the occasion of the Meech Lake Accord to enhance the opportunity by seeing another province or another two provinces recognize officially their bilingual character. In our amendments, and the Liberal Party policy, last November, we called on Canada to move further along the line of provinces being officially bilingual. Nothing was done about it. However, as I indicated, I do not see the Meech Lake Accord as taking anything away from the type of official bilingualism that was begun by the Trudeau Government and which continues to be a national commitment.

Another thing that makes me pleased about the Meech Lake Accord is that the national leadership of the federal Government continues, in my view, to be a national possibility. There is still room with the powers the federal Government has, with peace, order and good government which is not diminished,

with the undoubted power, clarified, of the federal Government to spend money in areas of exclusive provincial responsibility, hedged, admittedly, by a provision contained in the Meech Lake Accord, but recognized that there still is an opportunity for the federal Government to provide national leadership.

I think there is a certain confusion in the country about that subject. I do not think the federal Government is providing national leadership now. I think we have a federal Government that is withdrawing from its role of national leadership. One could see from the daycare program the Government proposed that it is not interested in providing national leadership in national programs. One can see from the answer the Minister of Justice (Mr. Hnatyshyn) gave me not one half hour ago about legal aid that the Government is not interested in providing national leadership. One can see in the environment, in consumer protection, in the cries of our cities for support for urban infrastructural costs, that the Government is not interested in providing national leadership.

But that is a very different thing from saying that the evolution of our Constitution deprives the federal Government of the opportunity to provide national leadership. I think the way in which we will have national leadership from the federal Government is to defeat the present Government and to elect a Government of a different political colour, for instance, a Liberal Government.

• (1530)

Mr. Nystrom: No!

Mr. Kaplan: The Hon. Member from the New Democratic Party complains. Let me just say that I think that if an NDP Government were elected, the Meech Lake Accord would not be an obstacle to it in exercising national leadership.

When one looks at the Meech Lake Accord one should not hold it against the Accord that we have a federal Government that has copped out of providing national leadership in many, many important areas of life in Canada. That is this Government's style. It is a style that has won it the low position which it now holds in Canadian public opinion.

In our minority report we introduced a number of amendments. I think that it is accurate to characterize these amendments as clarifications and as additions. I cannot see them being characterized or considered as derogations from what was achieved at Meech Lake. I honestly believe, and it is the position of our Party, that it is not too late for these amendments to be considered by the Governments of Canada, provincial and federal, that have not yet taken the final steps that would make this Accord part of our Constitution. If that were done and if the list of amendments were considered and adopted, how could anyone argue that they would not improve the Meech Lake Accord?

The best the committee could do in its majority report was to come to the conclusion, not that the Liberal amendments would take anything away from the Accord, but that they could not be achieved, that there would not be the will or the consensus among Governments to make such changes. That is speculation by government Members, perhaps directed by the Government House Leader or the Minister responsible for this measure. I have more faith than that in the possibility of these amendments being adopted.

The amendments are not supported by us alone. These amendments have tremendous support across Canada. There are amendments dealing with multiculturalism, putting the question of native self-government on the agenda and dealing with the entry of the territories into provincehood. Each one of our amendments is an amendment that has tremendous support across the country. They take absolutely nothing away from what was achieved at Meech Lake. I want to urge Members of Parliament to reflect on that point.

There are now a number of Liberal provincial Governments in the country. It is a reasonable question to ask what the federal Liberals feel the provincial Liberal Governments should do. In speaking for myself I can tell you, Mr. Speaker, that the last thing we would want from any Liberal Leader or Liberal Premier is for them to say, "Well, I have read the Liberal amendments in the minority report and I have changed my mind about the Meech Lake Accord. We will only support it in this province if the other Parties agree to the minority Liberal report that was just put out in Ottawa". That is the last thing that we want. We want the Meech Lake Accord to go forward. What we are hoping is that Premiers and, indeed, the Prime Minister (Mr. Mulroney), will look at our list, consult with their colleagues and reflect on the fact that these amendments do not diminish the achievement of Meech Lake but that, in fact, they enhance it. They bring to it the support of many groups that now feel out of the process, that feel they are not part of it. I think these amendments can be achieved. I urge them on all Hon. Members.

I hope that procedures will be developed in this debate for us to be able to present each of our amendments for the consideration of our colleagues. I would like to see Members of the House vote against the amendments. How could they vote against the recognition of multiculturalism as a fundamental characteristic of our country? Or how could they vote against the idea of an elected Senate? I name but a few, Mr. Speaker.

I want to conclude by asking Members to look at the amendments, not the weight of them, not their number, but for what they each stand, and for what they would do to make the Meech Lake Accord a better deal for Canada.

[*Translation*]

The Acting Speaker (Mr. Paproski): Questions, comments? Debate. The Hon. Member for St. Boniface (Mr. Duguay).

Mr. Léo Duguay (St. Boniface): Mr. Speaker, it is with pleasure and a sense of privilege and honour that I rise today to support the Meech Lake Agreement now before this House.

One of the witnesses who came before the committee, the Right Hon. Pierre Trudeau, recalled that in 1930 Parliamentarian Henri Bourassa noted that in Canada there were an Ontario patriotism, a Quebec patriotism and a Western patriotism, but no Canadian patriotism and that there would be no Canadian nation as long as there would be no Canadian patriotism.

Like Mr. Trudeau, I find that essential, Mr. Speaker, and I propose to assess the various clauses of the Accord in the light of what Bourassa called—and I am referring here to Henri Bourassa—Canadian patriotism. But Mr. Trudeau was wrong because clearly there is a Canadian patriotism, but we must go out and tap that patriotism instead of staying in Ottawa and calling for it.

Mr. Speaker, allow me in my preamble to refer briefly to my roots and explain the starting point in my assessment. My family was in Manitoba before Manitoba entered the Canadian Confederation. My parents came to St. Boniface during the 40s from a small Manitoba village named Sainte-Anne-des-Chênes. I would point out to you that in a province where the majority language is English, my parents did not speak that language. So I, as a youngster learned very soon in the street what it meant to belong to a minority group, when my first language was French and all my friends spoke English only. I soon learned also that in Manitoba teaching French was not allowed. I vividly remember that when the school inspector came to visit our classes, our French books and crucifixes had to be hidden away. French was taught nonetheless but it was against the law.

Later in life, I had an opportunity to represent Canada to the University Hockey World Games in Turin, in 1966. And there, for the first time, I noted that the world does not always perceive us as we see ourselves in Canada. The translator who was provided for our team only spoke Italian and French, because it was taken for granted that all Canadian hockey players were French-speaking. I also felt for the first time what it means for a young Canadian to walk behind one's flag and to experience the emotion felt for this wonderful country.

So I view that Accord as a fancophone from outside Quebec, as a very proud Manitoban and as a Canadian, and I state as clearly as I can that it is not impossible to be a threefold patriot. Only the weak are afraid of a distinct society. Only the weak wish everybody were alike in Canada.

[*English*]

I come to the House to speak in this debate as a franco-Manitoban, as a westerner. I can only say to you, Mr. Speaker, that for westerners Ottawa is pretty far away. We know that it is far away because we cannot drive to it in one day. We know that our National Arts Centre, our House of Commons and our Government are located in Ottawa, and we know that they are all far away. We know what happened when a purported national Government passed a national energy plan and struck the Foreign Investment Review Agency. We know that these instruments have the capacity for removing the capital that we westerners require to develop ourselves.

• (1540)

This morning the Right Hon. Leader of the Opposition (Mr. Turner) mentioned conflict and confrontation. In western Canada we know a great deal about conflict and confrontation. For a long time we have felt that this is what our national Government was doing to us.

When I look at Meech Lake, as Mr. Bourassa has stated, I speak of a Canadian patriotism. I know it is possible to be a Manitoban, a franco-Manitoban, and a Canadian, and that one does not exclude the others.

When we started our work as a committee this summer the first thing that was said to us was that our committee was a sham and a rubber stamp. Because I wished to be sure that all of the questions of my constituents were put on the table, on the first day I asked the Minister responsible what was the hurry with this process. Had the federal Government sold the farm? What was the purpose of the committee? I asked those questions, and I can stand before you today and state that I asked them because I wanted the answers, and I received the answers that I wished.

I know today that these were the wrong questions to ask. They were not the questions that mattered. People talked about the process being a sham. Of course, hindsight is the best teacher we have ever had. Looking back we might suggest a different process for the next round. The committee did exactly that.

When people talk about a process to avoid substance, I am reminded of the preacher who wrote in the margin of his speech for Sunday, "Weak point, shout louder". Process is one consideration, substance is another. The substantial agreement of Meech Lake is far more important than the process that led to it.

When people talk about federal or provincial power, my constituents remind me regularly that who provides which service is less important to them than the fact that a quality service is provided. They do not wish us to fight about power. They wish Governments to deliver the services required.

When the media criticizes this Accord and the process, I know that the committee would wish me to say to them and to the other critics that we wish they would read the letters from the 301 people who wrote in to us, the testimony of the 100 or so witnesses who appeared before the committee, and the complete analysis of the committee's report. We have not only put forth our recommendations for all to see, we have put forth the analysis which led to them. Critics should pass the test of agreeing or disagreeing with our analysis and not with some superficial vision that they read in the newspaper.

The Accord allows Quebec to resume its full role in the Canadian constitutional family and thus repair the damage done to national unity when Quebec was isolated in 1981.

After the referendum, former Prime Minister Trudeau promised renewal. What Quebec got was an agreement in 1982 which did not reflect the renewal that they sought. The Accord respects the equality of the provinces, assures federal authority in the capacity to exercise national leadership. It fosters co-operation and reinforces the federal structure of Canada.

It is that vision of Canada that I wish to support. This vision does not see a strong federal Government and weak provincial Governments. It does not see winning and losing, but rather it sees all Canadians and all Governments working together in the best national interest.

One question that we asked ourselves was, should we reopen the Accord? We concluded that it was the unanimous agreement of 11 First Ministers, all of whom are committed to proceeding with its ratification, that those 11 Ministers represented us, and that it would be our decision as a Parliament to agree or not to agree. In our view, opening up the Accord and considering amendments would have led to pressure to reopen the Accord for other subjects. There is no guarantee that, if we were to reopen this Accord, the necessary consensus could then be restructured on a different set of objectives.

Further, there is no pragmatic reason to reopen the Accord, since many of the changes being sought will be easier to accomplish in the future when Quebec sits as a full and participating member for constitutional renewal. There is no morally justifiable reason to reopen the Accord. I wish to remind all Hon. Members that, unlike a number of those groups seeking changes, Quebec was left isolated, and again may be left isolated.

I support the suggestion that we must look at aboriginal self-government. It is very clear that we wish to do that. Need I remind Members that we have had four such conferences and they all ended in failure? Merely saying that another conference should be held is not sufficient. All of the participants must rework their positions and seek a solution.

There is no question that the deliberations that led to more discussion and concern on our part was the matter of the Charter of Rights. We came to the conclusion, based not only on our own opinions but on the opinions of countless witnesses who supported that position, that the distinct society clause will not take away, override, or supersede Charter rights. The courts can now take into account the reality of Quebec's distinct society, where relevant. Quebec's willing acceptance of the Charter's legitimacy strengthens the Charter itself and the values it reflects.

[*Translation*]

Mr. Speaker, for a franco-Manitoban like myself, constitutional recognition of the existence of French-speaking and English-speaking Canadians in this country marks a decisive step in our history, as does confirmation in our Constitution of the role of Parliament and of each provincial legislature to protect this fundamental reality.

Obviously, some people will want us to go even further. Suffice it to say that the Prime Minister (Mr. Mulroney) had put on the table the promotion of minority rights throughout the country during these discussions and that there was no concensus at the time.

Our Government is now sponsoring a Bill on official languages. I believe that it will soon become law. We are making some progress, and the Committee itself recommended that this major issue of the promotion of minority rights be put back on the table.

[*English*]

Senate reform will be the first item on the next round of constitutional discussions. I believe that Senate reform will occur. What is more important, I disagree with the suggestion of the Right Hon. Leader of the Opposition this morning that he would prefer returning to the seven provinces or the 50 per cent majority for this item. The committee disagrees. I need not remind Members that under that formula the two large provinces and five others could tell my province or the Province of Alberta what type of Senate reform they would have. We believe that to be inappropriate. There will be Senate reform, and there will be an elected Senate, but it will be the type of reform that is supported by each province in Canada.

All through the summer the committee met, with the participation of all Parties. It worked long hours, it heard at least a hundred hours of testimony from witnesses who gave this subject incredibly close consideration despite all of the comments on the process being hasty. These Canadians had obviously thought about this a great deal. They cared a lot about the subject. They wished to present their views to us and to all Canadians.

The committee's report stated that the question before Parliament and therefore before us in preparing this report is not whether a different solution might have been reached, or whether other constitutional issues might also have been addressed. Clearly the answer is yes to those questions. It is quite simply whether or not the Accord that has been agreed upon should be adopted, or whether any amendments should now be adopted.

The evidence heard by the committee suggests that the terms of this Accord reflect a compromise. No one should expect perfection in a compromise. A number of witnesses told us that the provisions of the Accord as it is now constituted are the absolute minimum terms upon which it will be possible to secure agreement among the Government of Canada and the provinces including Quebec not only now but into the foreseeable future.

• (1550)

It was under this opinion, which was reflected by most of the witnesses, that we recommended adoption of the Accord.

There were as always—and there will be here in the House of Commons—a number of worse case scenarios put forth. If these assumptions had been accepted by the committee, it would be appropriate to reject the Accord on that basis. If the worse case assumptions were the appropriate criteria, one would have withheld legislative power from the provinces over property and civil rights out of fear that it could be used to expropriate all private land holdings.

The committee looked at the worse case scenarios. Dean John Whyte of Queen's University Law School gave us a test in which we could address them. It was as follows: "Therefore the deficiencies of the Accord must be serious and they must be likely". As a member of the committee I say to the House that the critics have not met their own test. The deficiencies of the Accord are not serious and they are not likely.

The committee will now deal with the future of constitutional change. The British North America Act was not written as a constitution for all of us as modern Canadians. It served us well, and the repatriation of 1982 was important to Canada. In the future the process can be improved. The Charter of Rights and Freedoms should be looked at again, because questions are being asked about its application. Residents of Yukon and the Northwest Territories should have the same rights as other Canadians in respect of having candidates for the Supreme Court. Aboriginal self-government must be on our agenda. The promotion of our linguistic duality must be on our agenda. The ethno-cultural quality of Canada must be on our agenda, as well as a reformed Senate and the fisheries considerations.

These do not in any way detract from the Meech Lake Accord. They are things which we as Canadians have determined that we want to look at in terms of our future Constitution.

In conclusion, I want to make some comments from the point of view of a westerner who has seen conflict and confrontation. I think I came here partially because I wanted to bring to Canada a new sense of civility. Partisanship, yes, and disagreement, yes, but based on principle not on power. It is not who wins or loses. It is not the central power or the federal power versus the decentralized or provincial power. Canadians are residents of their provinces and they are Canadians. They do not want to fight over power. They want services provided.

It is not whether the Senate is appointed by the federal Government or the provinces, although it is clearly reasonable in our state to have the provinces being given a say in appointments to the Senate. What Canadians have been telling us is that they want an elected Senate. However, until it is elected, it seems reasonable that both groups would be represented.

Also it seems reasonable that judges should be appointed in consultation between the federal Government and the provincial Government. After all, the umpire of Confederation should be chosen by both teams.

It is not whether shared services are paid for by the federal Government or the provincial Government. I remind everyone that there is only one taxpayer. That taxpayer wants services provided and does not want his or her resources wasted by a fight over who is to deliver the services.

The findings of the committee really addressed themselves to a serious analysis of the following question: Is this Accord a good deal for Canada? In our report we addressed sequentially all the considerations. We stated our analyses and we gave our recommendations.

I think the committee has said—and I want to say it to the House—that the Accord is a great act of national reconciliation. It makes the country whole again. It is not flawed, as some say. It has its imperfections and its deficiencies. It points out a number of other national concerns which need to be addressed. It can be improved. The Constitution can be improved. The process of constitution-making needs to be improved. The substance of constitutional change needs to be addressed.

I came to the House of Commons in 1984 with a feeling about Canada which reflected my roots as a francophone outside Quebec, a minority member of this great Canadian country; as a Manitoban and a westerner who felt that confrontation and conflict had taken over where working together ought to be the norm; and, above all, as a Canadian who felt that this country in all its parts was a magnificent place in which to live, one of which we were all proud.

The Meech Lake Accord is not a perfect document for all times. It accomplishes its major objective, that of bringing Quebec into Confederation and of making a better Canada for all. I recommend to the House of Commons its adoption with all due speed.

The Acting Speaker (Mr. Paproski): Before recognizing the Hon. Member for Yorkton—Melville (Mr. Nystrom), I must announce the questions to be raised tonight.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for York East (Mr. Redway)—Apartheid—South Africa—Canadian relations with African National Congress; the Hon. Member for Winnipeg North (Mr. Orlikow)—Penitentiaries—Provision of health care services/Government policy; the Hon. Member for Davenport (Mr. Caccia)—Environmental Affairs—Acid rain—Government policies toward United States/Government position.

[*Translation*]

The Acting Speaker (Mr. Paproski): Questions or comments. Debate. The Hon. Member for Yorkton—Melville (Mr. Nystrom).

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Constitution Amendment, 1987

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I should like in the first place to congratulate the Member for St. Boniface (Mr. Duguay) for the excellent speech he made in this House a few minutes ago.

Mr. Speaker, today we are having this historic debate in the House just like the historic debate we had seven years ago on the patriation of the Canadian Constitution.

[*English*]

I recommend very strongly to Members of the House the report of the joint committee which talks about not only the things that must be done today in terms of the Meech Lake agreement but also some recommendations for the future. I hope the Prime Minister (Mr. Mulroney) will look very seriously at the recommendations we are making not only about the Meech Lake agreement today but about future constitutional change, about what should be on the agenda, and about the fact that we are recommending a joint committee of the House and of the other place on an ongoing basis for constitutional discussion. These are very important matters.

We had a broad consensus of the three political Parties in attendance at the meetings this summer. I was very proud, along with the Hon. Member for New Westminster—Coquitlam (Ms. Jewett), to be a member of the committee and to see the consensus among all three political Parties.

Before rising to speak today, I went through some back editions of *Hansard* and came upon the one for May 22, 1980, two days after the national referendum in Quebec. At that time the New Democratic Party had an opposition day, and I was the constitutional critic for my Party. We had an opportunity to put the following motion before the House:

That this House welcomes the result of the referendum in Quebec and pledges itself to interpret that vote as a clear call for constitutional change.

I am very happy to say that I think all three Parties recognize that back on May 20, 1980 the people of Quebec voted yes for Canada and yes for constitutional change. I think the Meech Lake agreement will provide that major constitutional change and will bring Quebec, in the constitutional sense, back into the Canadian family. I believe that is very important.

[*Translation*]

Seven years ago, Quebec said yes to Canada in a referendum and now, Mr. Speaker, we have the opportunity to say yes to Quebec and we should do so. Let us not forget, Mr. Speaker, that Quebec's National Assembly passed the Meech Lake Accord three or four months ago. Could I now vote against Quebec? I am proud also to be from the first English-speaking province in Canada that passed the agreement last week in Regina, that is Saskatchewan, my native province.

Another quite significant fact, Mr. Speaker, is that now the three federal political Parties are in agreement. We have 11 First Ministers who agree on the Meech Lake Accord.

• (1600)

[*English*]

I think that is really significant.

I would like to go back over the history of why it is so important to have Quebec back in the Constitution, back in the Canadian federation in the constitutional sense. We spent some 25 years talking about what kind of a constitutional arrangement Quebec wants. We spent a lot of political energy on that question over the last quarter of a century.

[*Translation*]

I remember quite well the quiet revolution in Quebec during the sixties with Mr. Lesage as Premier and other important people such as René Lévesque. There were two or three others who were also important at that time. Afterwards, there was Daniel Johnson's election campaign with the theme: "Independence or equality." He won the election with such a platform. Then there was the Victoria Conference in 1971 where a constitutional agreement was signed by all Premiers but then Mr. Bourassa who was Premier, on his return to Quebec revised his position. There was still some constitutional confusion afterwards.

During that period, the Parti Québecois with Mr. René Lévesque was founded. I very well remember November 15, 1976, and I think that all Canadians, all Quebecers well remember that date, November 15, 1976, when Mr. Lévesque won the election with a huge majority in Quebec, forcing the goal of national independence for the people of Quebec. After that there was the May 1980 referendum. That was a tough

moment for Quebecers, and not only for Quebecers but for all Canadians across this great land.

[*English*]

We spent much political energy and much energy in general trying to come to terms with how Canada is organized. We now have an historic opportunity to have Quebec in the Confederation constitutionally, and I say, let us not miss that opportunity.

This afternoon, I would like to read the words of one person who appeared before our committee, and I will do so in English because I think it is a very important message for those of us who are English-speaking Canadians. It is the testimony provided by Madam Solange Chaput-Rolland. For me, she was the most moving witness who appeared before the committee. She appealed to those of us in the other nine provinces to understand how badly needed is the Meech Lake Accord. She said:

> I think none outside Quebec knew the reality of the referendum. I travelled throughout Canada, about a few months after. It was all over, eh? Good. It was not exactly all over. Families against families, towns against towns, fathers and mothers not speaking to their children.
>
> (During the Referendum) we spoke with thousands of Quebeckers. Women wanted to leave their children a country as big as the one they had received from their father. That was mainly the article that reached the heart, because you are right: in this country if we put a little more heart into what we are doing, maybe we would be aware of the hurt we inflict on others.
>
> And then we came home. We went back to the National Assembly, back to our villages, back to our houses, back to the friends that were no more friends; they were on the "yes", we were on the "no". It was not a picnic, it was not a social gathering, it was not a think-tank, it was a battle between brothers, a dangerous, divisive battle, and we still feel it. It was not 100 years ago, it was seven years ago that we lived that referendum.
>
> English Canada could not care less one month after, and it stung me and it stung all of us who fought so hard to remain in Canada and to find ourselves outside of Canada. You know, it was a very dramatic gesture when Mr. Levesque put the flag of Quebec at half mast on the day you were all celebrating here.
>
> But our hearts were at half mast too that day, because we were out of a country we had chosen to remain.
>
> So the Accord of Meech Lake brought us something *"incroyable"* as a gesture of friendship—
>
> And I would really like people to know that for us Quebeckers, as for all the others here and everyone else, the Meech Lake accords are not an end, but the beginning of a grand process, I think. But I must tell you that for me it is really the first time that I have felt, YES, I won that referendum.
>
> But surely by now, surely, you all know that if Meech is to fail for whatever reason, there can be no more negotiations, no more justifications.
>
> If Quebec is once again to realize that it is more difficult to opt in Canada than to stay out of Canada, then surely, you know that the roads of tomorrow can only lead to another form of independence, but this time not chosen by any political party in Quebec, maybe chosen and imposed on Quebec outside Quebec.

I believe the testimony of Madam Chaput-Rolland was very moving. I think the time has come when we must say yes to Quebec and make Quebec once again part of the constitutional family.

I also want to say that we as a Party very proudly support the idea that Quebec is a distinct society within Canada. This resolution says that Quebec is a distinct society within Canada as it is the only province with a French-speaking majority and an English-speaking minority. It is very much a distinct society.

As a Party, we also support the concept of linguistic duality as a fundamental characteristic of Canada. Those are very positive reasons for supporting the Accord.

Aside from the Quebec reasons for supporting the Accord, there are other reasons as well. As I said before, we spent some 25 years on the Quebec question. One of the other reasons for supporting the Accord is that once Quebec is part of the constitutional family, a log-jam or a blockage that had existed will have been broken. Once Quebec is part of the family, we can begin to address seriously many other questions of constitutional change and build a Constitution that is even better for all Canadians from coast to coast.

As the Hon. Member for New Westminster—Coquitlam said, the Meech Lake Accord also deals with co-operative federalism. She described the co-operative federalism of the 1960s under Mr. Pearson and the great confrontation and divisiveness of the 1970s and the early 1980s under Mr. Trudeau. Once again, this Accord is one that is built on a philosophy of co-operative federalism, and that is good for Canada. That is reflected in the way Supreme Court Justices are now to be chosen. The provinces will have a chance to nominate or recommend people for the Supreme Court, and the federal Government will have the final say by choosing from the list.

The Hon. Member for New Westminster—Coquitlam also mentioned that spending powers are now enshrined in the Constitution for the first time. From our point of view, that is a very positive thing. The opting out with compensation is a positive thing for Canada and it reflects the Canadian reality.

I do not think that any of the social programs that exist today would not be in existence if this particular formula had been used previously. For example, I would remind the House that when medicare came in, only two provinces agreed to it, British Columbia and Saskatchewan. Ontario was opposed to it. There was no medical care until there was a national will to have it and until the federal Government started putting in big bucks toward making medical care a reality.

The Quebec Pension Plan is another example of opting out. It is a very good pension plan and in some ways is even better than the Canada Pension Plan.

Also enshrined in the Accord is the equality of provinces. To me, a person who comes from a small province with a million people, that is very important in my vision of federalism.

Those are the positive things about the Accord. That is why, even without amendment, the House should vote overwhelmingly in favour of the Accord so that we may go on to build a tremendous country.

There are some ways to improve the Accord. In its addendum, our Party has suggested three specific, logical amendments that could be used to make the Accord even better. The amendments do not detract from the Accord nor do they unravel it. Indeed, they build on the Accord and make it all the better.

• (1610)

The first is fairness in the north. It is beyond me why the First Ministers would treat people north of 60 differently from the way they treat people south of 60. The people in the north do not have an opportunity through their territorial assemblies to nominate people to the Supreme Court of Canada or the Senate. I call upon all the First Ministers, including the Prime Minister, to change the Accord to make sure there is no discrimination against those people. This would not detract from the rights of people in Saskatchewan, Manitoba, British Columbia or anywhere else but it would make the Accord all the better.

In my opinion, the 11 First Ministers also did a very bad thing in changing the amending formula to require unanimity for the creation of new provinces. That is not fair at all. In 1905, my province came into Confederation in an arrangement made between it and Ottawa. In 1949, Newfoundland came into Confederation in an arrangement between it and Ottawa. That was a bilateral process and did not affect the other provinces. Why change it now?

As a compromise perhaps we should stay with the existing amending formula brought in by Pierre Trudeau in 1981-82 which says you can create a new province if you have the support of seven provinces representing 50 per cent of the population. That is a compromise which would not be as discriminatory against the north.

Second, we suggest fairness for the aboriginal people of Canada. We suggest that conferences on native self-government be enshrined in Section 50 of the Accord. We are now putting on the agenda in the Accord itself conferences on the Senate and the fishery, and I appeal to our First Minister in this House to go back to his colleagues and try to persuade them to enshrine the obligation of aboriginal rights conferences within the Meech Lake Accord itself. That does not detract from anyone's powers or rights. In fact, in my opinion it adds to our rights and fulness as Canadians to make sure that we discuss Indian self-government at First Ministers' conferences very soon.

[*Translation*]

And, finally, Mr. Speaker, we also recommended and proposed justice for Canadian women. This morning, my colleague from New Westminster—Coquitlam (Ms. Jewett) took up several minutes to deal with the necessity of having it in Section XVI, where reference is made to multicultural groups and the native people of Canada. We must also mention Section XXVIII of the Canadian Charter of Rights and Freedoms and refer to Canadian women and have total enshrinement of equality rights for both men and women in Canada. That is so important, Mr. Speaker, that I wonder why the eleven First Ministers overlooked such a right that is basic to Canadian women.

[*English*]

There are a number of other things one can mention. In our addendum we say it is very important for future agendas that we undertake a Charter review. Once again, my colleague mentioned the interaction on women's rights between Section 1 and Section 15 and Section 28. We certainly support the process of review. We also want to mention the override part of the Charter, Section 33, which should be reviewed, particularly when it comes to equality rights. I personally think with respect to discrimination on the basis of sex or colour that there should be no override whatsoever. We should not be able to legislate the removal of those kinds of rights. The override refers to many other things as well and I think we should be reviewing everything that it touches.

The second point referred to in our suggestions for the future is to flesh out the Canadian family in a more real sense. We have to look at recognition in the Constitution of the future of the ethno-cultural reality of Canada as a fundamental characteristic. Over 30 per cent of Canadians have backgrounds which are not Anglo-Saxon, francophone or native Indian. I suppose half my family background, given my Swedish name, reflects that ethno-cultural reality. The time has come to try to create the political will to recognize as soon as possible in future rounds the ethno-cultural reality. I know with your ethno-cultural background you would certainly be in agreement with having the First Ministers discuss this as soon as possible after the Meech Lake Accord is resolved.

I see you bending over in your chair in enthusiasm, Mr. Speaker, but I have one last point to make and that is on the process.

[*Translation*]

He is a good man, Mr. Speaker, a good MP, the Hon. Member for Edmonton North (Mr. Paproski) who belongs to the Ukrainian ethnic group. I come from what is perhaps the most Ukrainian constituency in Canada, the constituency of Yorkton—Melville. That proposal is just as important to you as it is to me, Mr. Speaker, and you will agree on that.

[*English*]

We suggest and underline what is said in Chapter 15 of this report. We have to democratize the process. Constitution building is for the people of Canada, not just for 11 First Ministers, not just for bureaucrats and not just for Ministers in charge of the Constitution. In fact, it is not just for MPs or MLAs or MNAs. It is for the people of Canada. One way of doing that is by supporting the recommendation for a joint committee of the Senate and the House of Commons, an ongoing committee to make suggestions to First Ministers on constitutional change and hold hearings across this country.

[*Translation*]

Public hearings are so important for Canadian men and women, and I hope the other Legislative Assemblies, in Saskatchewan and everywhere, will do the same to provide a more democratic process for having constitutional changes made here in Canada.

To conclude, Mr. Speaker, we have a great land.

[*English*]

We have a historic opportunity to bring Quebec into the Canadian family constitutionally, and once we do that we will have an even greater chance to make some of the changes I have talked about for the future, that is for the ethno-cultural reality, women, and the aboriginal people.

• (1620)

[*Translation*]

Mr. Speaker, it is time we did something.

The Acting Speaker (Mr. Paproski): Questions or comments. Debate. The Hon. Member for Rosemont (Mrs. Blais-Grenier).

Hon. Suzanne Blais-Grenier (Rosemont): Mr. Speaker, as a Quebecer and as a Canadian it is with emotion and pride that I rise today to support the historic accord of last June 3. First allow me to emphasize the vision and sense of history which inspired our Prime Minister (Mr. Mulroney) who was the great artisan of this accord. But each provincial Premier as well had to show much courage and selflessness to reach this accord. Indeed each provincial Premier had to demonstrate a particular feeling for the state and ignore personal and immediate interests to achieve this historic compromise which enables Canada to become whole again and Quebec to resume its role of consenting and henceforth active partner within the Canadian federation.

What we have here, Mr. Speaker, is an example of political courage, and we all know that such gestures in politics are few and far between. This is why the Prime Minister of Canada and the provincial Premiers who signed the accord will be highly regarded by the historians of this country.

The debate we are launching today in Canada's Parliament comes on the heels of lengthy negotiations. The process was difficult, sometimes painful. And I experienced these debates, first as a Quebecer, as a Canadian in Ottawa and then in Quebec. I too must admit that I had doubts at times. I was not sure whether Quebec might one day be able to achieve self-fulfillment without repudiating any aspects of its own personality in the Canadian Federation. We were being asked the question in a dramatic way: Was it possible to fully experience our pride, that of our roots, of our mother tongue and of our French culture, and at the same time to be just as proud to be Canadians? How could that be reconciled with the remembrance of our French ancestors who were lost in this hostile territory and who, gradually, traveled through the whole continent and eventually settled there only to lose it again, and the oppression from which conquered people generally suffer? How could we preserve a language and a culture which stemmed from our roots and associate them with the reality of a country to be built, a mostly anglophone Canada to be called our own? Many decades were to go by before one day those realities could be reconciled. Indeed, had it not been resolved in some quarters that the Canadian citizenship required absolutely and without qualification the reduction of this other reality that is part of the soul of a people: its language, its culture, its tradition?

It is about that dilemma and the sufferings it has caused throughout our history that I want to talk about, because it is not futile to view the Meech Lake Accord in a historical perspective. In fact, history recounts the anguish, the conflicts and ultimately the achievement of having remained what we are: French speaking people in Canada, on the American continent.

The history of this people that Mr. Trudeau, when he just recently appeared before the Joint Committee of the Senate and the House of Commons, the history of this people that Mr. Trudeau described as a small people speaking a little understood dialect, is the history of a handful of French men and women isolated in a snowy land. In short, 60,000 people who had a dream of occupying a whole continent. That history is made of struggles, of shattered hopes, of extravagant dreams and bloody rebellions, but above all it is made of pride, a pride that is rooted in continuance, the pride of having survived in spite of all opposition and throughout all the misadventures that abound in our history. The pride of having maintained our language and our culture for more than two centuries and of being able to come here today in this House to assert in French our pride to be French speaking Canadians. That is what our Prime Minister was talking about in his speech delivered in Sept-Îles in August, 1984. Quebec men and women, said he, love Quebec and are proud to be Canadian. But Quebec men and women also love Canada and they are also proud of being Quebecers. They have a big enough heart for both loyalties. There is no doubt what has guided our Prime Minister and the Premiers of every province of Canada who have made possible on June 3 last, thanks to their ability to compromise, the return of Quebec in the constitutional family by signing the Meech Lake Accord.

A renewed federation had been promised to those among Quebecers who bet on Canada on May 20, 1980, which was the day of the Quebec referendum. However, a yes for Canada was also a no to certain things. It was a no to a uniform Canada governed from Ottawa where Quebec always seemed to be the loser. In his speech in Sept-Îles, the Prime Minister also stated: "One thing is certain, no Quebecer authorized the federal Liberals to take advantage of the confusion in Quebec after the referendum to ostracize their province from the Constitution." Mr. Mulroney also said: "My Party is not happy about the political weakening of Quebec caused by the unfortunate events which have taken place in Canada and in

Quebec. If Quebec is weakened, all Canada is weakened. If Quebec is strong, all Canada is strong. One of the component of this yes to Canada was the reassertion of the distinctive character of Quebec society and its right to be different within the Canadian federation."

On May 21, 1980, the day after the Quebec referendum, Mr. Trudeau assured us that renewal of federalism was possible. Not only was this renewal possible, but also desirable, according to him. Not only was it desirable, but also achievable, and in the very near future. After believing this promise, Quebecers were surprised to learn in 1982 that the Canadian Constitution would be repatriated. This took place without the agreement of Quebec and more or less behind its back. Experts have told us that the Constitution Act, 1982, was imposed to the Quebec Government against the will of the Legislative Assembly.

Quebec was therefore legally committed to the Canadian federation, but against its will. The Supreme Court recognized that this was unconstitutional. Moreover, many Quebecers added that it was immoral. In practice, this created two Canadas: A Canada made up of nine English-speaking provinces which had adhered to the Constitution, and a Canada composed of one francophone province, Quebec, which had not.

Can we now say no to Quebec, as the Liberal opposition in this House is doing? For all practical purposes, the Liberals are ready to sign the Meech Lake Accord, but they are also proposing a series of amendments which would simply destroy this Accord. Naturally, this is in line with the policy of the Trudeau Government, and the same people are now telling us the very same things in 1987. But the motto of Quebec is *Je me souviens*, and Quebecers do, indeed, remember.

Mr. Speaker, we shall not see the aspirations of Quebec rejected once more. We shall not now have the rest of Canada ask what Quebec wants and refusing to hear the answer.

It would actually be extremely dangerous to open up this Accord which is rather flimsy. Flimsy it is because it implies a certain amount of renouncement on the part of several provincial representatives who have signed this Accord. Flimsy it is also because, if we open it, each of them might see this as an opportunity to return with his shopping list, with his probably legitimate demands, but which are far from being as urgent as Quebec's return to the Canadian fold. Now, I should like to quote one of the key witnesses who appeared before the Joint Committee of the Senate and the House of Commons, namely Professor William Letterman, the former Dean of Law School at Queen's University. He said: "It is our view, Sir, that it would be very dangerous to start amending this text at this point. As I have said, this is an extraordinary operation to repair an unfortunate omission in 1982, and it responds to what the Quebec Government has told us would satisfy them. We think that objective is so important that we do not want to see it jeopardized in any way". It is neither I nor a member of this Tory Government who is saying that, but a former Dean of Law School at Queen's University.

As members of the Joint Committee of the Senate and the House of Commons, we were overwhelmed very early with this feeling of urgency and felt the need to correct this historical mistake as soon as possible. In the light of this historical urgency, we were mandated to study the Meech Lake Accord to ascertain whether there were in it any weaknesses, such as exist in any other constitutional agreement, which might be contrary to the letter and the spirit of the Constitution. We could not find any. We found a number of clauses which could be improved upon, and that is why we have made a number of recommendations for future constitutional conferences.

It would be clearly out of the question to try and repair an injustice by creating other injustices against other Canadians or groups living in this country. But the nature of Quebec's distinct society which we have recognized had already been taken into account in a number of Supreme Court decisions as well as in our history. I should like to quote again from the statement made by Professor Letterman before our Joint Committee: "Nevertheless, I think it has been true since 1867 that the courts have known that the Quebec society is, in certain important ways, a distinct society." As you can see, Mr. Speaker, the concept was not new. The idea was first and foremost to make room for a sociological reality. "That has always weighted with them in settling constitutional issues that touched closely on Quebec. This has been implicit." And Professor Letterman added: "I believe it is worth making that which has been implicit explicit, in general terms, because it is, as we say in our brief, one of the fundamental realities of the Canadian free and democratic society, and has been from the beginning".

But we had also to take into account the flimsiness of the Accord. And that is what we did for several weeks last summer.

We have examined the Accord with our hearts, with open minds and in a spirit of accommodation. We have heard many groups. We have heard people tell us what they fear, what they worry about and what they want changed. Our review was rigorous and straightforward and each aspect was scrutinized with all due respect for those who had accepted to come and share their problems with us. But in the final analysis, we have not found in this historical compromise any obvious flaw which would frighten anyone in Canada. And those who fear that we may embark upon the slippery slope of the two nations concept must recognize along with Professor Letterman that nothing has changed, since Quebec's distinct society and unique character have been acknowledged on many occasions since 1867. It is therefore in a spirit of joy and pride that the provinces have greeted Quebec as an active member of the great constitutional family.

Mr. Speaker, we must be proud to support the first ministers' accord and to strive to make Canada a country where

belonging does not mean being the same and where living is worthwhile.

• (1630)

[*English*]

Mrs. Finestone: Madam Speaker, I would like to ask my hon. friend a question. With respect to the very careful deliberations she says they undertook in committee, and I appreciate the time, effort, consideration and concern that was part and parcel of a very important aspect of our life here in Canada, I wonder if the Hon. Member would explain to me the interpretation of Article 91, their questions and answers with respect to minority francophones and the consequences—

[*Translation*]

—the legal consequences of linguistic duality. Could she explain to me what the following part of page 52 means, and I quote: The Joint Committee accepts the advice that the "linguistic duality" clause is a constitutional step in the right direction for French-speaking minorities outside Quebec and that in law the "distinct society" clause is unlikely to erode in any significant way the existing entrenched constitutional rights of the English-speaking minority in Quebec.

Could my colleague explain what the committee means when it says the clause cannot in any way diminish rights.

[*English*]

In a sense, could she explain the intent of "the clause is unlikely to erode in any significant way the existing entrenched constitutional rights"? What is "a significant way", and how would it be diminished or not?

• (1640)

[*Translation*]

Mrs. Blais-Grenier: Mr. Speaker, I believe the whole report is very clear on that point. The distinct society in Quebec exists since 1867. It existed under another crown, the crown of France, then under the crown of England. That has not changed in any way. My Hon. colleague will recognize that the English-speaking people in Quebec have always enjoyed a privileged situation as a minority in Canada. But sooner or later Quebecers had to assert their French culture. They had to convince everyone in Canada not only that they were able to defend their language but that their language, that of the majority, had to be spoken in the workplace, to be the current language and allow Quebec to affirm itself as different.

I do not think the English-speaking minorities in Quebec ever had to fear the loss of their language. Over the years they were given two universities, numerous services in their own language, and McGill University, for instance, is certainly one the finest of all Canadian universities. But the six million French-speaking Quebecers are lost on a continent of 225 million English-speaking people. We must not mince words. It is obvious to me the English-speaking minority in Quebec will survive with the support of the 225 million English-speaking who inhabit this continent, and will survive regardless of the French fact in Quebec, as it has always survived and asserted itself through the years.

The Acting Speaker (Mr. Paproski): Questions and comments. The Hon. Member for Bourassa (Mr. Rossi).

Mr. Rossi: I would like to ask my Hon. colleague what grounds she has for saying that at Meech Lake, and I quote: "The Liberals said no to Quebec". I would like to know what she means when she says about the Meech Lake Accord that the Liberals said no to Quebec, for in my humble opinion the Liberals said yes.

Mrs. Blais-Grenier: Mr. Speaker, I am very glad to answer this question because many editorial writers have dealt with it in recent weeks. The hypocrisy of the current Liberal Opposition has been pointed out. I think it is very clear. On the one hand, they say yes, the Accord has their full support and, of course, they will not question it, but on the other hand they bring forth amendments. The list of amendments, if you analyse it, contains items that are so important that to all intents and purposes they are tantamount to questioning the Accord.

What I am saying and repeating in this House to my hon. colleague, and I speak as a former university professor, is that when in a text there are so many things which in one's opinion are offensive and objectionable, it would seem that the only thing to do is not to sign the text. However, the Liberals want to win on both sides, as they have always wanted to do.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I am very pleased to rise today in this debate which I consider—

[*English*]

The Acting Speaker (Mr. Paproski): Order, please. The Speaker will be entering the Chamber shortly to make a ruling, I believe. At that time I would ask the Hon. Member for Ottawa—Vanier (Mr. Gauthier) to relinquish the floor to the Speaker. However, at this time, he can continue his remarks.

Mr. Gauthier: I will resume my seat, Mr. Speaker, any time the Speaker wants to speak in this House. I expect that that authority will be observed by all Members of the House.

[*Translation*]

Mr. Speaker, as I was saying a moment ago I am pleased to take part in this debate which I consider historic. The proposal before us which introduces amendments to the Constitutional Act is for me the second opportunity to present my views. Everyone knows that I took part and got deeply involved in the 1981-82 debate on the patriation of the Constitution and on the amendment, and everyone knows that at the time I spoke with heartfelt emotion on the need to include in the proposed amendment a charter of rights and freedoms upon which I was insistent.

It was a great moment for Canada, but we managed to have only nine provinces sign the agreement. So it was also a sad day for a good many Canadians, considering that Quebec was not party to the 1981 constitutional accord.

Personally, as may be recalled, I was forced to withhold support in spite of the fact that I was in favour of patriation and that I felt the inclusion of a charter of basic rights and freedoms was a significant achievement.

I believe that Members of the House and my constituents understood at the time that mine was a protest vote against the majority who oftentimes forgets that we in the linguistic or other minority are subjected to the mass, to that will expressed by the majorities.

Mr. Speaker, I was glad to see Sections 16 to 20 in the Charter of Rights and Freedoms. I was glad to see Section 23 concerning minority language educational rights outside Quebec, this of course having to do with francophones within Quebec, it had to do—when numbers warrant—

Mr. Côté (Lac-Saint-Jean): Order!

Mr. Gauthier: Is the Hon. Member seeking the floor? Mr. Speaker, I think the Hon. Member—

[*English*]

Mr. Speaker: I hesitate to interrupt the Hon. Member for Ottawa—Vanier (Mr. Gauthier) and other Hon. Members. However, I did want to return to the Chamber now to indicate that I have looked very carefully at the amendment of the Right Hon. Leader of the Opposition (Mr. Turner) which he proposed in debate earlier today. I wish to indicate that I will defer any ruling on the amendment until three o'clock tomorrow afternoon. Of course, between now and then I am prepared to discuss with Hon. Members whether or not at that time one or others of them would wish to give any argument. Perhaps that is something that Hon. Members can indicate to me at some appropriate time.

The Hon. Member for Ottawa—Vanier has the floor.

Mr. Gauthier: Mr. Speaker, I take it that Your Honour would accept at three o'clock tomorrow to hear arguments in favour of the amendment moved by the Right Hon. Leader of the Opposition (Mr. Turner) if so required. Did I hear Your Honour properly in that regard?

Mr. Speaker: The Hon. Member for Ottawa—Vanier is absolutely correct. I would be very anxious, of course, to extend that courtesy. If it is the wish of Hon. Members to give argument tomorrow, then it would be helpful if they gave me some advice along that line. Perhaps they could speak to the Table Officers.

I thank Hon. Members for their courtesy in terms of my interruption. The Hon. Member for Ottawa—Vanier has the floor.

[*Translation*]

Mr. Gauthier: Mr. Speaker, as I said earlier—

Mr. Côté (Lac-Saint-Jean): A point of order, Mr. Speaker.

The Acting Speaker (Mr. Paproski): Order, please. The Hon. Member for Lac-Saint-Jean (Mr. Côté) on a point of order.

Mr. Côté (Lac-Saint-Jean): Mr. Speaker, I simply want to point out to my colleague that earlier, when referring to this change, his microphone was off and we missed part of his remarks, to my deep sorrow.

[*English*]

The Acting Speaker (Mr. Paproski): I will not be taking any time off the Hon. Member's speech. Therefore, he can start wherever he likes.

[*Translation*]

Mr. Gauthier: I appreciate it, Mr. Speaker and I thank my colleague. I did not know that the microphones were not working. I am sorry about that. As the technician of the Official Opposition, I am responsible for certain things in my Party, but not for the microphones or the sound system.

As I was saying, Mr. Speaker, I had to vote against the 1981 Agreement in spite of the fact that I was for patriation and for inclusion of the Charter of Rights and Freedoms and that I was happy that linguistic guarantees would be entrenched in the Constitution in Sections 16 to 20, as well as in Section 23 which guaranteed the minority language educational rights of the French-speaking minorities outside Quebec and the English-speaking minority in Quebec.

However, the wording of these clauses did not go far enough to preserve and promote minorities, and left too much to the interpretation of the courts. Hon. Members may recall that I clearly stated a few times in the House that the adoption of such a Charter gave very great powers to the courts compared to those traditonally given to this House, and I cautioned the Members of this House, at least generally, that they should be very certain that they understood exactly what this Charter of Rights and Freedoms meant.

Certain provisions of the 1981 Charter were too restrictive. For instance, the words "where the number is sufficient to warrant" in Section 23 left a bitter taste in my mouth as a French speaking Member from Ontario who is himself part of the linguistic minority. I deplored the absence of Quebec and I deplored the notwithstanding provision in Section 23. I also deplored at the time the fact that, in my opinion, the majority had not shown to this minority, which is important for the very existence of Canada, the generosity necessary to allow it to develop throughout Canada, which I consider essential for the survival of a Canada with two official languages.

I would now like to recall some of the arguments raised at the time. Hon. Members will remember that amendments had been suggested both by the Conservative Party and by other Members of this House. The debate was quite lengthy and certain amendments were accepted. I know, for instance, that Section 23 was rewritten partly because of some comments made by Members of this House. I was one of them. I do not take all the credit for this, but I do say that we had the benefit of a Government and of First Ministers who were willing to listen to our views.

It will be remembered that in my opinion the quantification of rights was not an acceptable concept. People have or do not have rights. If one requires justification in order to exercise one's rights, there is a great danger that many people will not exercise such rights. They will bow before the will of the majority, the easy solution, and will be assimilated. This is what is happening in this country.

Minorities need support from their leaders and politicians. Minorities should not always have to fight in order to exercise their rights, because this gets to be tiring, and very draining in the long run. Minorities should not need to be always on the defensive; this is why it is important that the Canadian Government, my national Government, not only ensure the protection of minority groups in Canada but promote those groups. This is essential for this country. Again, calculating my rights, quantifying my rights is something mean, and one is forced into a beggar's position. That is not a healthy attitude because it emphasizes the role of the dominant group versus that of the dominated one. Language equality in Canada is a concept that is not tied to the reality of numbers. We say that French and English are the two official languages in this country and that they have equal status. Therefore, any quantification of basic rights to existence in this country and to our language rights that are so dear to us must be eliminated.

Mr. Speaker, the 1982 Constitutional Agreement also stemmed from a political compromise. Indeed, Prime Minister Pierre Elliot Trudeau told me in this House, on January 29, 1979, in answer to a question concerning the rights to language equality to be included in the Constitution via the Charter, and I quote:

> I would insist on the fact that this bill of rights should and must include a bill of rights protecting official language minorities all over the country.

However, in 1981, we found ourselves tied to a document that did not entirely tally with that declaration of intent of the Prime Minister. There were loopholes as I said in the protection of minorities, and Canada became in that respect a mosaic in which minority rights varied and still vary according to the province where you live. In each of the provinces, Mr. Speaker, there is a different situation. Of course there was Quebec, Manitoba, New-Brunswick, where constitutional protection existed. And there were the other ones, where if numbers warranted it, certain privileges were granted. But language rights, constitutional rights as such did not exist for the minority group. Also, in the 1981 Agreement Quebec was absent.

For all those reasons, I took a negative stand, as I had to do in conscience, Mr. Speaker. At that time, it will be remembered that my constituents and certain Members in this House well understood my position and did not blame me for taking it, even though at times it was to them an embarrassment and a source of difficulties. At that time, in November 1981, I situated my argument within the following conceptual framework. I am quoting from *Hansard*, p. 1336, a speech that I made. One should not quote oneself, Mr. Speaker, but I think this will sum up my thoughts so I can move to another matter. I am quoting:

> The main purpose of a constitution is to guarantee the rights of citizens beyond the reach of any political power. Furthermore, it should not be used to protect the right of majorities but rather those of minorities, for the former, the majorities, protect themselves naturally through their numbers, through political influence and through the environment they create. That is why protection of the rights of the minorities cannot be left in the hands of the majorities, nor in those, for that matter, of the various legislative assemblies.

Today in 1987, six years later, I wish to set my intervention in the same context and analyze the Meech Lake Accord in the light of constitutional safeguards to protect language legislation for minorities, that is, French-speaking Canadians outside Quebec and English-speaking Canadians in Quebec.

Today, six years later, contrary to what I did in 1981, I will vote, Mr. Speaker, for the constitutional arrangement agreed upon in Meech Lake, for the Accord stemming from the Meech-Langevin meetings. However, the critical analysis that I intend to make and put forward about minority rights will prompt me to discuss an amendment that was proposed by my party, the Liberal Party.

First of all, I would like to briefly recap what is contained in the Meech Lake Accord and discuss what is new about it. The first question that comes to mind, Mr. Speaker, is the following: Why the Meech Lake Accord? The answer is obvious. This accord is the result of constitutional discussions that were initiated at the time of the patriation of the Constitution in 1981 and that were pursued ever since with the aim of putting an end to the constitutional isolation of Quebec. The Meech Lake Accord fulfills this goal and I do not know a single Canadian who is not happy about it. This adhesion of Quebec to the Constitution is a fondamental achievement that will condition my vote and I know that several of my colleagues will vote with me.

In a climate of mutual understanding and of fraternity, the federal government and the nine other provincial Governments have demonstrated at Meech Lake their attachment to Quebec and Quebecers. For that, they must be congratulated.

But who in fact took the initiative? Was it the federal Government or the provincial legislatures? Neither. The Accord has its origin in a document that was prepared in Quebec in June, 1985, in the manifesto that was published by the Quebec Liberal Party under the title *Maîtriser l'avenir*.

That document outlined the five propositions that Quebec deemed essential for joining the Constitution. I would like to briefly review them:

1) The explicit recognition of Quebec as a distinct society.

2) Guaranteed extended powers over immigration.

• (1650)

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member will have 10 minutes left on debate plus 10 minutes for questions and comments.

On a point of order, the Hon. Member for Kamloops—Shuswap (Mr. Riis).

Mr. Riis: Mr. Speaker, there have been some discussions between the House Leader of the Government and myself. We have agreed that, if the Hon. Member for Ottawa—Vanier (Mr. Gauthier) wishes a few more moments to complete his remarks, it is acceptable, with the idea that Private Members' Hour would be extended to include a full hour.

• (1700)

The Acting Speaker (Mr. Paproski): Is it so agreed?

Some Hon. Members: Agreed.

Mr. Gauthier: Mr. Speaker, I wish to thank my colleagues for this exception.

[*Translation*]

Mr. Speaker, I continue.

Third, limit the federal Government's spending power; fourth, review of the Constitution amending formula, including a right of veto for Quebec, and finally, ensure Quebec's participation to the appointment of Supreme Court justices.

In August 1986, in Edmonton, the provincial Premiers unanimously agreed that their first constitutional priority was to consider Quebec's proposals before dealing with any other matter.

I remind the House that a little over a year ago, we had no commitment from the federal Government nor any other indication of its position concerning the constitutional dilemma. I suppose that the federal Government wanted to leave the initiative to others. Such was not the case with us, as members of the Liberal Party, for in the spring of 1986, our Leader (Mr. Turner) clearly defined the constitutional position of the Liberal Party in an interview to the *Le Devoir* newspaper, and in St-Hyacinthe, in the summer of 1986, he spelled out the whole constitutional amendment in a resolution which was almost unanimously adopted by the Quebec wing of the Liberal Party of Canada.

Mr. Speaker, some wonder why the Liberal Party of Canada supports the Accord, even if we have amendments to propose to improve it. It is quite simple. This Accord resembles as a twin the constitutional resolution adopted in November, 1986, by the Liberal Party during its convention held here in Ottawa.

I should like to describe in general terms the November 1986, resolution adopted by the Liberal Party. It was suggested to add a preamble to the Constitution which would provide for the following *a*) maintain and reinforce the linguistic duality; *b*) recognize Quebec's distinct society; *c*) recognize the multicultural nature of Canadian society; *d*) recognize the contribution of our native peoples; and *e*) develop Canada as an economic union. Mr. Speaker, such was the resolution adopted by the Ottawa Convention of the Liberal Party in November, 1986.

Moreover, the Liberal Party agreed to carry out a substantial reform of the Senate, while enshrining the principle of double majority in the Senate for all linguistic and cultural legislation. In the area of immigration, it meant to enshrine the Cullen-Couture agreement and to call a federal-provincial conference to deal with the federal government's spending power in the areas of provincial jurisdiction.

Now, this is all included in the Meech Lake Accord and some of my hon. friends opposite do not understand that the position of Liberal party in this regard is consistent and that we will vote for the Meech Lake Constitutional Agreement. Our position is quite clear, Mr. Speaker, and the Hon. Member for Rosemont (Mrs. Blais-Grenier) was dead wrong when she said that the Liberals were against it.

We agree with the Meech Lake Accord because it is consistent with our Constitutional resolution of November, 1986. We are introducing amendments to the Meech Lake Accord because our resolution went even further, particularly by amending Section 33 of the Charter, the so-called "notwithstanding" clause—if that clause was deleted, our country would be fairer and safer and the words "where numbers warrant", an assessment of rights, would have to be deleted as well.

Mr. Speaker, the Liberal Party went much further in guaranteeing the protection of minority rights. I have therefore some difficulty with the Accord in particular with regard to the Federal Government's commitment not only to protect but also to promote the equality of status of both official languages.

In fact, one of the main features of the Accord is the recognition in Section 2 of the language duality as a fundamental characteristic of the Canadian society. That Section recognizes Quebec's claim as a distinct society. But in fact, it goes much further because it not only recognizes the distinct identity of Quebec but it is also a recognition of the official language minorities throughout the country and of the fact that those minorities constitute a fundamental characteristic of the Canadian society. Moreover the role of the provinces, outside Quebec, is to preserve that fundamental characteristic of Canada.

If Prime Minister Trudeau had told me at the time, as reported in *Hansard* of November 9, 1981, in an answer to a question that with the introduction of the Charter of Rights, and I quote: "to start with, it would be good that Francophones outside Quebec rejoice for a little while—", perhaps not for too long, but for a little while, "—because the rights they have have been fighting for for 114 years are at last recognized."

Therefore it can be stated, without any reservation that since then, some progress has been made and that the Meech Lake Accord is indeed promoting minority rights. I do rejoice as was suggested by the then Prime Minister. But just for a little while as he also warned me because I would have liked things to move faster. In fact, what Section 2 is doing is to entrench bilingualism in Canada. Yet, bilingualism is a major legacy of former Liberal Governments. As was mentioned in our minority report, Mr. Speaker, the Liberal Party has always believed in official bilingualism which was first recognized in the Official Languages Act in 1969 and confirmed in the Constitutional Act of 1982. We do not believe that the Langevin Accord might, in any way, jeopardize bilingualism.

Mr. Speaker, our amendment must be considered in the context of the amendment to Section 2 of the Constitution. First it should be said that this is an interpretation clause which applies to the Constitution as a whole. But it is more than just a preamble considering the fact that, from now on, because of its equal status with other interpretation rules, the courts will have to take it into account to interpret the Constitution, including the Charter.

However, it should be mentioned that this clause is not binding and by that I mean that because of the provisions regarding linguistic duality and distinct identity the federal or provincial Governments neither gain or lose any power. This is a mere direction for the courts to get a perspective on the intent of the legislators which is the recognition of official language minorities all across Canada in addition to recognizing the Quebec society as a distinct society.

Concerning the recognition of minorities, the *Fédération des Francophones hors Québec* would have preferred to see the Accord define language duality and by the same token the existence of minorities by recognizing not only the linguistic identity of an individual as in "French-Speaking Canadian" but also the collective rights of that minority. This change which was made after the Meech Lake Accord appears in the legal text, also called the Langevin Accord where the terms "recognition of French-Speaking Canada", were replaced by "the recognition of French-Speaking Canadians".

The argument put forward by the *Fédération des Francophones hors Québec* suggested that this wording would make it easier to argue before the courts that the Accord protects collective rights. I fully agree. This wording was rejected mainly because of the potential ambiguity of the recognition given in Section 2. The fact remains that I want to draw the attention of the House to this important aspect because we in the minorities will still depend on a liberal court interpretation of the constitutional text. I sincerely hope we will be entitled to that, although I would have preferred explicit guarantees.

So the linguistic duality is recognized as a fundamental characteristic of Canada. To this fundamental characteristic we must add, in the case of Quebec, the notion of distinct society. Here again the wording of the legislators leaves ample room for court interpretation as to the exact meaning of the concept of distinct society. In Quebec it includes both anglophones and francophones.

The committee heard every kind of analysis according to the various experts who came to give evidence, but there was no consensus, and that is understandable. But even at that the committee gave their interpretation of the section in light of the notion of linguistic duality as a fundamental characteristic, and they stated in the report:

> It is in light of this fundamental characteristic that the courts will be asked to consider Quebec as a distinct society. As it is the proposed amendment does not describe it as a fundamental characteristic.

But this is where things get complicated and, without our proposed amendment, we are again faced with double standards—different treatment for Quebec's anglophone minority.

Indeed, if we analyze the concept of a distinct society for Quebec in the light of linguistic duality, we find in Clause 2.1(3) that the Quebec National Assembly has the role of preserving and promoting the distinct identity of Quebec. But what is this distinct identity, Mr. Speaker? According to the report of the Joint Special Committee of the Senate and the House of Commons, on page 33, this phrase indubitably includes the language and the culture of French-speaking Quebecers, but also those of the English-speaking minority.

If we follow this interpretation, a double imbalance is created between the treatment accorded to our minorities, depending on whether they are English-speaking or French-speaking. If the minority is English-speaking, as it is in Quebec, the provincial Government must not only preserve and promote the linguistic duality, but also preserve and promote the particular culture of the anglophone minority.

The Committee goes even further in its interpretation as it includes the native people in the definition of "distinct society". This is what we find in section 40 of the report:

> As already pointed out, to the extent that they reside in Quebec, the native people belong to this "distinct society" just as much as the other residents. They have just as much right to benefit from the application of the interpretation rule as concerns the preservation and promotion of the "distinct society". Moreover, the members of the Joint Committee are convinced that other groups could be defined as distinct societies.

Mr. Speaker, I find this enlightening and important. The Accord therefore goes even further as it introduces, in addition to the promotion element which is absent for French-speaking minorities outside Quebec, the element of the particular culture of the minority, as I have already said, which includes not only Quebec francophones, but also the anglophones and the native people. This is potentially a very strong measure for Quebec anglophones and native people. It is up to them to claim their rights in Quebec and demand that their identity be preserved and promoted.

Mr. Speaker, I will conclude on that, since I do not want to take too much of the time of the House. The Government, since this debate started, is clamouring far and wide that the Liberal Party wants to amend the Accord, because in their view there is a real need for it. But they also keep repeating that we cannot amend the Accord, because this would be going against Quebec's five conditions. But that is not true, Mr. Speaker. If we had simply respected Quebec's proposals, as stated in August 1986, we would never had committed Quebec to recognizing language rights, either in Quebec or elsewhere. But Quebec went away from Meech Lake ready to bind itself to more than was requested. This means we could have asked and obtained a little bit more, if the Canadian Government had not lacked the political courage and had insisted on selling its wares by telling Quebec: You must recognize also that it is our responsibility as the federal Government not only to protect but to to promote language duality.

Mr. Speaker, the way this Government is going about it in the free-trade negotiations with the Americans, the question that arises is how the constitutional negotiations were conducted. The Government told us that any change would mean the end of the Accord because the English-speaking provinces did not want to grant anything more to their minorities.

Mr. Speaker, in my view that is not the spirit that prevails in my country. However, we were able to ask them for a constitutional recognition, an extra obligation, and this is why I support that amended constitution, because we gained something. We now have a clear and specific definition of this country which says that the provinces and the Canadian Government must safeguard the existence of both language groups in this country, the English-speaking in Quebec and the French-speaking outside Quebec.

Mr. Speaker, I would like to go somewhat further and ask the Canadian Government to assume its responsibilities and actually take over the situation of French-speaking Canadians outside Quebec and generously accept the amendment we are proposing, namely that the Canadian Government should bind itself to promoting the English and French reality in Canada—throughout Canada—and to do so immediately.

• (1710)

[*English*]

The Acting Speaker (Mr. Paproski): It being 5.13 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS—PUBLIC BILLS

[*English*]

HOLIDAYS ACT

MEASURE TO AMEND

Mr. Rob Nicholson (Niagara Falls) moved that Bill C-260, an Act respecting Sir John A. Macdonald Day, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, I am honoured and obviously very pleased to introduce Bill C-260, an Act respecting Sir John A. Macdonald Day. If Hon. Members agree with and see fit to support this measure, it would create for the first time a national holiday in February to honour Canada's first Prime Minister.

This idea has been discussed by various individuals throughout the years. In fact, there is an organized movement in Kingston, Ontario, the city in which I had the pleasure to attend Queen's University a few years ago. The City of Kingston holds celebrations in February of each year to honour its most famous citizen. I think it is fitting that the movement for a holiday began there. Now I believe it is appropriate that the holiday be extended by Parliament to the entire nation.

Sir John A. Macdonald was born in Glasgow in 1815 of Scottish parents. His grandfather fought for Prince Charles Edward Stuart at the Battle of Culloden Moor in 1745. When Sir John A. was five, his family moved from Scotland and settled in the Kingston area in the year 1820.

Like so many other great politicians, Sir John A. Macdonald became a lawyer and was admitted to the Bar in 1836. In 1844, he continued his political career with his election as the Conservative Member for Kingston in the Legislative Assembly of the Province of Canada. He became joint premier of a Liberal-Conservative coalition in 1858 and it was in subsequent years while he held that position that Sir John A. began his lifelong quest as a result of his deep belief that there should be a federation of all British North American colonies. As a result, he was a moving force in the Charlottetown and Quebec conferences of 1864 and acted as chairman of the London conference in December of 1866 at which he used his great constitutional expertise, knowledge and ability to put the finishing touches on the British North America Act of 1867, the Act which created the Dominion of Canada on July 1, 1867.

If Sir John A. did nothing else after that time, I believe his place in Canadian history would be secure and he would be worthy of our honour. However, as we all know, he did much more than that. I think all Canadians recognize his importance in the subsequent years until his death in 1891 and the contributions he made to Canada.

Sir John A. Macdonald recognized very early on the importance of territorial expansion to secure this country's independence on this half of the continent. Under his prime ministership, we saw the expansion of the country to Manitoba, the Northwest Territories, British Columbia and Prince Edward Island. We saw the completion of the Canadian Pacific Railway, the railway which was so vital in securing Canada's unity over the years.

I propose that a national holiday be declared in this man's honour. There will be those who will ask me at what cost we will have another national holiday. It is my understanding that in the United States, the United Kingdom, France, Australia and a whole host of other western industrialized countries, the people celebrate more national holidays than Canadians. I suggest that it has not been to their detriment to celebrate those national holidays, just as I believe it will not be to the detriment and indeed would be to the benefit of Canada.

I suggest that it is impossible to calculate the benefits of a new national holiday in February. All of us have heard stories of the depression suffered by many Canadians during that time of the year. In that stretch between New Year's and Easter, there are presently no holidays. I suggest that there would be a tremendous increase in employee morale and I would suggest, as others have, that there would be a decrease in absenteeism if there were to be a holiday in February. As well, I would suggest that Canadians are now trying to do everything possible to extend our tourist season into the winter months. I believe it would be of tremendous benefit to the tourist industry to have a long weekend in February.

As well, such a holiday would focus attention on a vital chapter in Canada's history. Anyone who has grown up in Canada will have heard it said time and time again that we Canadians do not spend enough time examining our history and celebrating the individuals who helped build Canada. Indeed, as a student at Valleyway Public School, I recall hearing a succession of teachers raise the subject of Sir John A. Macdonald and telling us of his importance to the creation of Canada. I recall that each of them made the comment that perhaps someday Canada will have a holiday to honour this great man. I suggest that the talk you have heard so often from Canadians about promoting our history will remain just that unless we do some of the concrete things necessary to have the opportunity to examine and celebrate our history. I suggest that this Chamber has an opportunity this afternoon to do something very constructive to promote one of the great figures in Canadian history.

• (1720)

One of my colleagues said to me that there are certain partisan considerations in this. This may not go through by reason of the fact that Sir. John A. Macdonald was a Conservative. I should say that, among other things, it is perhaps not well-known that Sir John A. Macdonald was a participant in a number of coalitions. I mentioned already that he was Prime Minister under a Liberal-Conservative coalition.

However, regarding the partisan issue, I remember this House taking time to pass a resolution with the support of all three Parties to erect a statue on Parliament Hill to Lester B. Pearson. Before I became a Member of Parliament the Department of External Affairs building in Ottawa was named after Mr. Pearson, as was the Toronto International Airport. I believe there is a university in British Columbia named after him as well. That is all well and good. All Canadians, regardless of their political affiliation, agree with that. I was in this Chamber over two years when a resolution was put forward to erect a statue on Parliament Hill to John Diefenbaker. I participated in the debate and saw this Chamber rise above partisan considerations to honour a man who was perhaps one of the most partisan politicians in Canadian history. I remember as well the day when Tommy Douglas died and this Chamber took the time to remember him. I remember the heartfelt comments out of the mouths of politicians of all political Parties in recognizing his achievements as Premier of Saskatchewan, Leader of the CCF, and first Leader of the NDP. I agreed with those because I think they were appropriate.

Although this Chamber is a very partisan place on a day-to-day basis, we have seen three examples where we have risen above that. I suggest to Members of this House that this is another one of those opportunities to pay homage to a man whose contributions to this country are recognized by everyone. As an example of that, on his passing in 1891 Sir Wilfrid Laurier spoke about Sir John A. Macdonald on behalf of his Party. All his comments were very interesting, but I will bring only a couple of them to the attention of this House in order to demonstrate the point I am trying to make. He said this:

> It may be said without any exaggeration whatever, that the life of Sir John A. Macdonald, from the date he entered Parliament is the history of Canada—

Later on he said:

> Today, we deplore the loss of him who, we all unite in saying, was the foremost Canadian of his time, and who filled the largest place in Canadian history.

I find it significant that I am asking Parliament to honour a man who did so much to build and unite Canada on the very same day that we commenced debate on a great constitutional agreement which I believe all Members believe to be constructive in our efforts towards uniting Canada. I believe that most people in Canada will applaud the action we might take here this afternoon.

I would like to conclude with words that Sir John A. Macdonald wrote just shortly before his death and which I believe sum up his goals for this country. He said:

> If I had influence over the minds of the people of Canada, any power over their intellect, I would leave them with the legacy:
>
> Whatever you do adhere to the union—we are a great country, and shall become one of the greatest in the universe if we preserve it; we shall sink into insignificance and adversity if we suffer it to be broken. God and nature have made the two Canadas one—let no factious men be allowed to put them asunder.

Some Hon. Members: Hear, hear!

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, I wish there were more than 10 minutes available to me to dedicate to this subject. It deserves a great deal more time than that. As well, I would like to add my admonition to that of my friend who introduced the Bill in saying this should not be a partisan debate if at all possible. This subject deserves the consideration of all political Parties and all Members of Parliament, especially those who are proud of Canada.

We all know that when Sir John A. Macdonald entered politics in 1844 the nation that was to become Canada was simply a string of colonies spread out from the Great Lakes to the Atlantic. When he ended his political career there was a nation literally from sea to sea. It was Sir John A. Macdonald who had the vision and the courage to carry it forward. We all know that, if it had not been for his leadership and inspiration, this Canada might not exist today. Indeed, we certainly know that he, with his understanding and determination, was largely responsible for bringing about Confederation. We know it was he who arranged for the purchase of the entire Northwest Territories from the Hudson Bay Company and saw to it that that vast stretch of territory was added to this nation. It was Sir John A. Macdonald who built the railroad from sea to sea. In other words, in this man's achievements we see almost everything that constitutes nation-building and the establishment of this nation.

It is therefore regrettable that we do not have any special recognition of that man and what he has done for this country. Indeed, when he died he was buried in a cemetery in Cataraqui, near Kingston. Interestingly enough, even today there is no special sign or marking to direct people to the grave. The place where he lies buried is relatively unknown to most Canadians.

On October 5, 1979, I introduced a Private Members' Bill entitled "An Act to Proclaim a Day in Commemoration of Sir John A. Macdonald". Again in 1981, about a year and a half later, I introduced a motion under Standing Order 43 calling for recognition of Sir John A. Macdonald and a day to be declared in his honour. As a matter of fact, the motion was seconded by the Hon. Member for Kingston and the Islands (Miss MacDonald), which I felt was appropriate. Unfortunately, that resolution was not carried unanimously.

• (1730)

I said earlier that I would not like this to be a partisan speech. However, regrettably, there was a gaggle of "noes" to that resolution, and it did not come from the benches of either the Liberal or the Conservative Parties.

I am happy that the Member for Oshawa (Mr. Broadbent) has indicated his support for such a day. I hope that Members of all Parties will rise above all partisan considerations and give sympathetic consideration to this Bill.

I realize that there are problems involved in proclaiming a national holiday because that would mean another day off work. That might concern businessmen, and I can certainly understand their concerns. That is why when I introduced my Bill and my motion I called for a day to memorialize him, not necessarily with a day off work.

I personally think there is a good argument for a day off work. I think that the suggestion made by my colleague is a good one. A holiday in February is much needed in this country. I think that every effort should be made at least to study his suggestion. I hope his suggestion will be approved by this House in Private Members' Hour, that it will go to committee where further study can be given to it and, if appropriate, amendments made. The Government could even make it its own Bill if that is necessary. I do hope it will receive the support of all Members.

I want to conclude my remarks with a tribute to another man who has been working very hard for many years on this project. His name is Harvey Haber. In fact, an editorial in *The Toronto Star* was dedicated to him and his work on January 11, 1982, when *The Toronto Star* came out in favour of a John A. Macdonald Day on that date.

Harvey Haber has pointed out, as he has worked year after year to try to achieve support for recognition of this day, that school children in this country can tell you who was the first President of the United States but often cannot tell you who was the first Prime Minister of Canada. If you ask them whether they have ever heard of the name Macdonald, they will say "Yes, Ronald McDonald".

I hope that through the action of the House of Commons that tragedy will come to an end, that through our action Canadian school children will become more knowledgeable about the history of this great country and of the man who did so much to establish it. I hope that when they hear the name Macdonald they will chime, "Yes, Sir John A. Macdonald".

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I rise to indicate my support and that of my colleagues in the New Democratic Party for this proposal. It is not surprising that someone who represents an area like Winnipeg, with the kind of weather we get there in February, would support a suggestion that we have a holiday in February. As has already been pointed out, there is no holiday between New Year's and Easter.

There have been a number of attempts to get Parliament to approve a proposal that we set aside a day to honour Sir John A. Macdonald. There have been a number of proposals made by some of my former colleagues that we set aside a day to be named Heritage Day. In doing that we would be following the example of some other countries such as the United States which has designated both Lincoln's birthday and Washington's birthday as national holidays. For many years we in this country designated May 24, the birth date of Queen Victoria, as a holiday.

I want to talk about Sir John A. Macdonald. The fact is that he was not just one of the Fathers of Confederation. It is likely that without Sir John A. Macdonald the country of Canada

would not exist. In looking at the map of North America it is very easy to see that the economic lines in North America really run north and south rather than east and west. It was Sir John A. MacDonald's determination that the northern half of North America not become part of the United States which drove him to make two important principles a fundamental part of his political philosophy. Without those two principles Canada would probably not exist.

The first, of course, was his understanding that without a railway which spanned the continent from the Atlantic to the Pacific Canada could not become a country. The second principle to which he ascribed and which he made a fundamental part of his policy was the national policy. That was traditional Tory policy, similar in Canada to the Tory policy in Great Britain. That was a policy of protectionism for Canadian industry and manufacturing. Sir John A. Macdonald saw that without that we would not be able to keep this disparate nation together.

For the first time we saw assertiveness by Canada on economic matters. We started a manufacturing industry which substituted Canadian-made goods for what was previously imported from the mother country, Great Britain, or from the United States. It was a policy which worked for Canada and for Sir John A. Macdonald.

While I endorse this resolution, I must ask myself what has happened to the political Parties in this country. Sir John A. Macdonald instituted the first protectionist policy, the first tariff system in this country, and he was the Leader of the Conservative Party. He was opposed by the Liberals under Sir Wilfrid Laurier.

We should all remember that election campaign when Sir Wilfrid Laurier, speaking for his Liberal Party, proposed reciprocity with the United States. The Conservative Party opposed that. Now in 1987 we have had a complete reversal. The Conservatives, the inheritors of the tradition and the ideas of Sir John A. Macdonald, are hell-bent for election to get a free trade agreement with the United States. It does not matter what the cost is or what we have to give up, they will do it. The Liberal Party, which under Sir Wilfrid Laurier was all for free trade, is finally realizing that free trade with the United States would create many problems.

Let us make no mistake, Macdonald found that his carefully founded national policy was a success. I will quote a few sentences from the most Tory of Canadian historians, Donald Creighton, who in his two-volume biography of Sir John A. Macdonald said at page 275 the following:

> And yet, as the long, warm, golden autumn of 1879 drew placidly on, he began at last to concede, even to himself, that the improvement was a miraculous certainty.
>
> Everything showed it. The harvest had been bountiful. Prices were going up. The volume of imports slowly declined, while that of exports began to rise steadily upwards. "Trade is recovering wonderfully . . . ," Lorne wrote proudly to Hicks Beach. The ministers gloated. And Macdonald knew that the whole future of his government had been dramatically changed. Within a year of his accession to office, his commercial programme had been vindicated by a demonstration as convincing as it was fortuitous. The national policy was borne away towards success on the swift wheels of an accelerating prosperity. For a time, while this good fortune lasted, he would be able to do almost anything successfully. He might even succeed—it would be the supreme piece of luck—in inducing a commercial company to take over the whole gigantic project of the Canadian Pacific railway.

Obviously my friends in the Conservative Party, if they ever knew anything about the history of Canada, have forgotten it all. I would suggest quite seriously to the Prime Minister that he take a little time to read Donald Creighton's biography of Sir John A. Macdonald. If he did, he would not be so hell-bent to get this free trade deal. It was an idea he rejected vehemently before he became the Prime Minister. He would begin to think about what is good for Canada, as did Sir John A. Macdonald. If he did, this would be a better country.

• (1740)

Let me conclude by saying again that I and my colleagues in the New Democratic Party will be very happy to support the proposal we are discussing today.

[*Translation*]

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, like my colleagues I am very pleased to take part in this debate on Bill C-260 introduced by my colleague from Niagara Falls (Mr. Nicholson) to designate the second Monday of February as Sir John A. Macdonald Day.

Mr. Speaker, before I begin my remarks I should like to make a brief comment and say I found it rather deplorable that the Hon. Member for Winnipeg North (Mr. Orlikow) was unable to do as the Hon. Member for Eglington—Lawrence (Mr. de Corneille) did, as he said, and refrain from taking a partisan approach to such an interesting debate. He concluded by saying that he agrees, that he is in favour of the motion, but throughout his remarks he did manage to criticize Sir John A. Macdonald or the Conservative Party.

Mr. Speaker, Sir John A. Macdonald presided over the birth of Canada as a nation. His administration was witness to Canada's tremendous expansion, from coast to coast, from south to north, as far as the Arctic islands. I am sure all Canadians share the commendable sentiment expressed through the motion before us today. Many things could be said concerning this proposed legal holiday in his honour. For openers, notwithstanding the wishes of many people to have a new legal holiday, we must not forget that we already have July 1, Canada Day, a great holiday for all Canadians. Every year, Mr. Speaker, this holiday gives us an opportunity to honour all our Prime Ministers and, I might add, all Canadian men and women who, before or after Confederation, contributed to the growth, diversity and strength of this remarkable country in which we Canadians live.

Since the name of Sir John A. Macdonald is mentioned on every such occasion, I wonder whether it is necessary indeed to have a distinct legal holiday. There is not doubt that the motion is highly commendable.

Yet, Mr. Speaker, I suggest that before setting up a new holiday, it would be better to reconsider its name. For I think that the basic idea is to pay tribute to our Founding Fathers. We should take this opportunity to think of a name which would include all the individuals who, through their efforts and determination, managed to create a wonderful nation, the Canada of 1867.

The names of other people should be included, such as Sir George Etienne Cartier, who worked very closely with Sir John A. Macdonald both before and after Confederation and whose office in the East Block on the Hill is recognized as an historical site, just as the office of Sir John A. Macdonald, which is close by, is recognized as an historical site.

If we think of other great Canadians who came from Nova Scotia, New Brunswick or other provinces, the name of Joe Smallwood, who was responsible for Newfoundland and Labrador joining Confederation in 1949, comes to mind. Nearer to us, if we think of the new Constitutional Accord, this historical document which was signed in June in Langevin-Meech, we could include without hesitation the Right Hon. Prime Minister (Mr. Mulroney). I am sure that, with the exception of a few ill-intentioned Liberals and our Socialists who are constantly hiding behind a screen of hypocrisy, most Canadians would agree that the name of this Prime Minister should be included.

For these reasons, Mr. Speaker, instead of choosing only one name for this holiday, we should try to come up with a name which would be more "generic" and which would be an opportunity to pay tribute to a great many Canadian men and women for their contributions.

Another point not to be overlooked is that of the cost of such a holiday. A paid holiday would represent a major expense for employers in the form of employee benefits. I have been advised that for the federal Government alone, including Public Service employees, the members of the Armed Forces, the RCMP, etc., one more holiday would cost over $50 million.

Mr. Speaker, although this motion is praiseworthy and means to pay tribute to a great Prime Minister and a great Canadian, I think it would be important for the government to pay more attention to the objectives and the costs of such a holiday and to be able to consider other options for a holiday in February, an idea which all Canadians would applaud.

• (1750)

[*English*]

Mr. Ken James (Sarnia—Lambton): Mr. Speaker, it is a pleasure for me to speak on this important Bill put forward by my colleague, the Hon. Member for Niagara Falls (Mr. Nicholson). Sir John A. Macdonald was a remarkable man. It is only fitting that we remember him in many ways.

I would like to talk about some of his achievements and that important place from which he comes, Kingston. It was mentioned by my hon. friend from Niagara Falls that he attended Queens University. Queens is a university close to my heart. I have two children who graduated from that university. I suppose that points out the difference in our generations.

As we all know, Sir John A. Macdonald formed the Dominion of Canada by uniting the four provinces. To those four provinces he added the west. He took a huge country and fought a great many people who did not have much vision. Sir John A. Macdonald was a man with a great deal of vision. With that vision he was able to convince those of lesser vision of the importance of having a strong central Canada made up of the provinces he had welded together. He had a great deal of conviction, as we all know, which enabled him and others to put our Confederation together. He brought our country together as a result of the drive which he had to create a national railroad.

We must talk and think about this great Prime Minister, this great father of our country, in many ways and at all times. With respect to establishing holidays, with all due respect, I become somewhat concerned sometimes about the number of holidays that we already have. I have a great deal of work to do in my job, and I would have a problem completing it if we had more holidays. I do not know what I would do if there were more holidays. I ask Hon. Members to look at all the work that is piled up here on my desk.

There are concerns which the federal Government has in terms of establishing another holiday. One of the concerns is with respect to whether or not that would place some sort of pressure on the provinces to follow suit. Then there are the costs to consider.

In talking about holidays, I was in another country recently and it seemed as though there was a holiday there every other day. Productivity falls off when there are too many holidays. I think there are a great many concerns in that respect.

Recognizing Sir John A. Macdonald by commemorating a statutory holiday in his name would be great. I do not know if all here assembled know that the former Prime Minister Alexander Mackenzie is from Sarnia. We do not have a national holiday in his name. I have somewhat of a problem supporting the commemoration of a holiday in the name of one Prime Minister when there is not one for Alexander Mackenzie.

Mr. Redway: He also represented York East at one time.

Mr. James: Yes, he did go to York East where he lost his voice. He was in great form when he was in Sarnia—Lambton. When the Prime Minister went up to the Hon. Member's part of the country he developed some problems.

Those are some matters that I want to comment on. I think we should celebrate Sir John A. Macdonald Day every day. I think we should think about that great man every day. We all think well of him.

As you know, Mr. Speaker, I have been out to your part of the country and I have heard you talk about Sir John A. Macdonald out there, and that is very important. I give credit

to my hon. colleague from Niagara Falls for suggesting that we single out this great man by dedicating a national holiday to him. However, I would like to suggest that we think about him in everything that we do in terms of our conservatism as we carry on governing this great country.

[*Translation*]

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, naturally I want to commend my colleague, the Hon. Member for Niagara Falls (Mr. Nicholson) for his proposal to pay tribute to the man who presided over the building of Canada as we know it, who presided over the recognition of one Canada from sea to sea, and right up to the Arctic Ocean. It is therefore important that we pay him a tribute that is significant. Since I referred to the Arctic Ocean, I would also take this opportunity to pay tribute to someone in my constituency who brought the Arctic lands under Canada's flag—the first Arctic explorer, Captain Bernier, a native of my constituency whose remains rest in my constituency.

John A. Macdonald's main work, excluding Canada's official foundation, was to make this country a reality not only in the geographic sense, but to have it made a reality through union with rails. During the 25 years that Mr. Macdonald was Prime Minister of Canada, tremendous difficulties were also overcome to forge the link that was needed at that point and that is still very important, the link that united Canada from East to West, with the aim at that time to protect it against integration into the United States.

The year 1986 indeed marked the 100th anniversary of this rail link which is approximately 3,200 miles long. Celebrations were held in June, 1986. Strangely enough, Mr. Speaker, this material union of Canada took place under a Conservative Government, and today, one century later, we Conservatives are again the ones to develop and improve this union, and we now want to provide Canadians with a North-South link. This is why the Conservative Government is trying to ensure a market in the United States for this generation and the ones that will follow. One hundred years ago, we forged our East-West links under a Conservative Government, and today, still under a Conservative Government, we are trying to establish a North-South link to integrate our own economy to the American economy and provide for all our producers an additional market of 250 million potential customers. It is also a good thing to pay tribute to a former Prime minister of Canada and to a French-speaking Canadian who supported him from the very beginning, Sir George-Etienne Cartier, who should also be mentioned when we pay hommage to those who built Canada.

However, in a capitalistic system, something that we must keep in mind is the cost of institutionalizing a holiday, and I believe that Mr. Macdonald himself would object to our making our production even more expensive, especially as concerns our exports to the United States and to the rest of the world. With a gross national product of $500 billion, one day off work means a loss of $2.5 billion in production, Mr. Speaker.

I therefore believe that we should respect the spirit of Mr. Macdonald, who would not want us to spend this much money if he were still here.

• (1800)

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member for Saint-Denis.

Mr. Prud'homme: Earlier someone indicated to me that perhaps there were other Members who wished to participate.

The Acting Speaker (Mr. Paproski): On a point of order, the Hon. Member for Lévis.

[*Translation*]

Mr. Côté (Lac-Saint-Jean): On a point of order, Mr. Speaker. I think that the comment of the Hon. Member is superfluous. Some Members on this side have still not spoken.

Mr. Prud'homme: You did not understand what I meant.

There is no problem.

[*English*]

The Acting Speaker (Mr. Paproski): Order, please. There is no problem. The Hon. Member for Saint-Denis wishes to speak.

Mr. Marcel Prud'homme (Saint-Denis): Maybe I should have stated that in French. I am sure that the my hon. friend did not understand a word of what I was saying. I am not surprised, that is usually the case.

I indicated earlier that some Members wished to participate. Therefore, if they would so indicate by looking at me, I will not take 20 minutes. I wish to know if other Members wish to participate before doing so. If no one else wishes to participate, I will have a longer speech.

When I was in the lobby, I saw that tonight we were debating the Bill of the Hon. Member for Niagara Falls (Mr. Nicholson) respecting Sir John A. Macdonald Day which would take place sometime in February.

Since we have many new Pages who come from all across Canada, I felt that I should indicate that, of course, anything to honour our Canadian Fathers should be considered by the House. If we wish to build and create a country—I always claim that Canada is one of the few countries in the world that is making itself every day. That is bad English, but I do wish to communicate my sentiments in English concerning Sir John A. Macdonald.

Canada is a country in the making every day. When speaking of February, it reminds me of another great event which took place on February 15, 1965. To educate our young university people, February 15 was the official day when we

raised our Canadian flag. I did respect, and I still respect today those who saw another flag going to the Archives of Canada and being replaced by a truly Canadian flag. The Bill of our esteemed colleague reminds me that there has been much talk about that type of celebration in February.

I remember a very esteemed colleague from the Conservative Party, then in the Opposition, who wished to make the second Monday of February Heritage Day to honour Sir John A. Macdonald, Sir George-Étienne Cartier, and all the Fathers of Confederation, plus the flag of Canada.

In my evaluation, it is good that from time to time we spend an hour to remind ourselves of the manner in which this country came about, especially now that we are debating the very important issue called the Meech Lake agreement. I prefer to call it the Langevin accord, because Meech Lake has been amended by the Langevin accord. In my humble evaluation, everybody is erroneously calling it the Meech Lake agreement while we should more justly say the Langevin accord. There was an amendment that Premiers and the Prime Minister of Canada (Mr. Mulroney) made to the Meech Lake Accord during this great event that took place at the Langevin Building.

• (1805)

However, as I said, I believe the House should consider honouring Sir John A. Macdonald. Should it be a holiday? Why not? Everyone likes a holiday. I do not know of any Canadian who would not like a holiday in February.

Mr. Darling: Especially in February.

Mr. Prud'homme: "Especially in February", as my esteemed colleague Stan Darling says. I hope that during Private Members' Hour we can call each other by name and not by constituency. As my esteemed friend, who has been a long-time member of the Standing Committee on National Defence and is from Parry Sound—Muskoka, is saying, anything in February would be good.

Seriously, however, there are many other events which we should celebrate. Perhaps some day we could combine them and do it during February. I am very serious; I do not want to be accused of wandering from the Bill which is being debated. If we want to honour Sir John A. Macdonald in a very relaxed atmosphere, we must ask ourselves what it would represent.

It would represent the beginning of what was then known as Canada. If such a thing were to take place, perhaps we could call it Confederation Day, but we do have July 1 for that purpose. Perhaps it could be the Fathers of Confederation or the National Anthem. It was in 1965, 1966, and 1967 that a committee of the House of Commons—and the Hon. Member for Dartmouth—Halifax East (Mr. Forrestall) and I are the only two remaining members of that committee—recommended "O Canada" as the National Anthem. It took approximately 15 years before we proclaimed it. It only became official on July 1, 1980, even though some Canadians had been singing it since July 1, 1880 when Calixa Lavallée and Judge Adolphe-Basile Routhier got together and wrote the words and music for "O Canada". That shows how slow we can sometimes be in terms of Canadianization. It was in 1980 that we proclaimed it as the official National Anthem. Some people say that perhaps sometime in February we should celebrate National Anthem Day.

Why should we honour the national flag, the National Anthem, or Sir John A. Macdonald? It is because there are so many millions of new Canadians who should be sensitized to what Canada is all about. Hon. Members will know that I wanted to honour John Diefenbaker by having his image on a Canadian coin. Some people thought it was a direct attack on the monarchy. I had no such sentiments. Canadians, especially new ones, should know what Canada is all about. When they have money in their hands every day, for example a five-dollar bill, eventually they say: "Who is that guy?" To the best of my recollection it would be the image of Sir Wilfrid Laurier on the five dollar bill, the image of Sir John A. Macdonald on the ten-dollar bill, and the image of Mackenzie King on the fifty-dollar bill. It is a very indirect way to educate ourselves on what Canada is all about.

I was very pleased and honoured to put forward a proposal to honour John Diefenbaker by placing his image on a Canadian coin. Later we could honour Lester B. Pearson and Louis St. Laurent. Of course we cannot honour people who are still alive; they may use that to come back. Who knows?

If I were asked to vote today, I would be very happy to honour Sir John A. Macdonald. I would go along with it. However, along with that, we should also honour all the others who have done so much. I think that would be great for us, for the new young Pages working in the House of Commons, and for millions of people who recently came to Canada. We must be reminded of what Canada is all about, and a Bill of that kind should do it.

[*Translation*]

We should congratulate the Hon. Member because as a result of such an initiative, our institutions get to be more widely known. Thus we learn about the early days of our country and what should be revered. In spite of everything, Canada is a country which has weathered many storms and will continue to do. I thank you for your forbearance, Mr. Speaker.

• (1810)

[*English*]

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, it is with mixed emotions that I rise to speak on this piece of legislation. It concerns me that we may not have an opportunity to vote on this Bill today, but I hope that we do eventually.

There is no question in my mind about the intention of the Hon. Member for Niagara Falls (Mr. Nicholson). He put the

utmost of thought into this Bill which is to dedicate a special day to a tremendous man, Sir John A. Macdonald.

I do have concerns, I suppose, about whether we should celebrate a Sir John A. Macdonald Day or some sort of a generic holiday that could be named for all the Fathers of Confederation. There is no question that Sir John A. Macdonald was the catalyst of this nation and the greatest statesman I can recall. Then again, I would love to see a "DiefenDay" or something like that to commemorate some of our other great leaders. Perhaps we should look at the future of such legislation.

There are many concerns about costs and other aspects of declaring such a holiday, but I see, Sir, that you are waving at me so I will—

The Acting Speaker (Mr. Paproski): I regret that the hour provided for the consideration of Private Members' Business has now expired.

[*Translation*]

Pursuant to Standing Order 42(1), this order is dropped from the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

APARTHEID—SOUTH AFRICA—CANADIAN RELATIONS WITH AFRICAN NATIONAL CONGRESS

Mr. Alan Redway (York East): Mr. Speaker, I know that you, and I know for certain that I, very strongly, very vehemently and very unswervingly oppose apartheid. I know that you and I as well find apartheid to be institutionalized racism. We find it reprehensible and we support policies to encourage a peaceful solution and a peaceful end to apartheid in South Africa. Those are positions with which virtually all Canadians agree. However, all Canadians do not agree on what policies we should be following in order to bring about an end to apartheid.

The national polls tell us that a clear majority of Canadians agree with the policies the present Government is following. Those policies include increased sanctions, an anti-apartheid register, an embargo on arms and spare parts sales, a code of conduct for employment practices for Canadian corporations and businesses carrying on business in South Africa and financial assistance to South African blacks through education and training. As well, efforts are being made to get other nations through the Commonwealth, the francophonie and other western industrialized groups to support efforts against apartheid. Of course, there has been a continuing dialogue between Canada and South Africa with respect to bringing to a peaceful end the policies of apartheid.

Others are saying, however, that they do not agree with those policies. I am sure that you get those messages just as I do, Mr. Speaker. I receive many calls and letters from people in my constituency who feel very strongly that the approach that is being taken is the wrong one. It is not because they agree with apartheid or feel it is a good policy to be followed. They feel the approach being taken will perhaps encourage violence and terrorism and Marxism and communism, and bring about the establishment of a Soviet form of Government in South Africa. They do not want to see that. I know you do not want to see that, and I do not want to see it either.

• (1815)

Interestingly enough, I ran a survey in my constituency about a year ago on this question. I asked the following: Do you think Canada should impose economic sanctions against South Africa? Do you think we should increase economic sanctions? Some 37.8 per cent said yes and 52.6 per cent said no. I asked: Do you think we should have total sanctions against South Africa? I had 29.3 per cent say yes and 59.7 per cent say no. That is in a constituency where 51 per cent of the residents come from neither anglophone nor francophone background. There are over 60 different cultural and ethnic backgrounds represented in that constituency. This is a very interesting result in a part of the country such as mine.

As I indicated, I think the crux of the problem lies with the concern about whether or not the policies being followed by the Government are in effect encouraging establishment of a communist form of Government in southern Africa. On the other hand, there are those who say we must follow the policies this Government is following now. One of those persons is the Reverend Johannes Sindano. He is a Lutheran evangelical pastor and I had the opportunity of meeting him here in Ottawa. He comes from southern Africa and he put it to me and others that met with him that it is important for Canada and other western nations to put pressure on the South African Government to bring about an end to apartheid. To remain silent will be to create just the opposite of the desired effect. If the West does not encourage black South Africans, they will turn to the eastern bloc for encouragement and support in their struggle against apartheid. After all, as he points out, because black Africans are in the majority it is inevitable at some point in time that apartheid will disappear. At that stage they will remember who their friends and supporters were, whether they be in the eastern bloc or in western nations.

He also pointed out that, naturally, black Africans look to the West for support and help. He said it is from the West that black Africans received their education. It is from the West they received their religious training, economic development, and the higher standard of living that many of them now enjoy. It is natural for black South Africans to look to the West rather than the East. After all, it was Jefferson, not Lenin, who said all men were created equal. It was Lincoln

who took the chains of slavery off blacks in America, and Stalin who enslaved eastern Europe.

Again, it is natural for black Africa to look to the West for support. Again, if the support is not forthcoming, unfortunately the vacuum will be filled, as the Reverend Sindano pointed out to me, by the eastern bloc. That may also bring about the violence which Canadians certainly do not want, notwithstanding the comments of our colleagues in the House, the NDP, who, a week or two ago, indicated that they felt violence was justifiable. I do not think the vast majority of Canadians feel that way. They want a peaceful solution in South Africa.

• (1820)

The Government has heard all sides of the story. It has heard the people who say that we must support South African blacks through more pressure. It has heard those who believe that we should keep our hands off South Africa. It is now up to the Government to respond and tell us what it is going to do in this situation.

I am looking forward to hearing from the Parliamentary Secretary tonight whether the Government is wavering in its stance on South Africa or whether it will maintain the strong policy which it has put in place and keep pressure on the South African Government to bring an end to apartheid.

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Mr. Speaker, the Prime Minister (Mr. Mulroney) and the Secretary of State for External Affairs (Mr. Clark) met with African National Congress President Oliver Tambo one month ago in Ottawa. The Secretary of State for External Affairs had previously held meetings with senior representatives of the ANC, most recently during his trip to South Africa last month.

These meetings do not convey any form of official recognition of the ANC on the part of the Canadian Government. The Government does recognize, however, that the ANC is an important factor in South Africa. It will be part of the solution in that country, whenever it comes and however it comes. There are also other groups with a part to play in building a post-apartheid South Africa.

The Government's objective is to encourage a peaceful solution in South Africa which results in non-racial representative government. Peace and democracy in South Africa are more likely to be achieved by dealing with the ANC and encouraging it to follow a moderate path.

In their meetings with Mr. Tambo, the Prime Minister and the Secretary of State for External Affairs explored the prospects for dialogue between the South African Government and the ANC. Mr. Tambo was encouraged to pursue the path of dialogue as was the South Africa Foreign Minister when the Minister met him in August.

The Government of Canada does not condone violence by any of the parties in South Africa, whether by the state or the ANC. The Prime Minister was very clear on that question during his visit to South Africa in January and that position has been reiterated on a number of other occasions, including directly to Mr. Tambo. Nevertheless, the Government recognizes that the root of violence in South Africa is the racially based system of apartheid and that such an oppressive system, when peaceful means are closed, gives rise to violent opposition.

The ANC had a history of 50 years of non-violence before it was banned. Its present leadership includes many who are moderate and they are to be encouraged. The danger exists, however, that as the level of violence in South Africa continues to grow, so may the influence of more radical elements of the ANC.

To achieve the goal of a peaceful solution to the situation in South Africa Canada has worked successfully with others in the Commonwealth and elsewhere to put pressure on the South African Government to enter into a dialogue with authentic black leaders, including the ANC, and start the process of fundamental change.

PENITENTIARIES—PROVISION OF HEALTH CARE SERVICES / GOVERNMENT POLICY

Mr. David Orlikow (Winnipeg North): Mr. Speaker, last Friday I asked a question of the Minister of Justice (Mr. Hnatyshyn) with regard to the proposed privatization of the health care section of the correctional services. I was not surprised that the Minister's answer was not relevant to my question since the Minister of Justice is not responsible for the correctional system.

My question arose out of a letter which I received from the President of the Professional Institute of the Public Service which I believe exposes a very serious situation regarding the provision of services in our penitentiaries. We must realize that the inmates of our penitentiaries have been involved in very serious crimes; rape, armed robbery and murder. You name it and some of the prisoners have been involved in it.

The Government wishes to extend its policy of privatization wherever possible into the federal penitentiaries. I call that policy objective bizarre for the reason I have already indicated. We are dealing with very angry and disturbed people. It is not surprising that the Professional Institute of the Public Service of Canada opposed this idea. The union represents these people. There were 1,440 nurses and psychologists and others who signed a petition against this idea of privatization. One would think that the Department and the Government would have at least talked to these people before they proposed such an unworkable idea.

• (1825)

Second, the Professional Institute in a letter written to the Solicitor General (Mr. Kelleher), signed by the President of the Professional Institute, Iris Craig, makes the following point which I think is very important:

CSC claims it wants to save taxpayers' money by laying off its own qualified, well-trained staff and hire contract employees who are simply not equipped to deal with volatile situations in which security is of prime concern.

To work competently in a correctional setting requires a repeated, consistent exposure to that environment. An incorrect decision, or even a lack of a decision, when confronted with a dangerous or life-threatening situation, can escalate into tragedy. There is no substitute for experience.

Surely even this Government should recognize the kind of riots and disturbances going on in our correctional institutions and how important it is to have well-trained, competent, permanent employees who have experience.

I would like to relate an experience my daughter had. She is a new graduate social worker. She received a contract with the John Howard Society. Her job was to work with prisoners in the medium security section of the Stony Mountain penitentiary. One of her clients, as she saw him week after week, was becoming increasingly disturbed, so much so that the last time she saw him she stood with her hand on the handle of the door so that she could get out of the room quickly if necessary. She reported the matter to the prison psychiatrist. He could not or would not do anything about it. A week or two later, while driving her car, she heard a news flash on the radio that a prisoner, her client, had picked up a piece of two-by-four in the carpentry shop, hit the instructor over the head and killed him.

That is the kind of situation which occurs, and this Government is proposing to turn over that work to part-time people on contract whose only interest will be to earn some money, a contractor interested in making a profit.

There are all sorts of questions which must be asked. Who is going to be responsible in a situation like that? Who would the family sue? Would the family sue the Government or would they sue the private contractor? What would be the level of profitability? What rate of return would be considered correct? Once the private sector becomes established will it skim off the profitable and low-risk offenders, leaving the public system with a difficult and unmanageable problem? Will the monitoring and contract requirements ensure business motives do not override the objective rehabilitation and decent prison conditions?

Lastly, I point out to the Parliamentary Secretary who will be answering my questions that a study was done by the Government for the Solicitor General in 1985. It was entitled "Operational and Resource Management, Review 7, Privatization" and warned that privatization could lead to endangerment to public, staff and inmates, deterioration of inmates' rights and labour unrest. Clearly, none of us wants this, and that is the burden of my question and my intervention in the House today. I hope the Government can supply some answers today and rethink what I consider to be a totally improper and unworkable idea. It could not be done in a worse set of circumstances than in the correctional system.

• (1830)

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Mr. Speaker, I am pleased to have this opportunity to speak further to the issue raised on September 25, 1987, by the Hon. Member for Winnipeg North (Mr. Orlikow), that being the presumption that the correctional service will be proceeding to the wholesale privatization of health care in its penitentiaries.

First, let me put to rest the myth that privatization of health services involves the replacement of professionals by "poorly-trained part-time workers", as the Hon. Member puts it. Privatization is not a new concept in the health care field. Approximately 40 per cent of the correctional service's health care budget is now spent on professional service contracts with individual professionals such as physicians, psychiatrists, psychologists, and dentists, throughout Canada's penitentiary system. This has been the case for several years. Neither quality of service nor the security of penitentiaries has been compromised by the engagement of such professionals under contract. There is no reason to believe that further privatization in the area of nursing services would lead to such a situation.

I believe that the concern expressed by the Hon. Member may be traced to a review of health care services that has been conducted recently in the Ontario Region of the Correctional Service under the "make or buy policy" of the Treasury Board. Basically, the application of this policy involves a comparison of the costs of providing service "in-house", so to speak, by government employees against the cost of delivery of the same services by the private sector.

This review, which has not yet been completed, is but one part of a major review of the entire field of health care delivery in the correctional service in order to ensure that the level of care provided to inmates takes into account both their specific needs and the level of care offered to society as a whole, and that the means of delivery remains as efficient and effective as possible.

I must emphasize that the only institutions at which nursing services have been privatized are at the new Donnacona Institution in Quebec and Atlantic Institution in New Brunswick. There are no plans at this time to privatize such services further.

The study cited above is restricted to the Ontario Region. Both the Professional Institution of the Public Service and staff in Ontario penitentiaries have been briefed on the objectives of the study. In addition, and most significantly, assurances have been given that employees would not suffer loss of employment if privatization is pursued.

Finally, having emphasized that no further plans for privatization of health services have been formulated, I believe it is also vital that I mention that on any given working day private individuals from the community enter our penitentiaries to provide a wide range of services from dentistry to volunteer literacy training. The qualifications of those persons to enter and provide services is a matter of scrutiny by the correctional service and measures continue to be applied

equally to ensure the safety of their persons and the security of the institution at all times.

ENVIRONMENTAL AFFAIRS—ACID RAIN—GOVERNMENT POLICIES TOWARD UNITED STATES/GOVERNMENT POSITION

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, at this stage following a question I asked in the House of the Secretary of State for External Affairs (Mr. Clark) some months ago, it is clear that the acid rain policy of the Government is in a shambles.

In 1985 the Prime Minister (Mr. Mulroney) lost a valuable year by agreeing that the two acid rain envoys prepare a report. In 1986, the same Prime Minister gave the wrong signal to Washington and to the Americans by agreeing to a five-year program on clean coal technology. This indicated to the Americans an implicit willingness on our part to wait for five years. In April of this year in this Chamber the Prime Minister claimed victory when President Reagan made a commitment to consider an acid rain treaty with Canada.

Today, six months later, what do we see on the horizon? It is in this respect that I hope the Parliamentary Secretary will answer. Having claimed victory so many times the credibility of the Prime Minister is now running very thin.

At the same time, it is this Government that has abandoned Canada's role internationally. This is a role which Canada conducted quite successfully until it was abandoned in 1985 by this Government. That international role was intended to generate pressure on the U.S. to come to the table and to agree to a reduction in air pollution through our friends and allies, through those who have adhered to the Helsinki Protocol. Yet unfortunately that initiative was abandoned.

• (1835)

In recent weeks the Americans have accused Canada of not implementing a domestic program to cut acid rain pollution in Canada. The two Tory Provinces of Nova Scotia and New Brunswick are the only provinces which still have to come on board and sign the National Accord on Acid Rain Abatement. They are still defying the commitment that they made in 1984 and 1985, and even in 1986, and because of sheer neglect on the part of this Government it allows the Americans to criticize us for not maintaining our side of the commitment that by 1994 we will cut our sulphur dioxide pollution by 50 per cent.

Although it is belated, I welcome the conversion of the Minister to the notion that we must do something in the United States, and that he must go to Washington and make important visits to those who need to be convinced that Canada has a case. However, this conversion comes in the fourth year of this administration.

It distresses me to learn about the intention of the Government to spend money on advertising in the United States. Will we complain to the United States about how hard done by we are? That has been done many times. I do not think it will get us anywhere to complain about that. The Americans may be sympathetic, but they will not be moved by that type of argument. They will be moved by arguments that deal with their economic interest and their own economy.

I wish to ask the Parliamentary Secretary why the Government is not prepared to prepare a case that would explain to the Americans the cost to them of not proceeding with action in cutting air pollution from their coal fired plants. What will be the cost to the United States for not acting and removing those poisonous gases which are inflicting damage to their buildings, structures, lakes, forests, and agriculture? In addition to the damage they are doing to us, the Americans would be very sensitive to a study that points out the economic damage inflicted on their economy by their pollution.

Finally, I wish to ask the Parliamentary Secretary why the Government at this stage, in the fourth year of its mandate, is not putting together data and information required to prepare a bill that would be submitted to Washington for the yearly damage to our economy that is caused by their pollution. We could start with the bill from the producers of maple syrup in Quebec and Ontario. I am sure that they would be more than glad to quantify the damage caused to the maple forests that is provoked and caused by transboundary pollution from south of the border. It is estimated to be more than $1 million a year.

These are some of the questions that I hope the Parliamentary Secretary will address in his reply. I am looking forward to his statement.

• (1840)

Mr. Stan Schellenberger (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, the Hon. Member for Davenport (Mr. Caccia) raises an important issue. The resolution of this problem is a priority of the Government.

Resolution requires action both domestically and bilaterally. We are working with the provincial Governments and with the Canadian industry to ensure the implementation of an effective acid rain control program. To date, more than 90 per cent of the necessary emission reductions are in regulatory or program form.

Bilaterally we are pressing the United States for early reductions in U.S. emissions affecting Canada. Over the last few years we have seen some progress in the United States.

In 1986, we saw U.S. President Reagan acknowledge the acid rain problem. This represented a breakthrough in the thinking of the U.S. administration. At the same time we saw the President take a step toward solving the acid rain problem by endorsing the Report of the Special Envoys on Acid Rain.

Again, in March 1987, we saw the President propose a clean coal technology program and a bilateral panel to oversee its implementation. None of us has been impressed with either the pace or the extent of the action of the U.S. administration on acid rain. However, as U.S. Senator George Mitchell, a

proponent of acid rain control legislation, has said, "none of this would have happened without the unrelenting pressure of the Canadian Government".

Our message to the Americans is clear and unequivocal. Canada is putting its house in order with regard to acid rain. We expect the United States to respect its obligations as our neighbour and to control the contribution its sources are making to Canada's acid rain problem.

Based on scientific information, the resolution of the acid rain problem depends on the United States cutting the transboundary flow of sulphur dioxide to two million tonnes per year. We intend to continue to convey that strong message to the Government of the United States.

[*Translation*]

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.42 p.m.

HOUSE OF COMMONS

Wednesday, September 30, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

PROVINCIAL AFFAIRS

GOVERNMENT OF ONTARIO—APPOINTMENT OF SIX WOMEN MINISTERS

Mrs. Lucie Pépin (Outremont): Today in this House, Mr. Speaker, I should like to extend my congratulations to the Government of Ontario, and particularly to Premier David Peterson. Thirty new Ministers were sworn in yesterday, including six women: Mrs. Lily Munro, Mrs. Elinor Caplan, Mrs. Joan Smith, Mrs. Chaviva Hosek, Mrs. Lyn McLeod, and Mrs. Mavis Wilson.

Some Hon. Members: Hear, hear!

Mrs. Pépin: Of sixteen elected women, six were appointed to Cabinet, telling evidence of the Government's political will to promote equality.

I should like to mention that Mrs. Chaviva Hosek was given the housing portfolio. I remind the House that Mrs. Hosek has shown leadershsip in causes of women and minorities. We are very pleased that her new duties are recognition she deserves.

To Mrs. Hosek and all her female Ontario Cabinet colleagues we say: Bravo!

[*English*]

Bravo! Hang in there. You are a vital role model and there will be more to come.

* * *

LABOUR RELATIONS

ST. LAWRENCE SEAWAY STRIKE BY MARINE ENGINEERS—REQUEST THAT MINISTER INTERVENE

Mr. Don Ravis (Saskatoon East): Mr. Speaker, work stoppage along the St. Lawrence Seaway, initiated by the Canadian Marine Officers Union, is of great concern to the people of Saskatchewan. Withdrawal of services by engineers threatens grain ships on the St. Lawrence Seaway and could possibly halt 75 per cent of all shipping.

Saskatchewan farmers are finishing their harvesting and want to begin quickly moving their grains through the transportation system. Saskatchewan is already feeling the negative effects of the engineering strike, namely, the rail limits on wheat transportation recently imposed in our province. This is unacceptable to the people of Saskatchewan who must meet marketing quotas.

• (1405)

The devastating effects of another transportation disruption could severely cripple the economies of Saskatchewan and its neighbouring provinces. Put simply, Mr. Speaker, the western economy will not be able to endure another marketing delay. For this reason I call on my hon. colleague, the Minister of Labour (Mr. Cadieux), to intervene in the collective bargaining process to ensure that an agreement is reached quickly and that the interests of farmers across Canada are protected.

* * *

HOUSE OF COMMONS

ANNIVERSARY OF FIRST ELECTION OF SPEAKER

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I wish to draw to the attention of the House that it was one year ago today that we as Members of Parliament opened a new chapter in the evolution of the practices and traditions of the House of Commons with the first ever election of a Speaker.

Some Hon. Members: Hear, hear!

Mr. Riis: Members will recall that the McGrath Special Committee on Parliamentary Reform first addressed the idea of an elected Speaker. It was to the credit of all parties that this progressive and historic increase in the influence of the Members of the House was made.

The election process was long and somewhat cumbersome, as the democratic process often is, but the excellent choice that we made on that historic night has demonstrated that this new procedure serves Members well.

I am certain that I speak for all Members of the House, Mr. Speaker, when I say that you have served Parliament and Canada well over the past year. Your decisions have been thoughtful and fair. The obvious respect that Members have

for you has brought a renewed atmosphere of civility, dignity, and respect to this House.

This is a place where great issues of the day are raised and debated, where passions run high, and where patience is put to the test. It is a rare individual indeed who can preside over such a place and enforce the rules and procedures with the great care and skill which ensure that the rights and privileges of all Members are respected.

In you, Mr. Speaker, we have found such a rare individual. We look forward to continuing to work with you in the months and years ahead.

[*Editor's Note: Whereupon all Hon. Members rose and applauded.*]

Mr. Speaker: Members will note that I gave the Hon. Member for Kamloops—Shuswap (Mr. Riis) extra time.

Some Hon. Members: Oh, oh!

Mr. Speaker: I want to thank all Hon. Members for your very kind thoughts and demonstration here today. I want to thank you especially for all the help you have given me over the past year. Thank you very much.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

AIR TRANSPORT

IMPACT OF BILL C-18

Mr. Clément M. Côté (Lac-Saint-Jean): On November 4, 1986, Mr. Speaker, the Hon. Minister of Transport (Mr. Crosbie) introduced in the House Bill C-18 to set the needed legislative framework to ease the economic control over the Canadian transportation industry.

Our Government had put forward measures to enhance competition and greater market force freeplay, so that Canadian users could benefit from more competitive prices and a greater service choice.

Mr. Speaker, this Bill was given Royal Assent less than a month ago and its positive effects are already being felt.

For instance, Air Alma Incorporated, an airline operating in my riding, has been offering since Monday a new service to its travelling customers thanks to Bill C-18 and this, to the delight of the regional population who will have at its disposal two more flights every day to travel to the capital city of Quebec.

Mr. Speaker, Bill C-18 is only one of a great many initiatives of our Government which are beneficial to our regions.

PORTS

SAFETY OF WORKERS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, although initially I was one of those who accepted reluctantly your nomination today I must admit I was wrong and I congratulate you.

This being said, I was pleased yesterday, to meet with representatives of the Montreal Harbour employees, and those 1,000 workers proved to us that the accident rate in Montreal Harbour is much higher than anywhere else in Canada.

Mr. Speaker, the stated causes of such a high accident level were: first, working hours are too long because dock workers are required, or forced to work between 60 and 80 hours a week. Second, absolutely no workers safety program. Third, no equipment inspection in Montreal Harbour.

Mr. Speaker, I urge the Minister of State (Transport) to meet within the shortest time frame with representatives of the Montreal Harbour employees, in order to force Montreal Harbour and all Canadian harbours to have work safety as their first priority, otherwise there will be a serious conflict in Montreal.

* * *

• (1410)

[*English*]

CANADA POST CORPORATION

POSTAL STRIKE—SUGGESTION POSTAL SERVICE BE DECLARED ESSENTIAL

Mr. Jim Jepson (London East): Mr. Speaker, the Post Office is on strike again. So, what else is new?

This country cannot be held at ransom again by CUPW, who, according to press reports, state that they are concerned about violence on the picket lines.

Shirley Carr of the CLC says that she is afraid that someone will be killed on the lines this time around.

I do not dispute that people have the right to strike, but I find it hard to believe that, in Canada, CUPW can threaten and intimidate those who are willing to work at the Post Office and accept their terms of employment.

The Post Office is an essential service and when it is on strike there are too many innocent victims, including small businesses, seniors, the disabled, and indeed all Canadians. As regrettable as I feel this action is, perhaps it is time to consider declaring Canada Post an essential service and removing the right to strike.

APARTHEID

SOUTH AFRICA—TREATMENT OF BLACK CHILDREN—WORLD REACTION

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, the children of South Africa are going to a special school today. It is a school of the real world.

They are learning that brutal tyranny and the ruthless subjugation of a people do not mobilize nations as much as they mobilize words. Some are noble words, promising action, like those of our Prime Minister (Mr. Mulroney). Some are the transparent words, like those who would use guns to defend English sheep on a far off island that cannot be her own. Some are the words of collaborators sent abroad to earn their keep from the oppressor. And there are the influential words of those not cured of latent racism, the mendacious Minister turned columnist, the retired judge, and the official spokesman of those who would keep Canada pure and, being consistent, spit calumny upon the victims of racism in South Africa.

Will we take home a lesson for the black children of South Africa, the fulfilled promise of the Prime Minister, or must they foresee that the negative voices will be the more compelling and that they should look elsewhere if ever they are to achieve freedom?

* * *

COINAGE

UNITED STATES CONGRESSIONAL COMMITTEE'S STUDY OF PROPOSED NEW DOLLAR COIN

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, copying being the sincerest form of flattery, it is interesting to note that a committee of members of the American House of Representatives and Senate is proposing that the United States mint a gold coloured one dollar coin.

The success of the Canadian gold "looney" *vis-à-vis* the silver Susan B. Anthony has evidently done much to prompt this reconsideration.

In order to retain the compatibility between Canadian and U.S. coinage, it would be advantageous for the Americans to adopt size and weight specifications similar to ours. We could help them with the special technology needed to coat the nickel blanks which we could also supply to them should they so wish.

The Royal Canadian Mint must be proud of its successful coinage innovations which other countries look to as a source of inspiration.

S. O. 21

POLITICAL PARTIES

REFERENCE TO PRETTY GIRLS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, there is a new wrinkle in the ongoing saga of "close encounters of the capital kind". The "capital kind encounters" we are talking about are the parties that will be taking place tonight in various homes across the City of Ottawa.

There have been a number of suggestions that these parties have been set up to lobby. However, according to the ex-Conservative Member of Parliament who says these are not lobbying parties: "If anyone comes to try to sell them submarines, staplers, or whiskey, this is the wrong place to do it. They are probably—" the Ministers "—just going to be looking for pretty girls".

Given that Mr. Binks is hosting a party tonight where the Hon. Secretary of State for External Affairs (Mr. Clark) will be present, I am quite sure that the Hon. Minister would not accept an invitation to a party where he is going just to look for pretty girls.

• (1415)

I am sure that the Secretary of State for External Affairs, in protest at the comments that have been made by his soon-to-be host, Mr. Binks, will decline the invitation and boycott the party tonight so he can put an end to these "close encounters of the capital kind".

* * *

[*Translation*]

ENVIRONMENTAL AFFAIRS

PROPOSAL CONCERNING DUMP AT CANTLEY IN QUEBEC

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Mr. Speaker, the situation is serious in the Cantley area of the city of Gatineau. Proposed dump sites could cause tremendous harm to the environment. The Quebec Government was alerted by citizens of Cantley. I therefore want to formally advise Environment Canada, whose Minister already has assured me of his cooperation. He is ready to discuss with his Quebec counterpart a situation of concern to citizens in my constituency, without infringing upon the provincial jurisdiction. I thank the Minister for his usual understanding.

[*English*]

The question of waste disposal is a complicated one as we run out of environmentally safe ways and sites, but we must not take steps that we will regret because of looking at short term solutions.

Our environment, Mr. Speaker, is very fragile. It should not be abused as a means to find a very fast solution to a very complicated problem.

S. O. 21

SPORTS

TRIBUTE TO BEN JOHNSON, WORLD CHAMPION SPRINTER

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, one of the realities of this House is that the rhetoric of parliamentary debate tends to draw members into the use of superlatives more often than they should. The biggest and best all too often turn out to be not quite so large and, frankly, not that good.

There is one superlative I want to use today about which there is no question, that is, the fastest. It applies to Canada's Ben Johnson, the fastest human being in the world.

Some Hon. Members: Hear, hear!

Mr. Angus: Just a little while ago, Mr. Speaker, Ben Johnson lined up against the world's best sprinters and left them in his dust as he shattered the world record for the 100-metre dash. He covered the distance in only 9.83 seconds, shaving a full tenth of a second off the old record.

Ben is now back in Canada to receive the credit and the praise that he so justly deserves. He has carried his success with grace and with style.

I ask all members to join with me in congratulating Ben as he visits Parliament Hill today and to express our best wishes and our confidence in him for many future successes.

Some Hon. Members: Hear, hear!

Mr. Speaker: I can say to our distinguished guest, Mr. Johnson, that while he was scheduled to be on the program a few minutes from now, the demonstration of affection and admiration that has been given to him is timely, is very sincere, and is very warmly meant.

Some Hon. Members: Hear, hear!

* * *

CANADA POST CORPORATION

CUPW STRIKE—CALL FOR GOVERNMENT ACTION

Mr. Stan Graham (Kootenay East—Revelstoke): Mr. Speaker, they have done it to us again. For the second time in less than three months the powerful Canadian Union of Postal Workers is holding our country at ransom in an attempt to accomplish their own selfish goals.

Carefully planned rotating strikes, occurred in Victoria and Montreal today.

I have received calls from my constituents in Kootenay East—Revelstoke pleading for quick action to be taken by the Government. From our elderly citizens who are counting on monthly support payments to the businesses which demand a reliable postal service, we will all suffer the effects of this totally irresponsible and selfish act by the postal union.

• (1420)

Unions should not be allowed the freedom to disrupt a vital national service such as the Post Office. This action will only place undue hardship on innocent Canadians. The disruptive action taken by this union cannot and should not be tolerated. I strongly urge our Government to take decisive and immediate action to release the strangle-hold this national union has on our citizens.

* * *

ETHNIC AFFAIRS

SEVENTIETH ANNIVERSARY OF ALLIED JEWISH COMMUNITIES SERVICES

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, on Monday last Allied Jewish Communities Services held its 70th annual meeting and accounted for its stewardship of the 17 affiliated social educational and cultural institutions which guide, enable, and promote the interests and concerns of the Jewish community of Montreal.

Over 1,600 people attended, bore witness and paid tribute to the volunteer and professional leadership which has enabled the communal service organization to reflect the heart and soul of this very heterogeneous society.

From 1762 on Jews have made their home, and have become part of the fabric of the Canadian and Quebec society. Successive waves of immigrants, seeking safe harbour from discrimination or economic hardship, have come to Canadian shores, speaking a myriad of languages and reflecting diverse cultures.

We have become a bilingual, multicultural and yet highly identifiable minority in Quebec and in Canada. I salute AJCS on its 70th birthday for its enriching contribution to the development of outstanding leaders, both communal and civic, in all areas of life of our people in Canada, in Quebec and, in particular, in Montreal.

* * *

POLITICAL PARTIES

COUNTER-REFERENCE TO INTELLIGENT WOMAN

Mr. Bob Brisco (Kootenay West): Mr. Speaker, I rise to make a correction to the statement made today by the Hon. Member for Hamilton East (Ms. Copps).

I would like to draw attention to the fact that the wife of the Right Hon. Minister of External Affairs (Mr. Clark) is not a pretty girl, she is a fine, intelligent and beautiful woman in her

own right, who advances the cause of women in Canada and whose least concern is the "pretty" girls alluded to by the Hon. Member for Hamilton East.

ORAL QUESTION PERIOD

[*English*]

TRADE

STATUS OF CANADA-UNITED STATES TALKS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Minister for International Trade said last night that there has been some movement in the American position on free trade. Canadians would be interested in knowing about that. They would be even more interested in knowing whether there has been any Canadian movement on its position in the negotiations with the United States, particularly on the issues of subsidies and our culture.

The Government has virtually destroyed the Department of Regional Industrial Expansion. It has weakened the whole issue of regional subsidies. The Government has already sold most of our book publishing industry to the Americans and yielded and withdrawn, apparently, a film distribution policy in the face of American pressure.

What movement has there been on the part of the Americans? And what concessions has Canada been prepared to make by way of a counter proposal?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, in regard to the comments of my right hon. friend, the quite careless comments about regional economic expansion, I would point out to him something that he cares to neglect, that in all regions of the country, particularly those far removed from the centre, there has been a decrease in unemployment since this Government came to office, in all of the regions of this country, relative to the figures that were in place on September 17, 1984.

The 907,000 new jobs created in Canada is an important figure. The OECD report indicating that Canada's economy is growing at the top rate of all 24 members of the OECD is, I think, an important reflection of what we have been trying to do for the last three years as well. Trade, of course, is an important component of that, in all of its facets.

The Minister for International Trade indicated quite properly that there had been some movement on the important principle of dispute settlement. There has not been, however, agreement on the rules that might govern this mechanism. This is what is presently being considered. If, at an appropriate time, we receive an acceptable response from the Americans in this important area, I will be happy to advise my right hon. friend.

[*Translation*]

ISSUE OF MECHANISM TO SETTLE CANADIAN-AMERICAN DISPUTES—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, such sectors as culture and regional grants contribute to the definition of Canada's very essence, and I believe that Canadians ought to know the position of the Government of Canada in these negotiations. The Prime Minister indicated there has been some movement with respect to the matter of a dispute settlement mechanism between both countries.

Can the Prime Minister tell the House whether his Government continues to insist, as do most Members of the House, that such a mechanism be binding and coupled with a significant exemption from the United States' unilateral right to slap countervailing duties and taxes on Canadian exports?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the initiatives we took in Northern Ontario, in Western Canada and, more recently, in the Atlantic region—commitments in excess of $1 billion—indicate to what extent the Government is intent on minimizing regional disparities. That is one of the major thrusts of the Government's national policy.

As to the second point raised by my Hon. friend concerning the mechanism, yes, we feel it is an important mechanism to settle disputes which might break out between our two countries as a result of the possible implementation of a free trade agreement. It seems normal to us that an impartial mechanism be available to enable both parties to settle their own disputes, should these occur after the possible negotiation of a more comprehensive agreement. This is the position I had announced practically from the outset, and our current efforts to achieve it attest to unfailing consistency on our part.

• (1425)

[*English*]

DEADLINE FOR CONCLUSION OF TALKS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Government's recent demonstration of its desperation for a deal—

Mr. de Cotret: Oh, come on!

Mr. Turner (Vancouver Quadra): —and the Government's secrecy throughout these entire negotiations, particularly at this crucial point in these negotiations, prompts me to ask the Prime Minister how long will this whole process go on.

Is the deadline of this weekend a firm deadline, or will the Prime Minister ask for an extension of that deadline to continue the talks?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, perhaps I could limit myself to the final comment of my right hon. friend in regard to secrecy.

Surely he will acknowledge that there has been extensive consultation, and probably an unprecedented sharing of information among Canadians on this very vital topic.

Mr. Gauthier: Where are you living?

Mr. Mulroney: Most recently there was a seven and a half hour meeting with the First Ministers involved in this.

Mr. Axworthy: What about the other 25 million?

Mr. Mulroney: There has been a continuing committee of Ministers and officials who have met on a regular basis.

To the best of my knowledge, all of the Premiers have commented very favourably on the extent to which information was shared, and is in the process of being shared, with industry, and with the provinces. There has been a debate in this House. We offered a confidential briefing to the Leader of the Opposition on all aspects, every conceivable aspect of trade, but he turned it down.

Mr. Gauthier: How about the deadline? Answer the deadline question.

Mr. Mulroney: The Right Hon. Leader of the Opposition was choosing to score political points rather than to be concerned about the national interest. I think that indicates everything we have done—

Mr. Gauthier: You have been cut off.

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry.

CANADIAN GOVERNMENT POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, now we know why the Prime Minister needs all those shoes—he is up on his toes dancing so often that we cannot get a straight answer.

Mr. Speaker: Perhaps the Hon. Member for Winnipeg—Fort Garry would keep his preamble to the facts needed to place his question to the Right Hon. Prime Minister.

Mr. Axworthy: I will make my question very short. The Prime Minister did not answer the previous question. My question is the following.

In the counter proposal that has been forwarded to the Americans, is the Government of Canada asking for an extension of the October 5 deadline? In other words, are we asking the United States to give us more time to try to work out this deal, or are we finally going to cut bait and say that the deal is no good and we should get out?

• (1430)

Right Hon. Brian Mulroney (Prime Minister): First, Mr. Speaker, we have not forwarded a counter proposal to the Americans. Second, we are not asking for an extension, and third, you do not have to worry about my shoes because we will put the boots to you.

Some Hon. Members: Hear, hear!

GOVERNMENT INTENTIONS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, according to a publication from the Prime Minister's former press secretary, he has already tried and failed.

Some Hon. Members: Oh, oh!

Mr. Axworthy: We will wait for the publication of the book.

I want to return to the issue at hand. The Prime Minister said that we did not make a counter proposal, but in Question Period today he said, " but we are waiting for an American response". What is he waiting for a response to if he did not make a counter proposal? Why is it that even the Americans are confused? The spokesman for the trade negotiator's office says, "I do not know what this means." Is it consultation or negotiation? That is the same question Canadians are asking. What is the Government trying to do, is it consulting, negotiating or grovelling on its knees?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend says the Americans are confused. Perhaps that is the case. The Americans we have been speaking with on behalf of the Government of Canada, Secretary Baker and Ambassador Yeutter, are certainly not confused. They know the position of the Government of Canada. It has been clearly expressed by the Minister of Finance and the Minister for International Trade and it presumably is in the process of being considered by the American Government at which appropriate time I suppose there will be a response. However, they also know and have known from the very beginning that if the Government of Canada deems that matters are not acceptable, there shall be no deal. We have said this from the very beginning.

CULTURE AND REGIONAL DEVELOPMENT ISSUE

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, throughout the trade talks with the United States, the Prime Minister has continually promised to keep our cultural industries and assistance for regional development off the bargaining table. Now we have reports that the United States wants complete freedom in our cultural sector and severe restrictions on regional development aid as the price for a binding dispute settlement mechanism.

Point blank, will the Prime Minister tell us is the United States now seeking concessions on cultural industries and regional development and will this Government, despite its earlier promises, discuss these points?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, all of the statements contained in that declaration are false.

Mr. Langdon: Mr. Speaker, I note that I started out by saying that the Prime Minister promised to keep these points off the bargaining table. Perhaps he is saying that is false too.

[*Translation*]

REQUEST THAT CULTURAL INDUSTRY AND REGIONAL AID BE PROTECTED

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have a supplementary. Our cultural industry and regional development assistance programs are very important for Canadians. Can the Prime Minister tell us quite clearly that his Government will protect our cultural industry and regional assistance programs in its discussions with the United States?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member only has to read the statement I made in the House two years ago, on September 26, 1985. There has been no change in the position of the Canadian Government on these two fundamental issues in the last two years.

[*English*]

Mr. Langdon: Mr. Speaker, I must say that I hope the Prime Minister will stick to that statement right to the end as these discussions go forward.

REQUEST THAT PRIME MINISTER TERMINATE TALKS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, given these reports in the newspapers that the United States wants major concessions, in cultural industries, in regional aid, with respect to the Auto Pact and with respect to investment freedom, will the Prime Minister do the right thing for the country now? Will he call these talks off and terminate them for good?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think even my hon. friend would agree that I and the Minister for International Trade have responded to precisely that question at least a half dozen times in this House to the Hon. Member. The answer is unchanged.

* * *

[*Translation*]

CANADA POST CORPORATION

STRIKE BY INSIDE WORKERS—VIOLENCE—GOVERNMENT POSITION

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, my question is for the Prime Minister and concerns the postal strike.

The postal service is being interrupted for the second time in three months. The last strike in June was violent and cost Canadian taxpayers $30 million.

Why is the Conservative Government still encouraging violence in the work place? Is it its job-creation policy to hire strike breakers?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Government not only does not encourage violence, it deplores violence, and it hopes that everybody in the House deplores violence.

Some Hon. Members: Hear, hear!

Mr. Andre: I of course hope, and I would hope the Hon. Member would share the wish, that this dispute could be settled by negotiation. Since the union has now started a strike and the Post Office is attempting to fulfil its social responsibility of delivering the mail, both sides are required to obey the law. I think it behooves us as responsible parliamentarians to encourage both sides to do exactly that.

HIRING OF STRIKE-BREAKERS

Mr. Alfonso Gagliano (Saint-Leonard—Anjou): Mr. Speaker, the Minister said that he wants to solve the strike by negotiation. Since negotiations have been going on for several weeks, Canada Post has been announcing that it will hire strike breakers. How does the Minister expect to solve this strike by negotiation when Canada Post and the Government are provoking it? Why does he not order Canada Post to stop strike-breaking activity so we will get this through with negotiation?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I see by the applause that it is the position of Members of the Liberal Party that the Post Office should shut down and there should be no mail delivered by the Post Office in view of this strike. That is fine. If that is their position, let them articulate it. The only other alternative is to acquiesce totally to the demands of J. C. Parrot.

The Post Office is trying to fulfil its social responsibility. The conciliator in the letter carriers dispute indicated it had that obligation. It is to do it in a lawful fashion, obeying Canadian law, and as the union goes on strike it has the obligation to do so in a lawful fashion and to obey Canadian law.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

REPORTED SURVEILLANCE OF PEACE MOVEMENT

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, it is a grave insult to the peace movement in Canada, to groups such

as Operation Dismantle, Project Ploughshares and *Dévelopement et Paix* to suggest that somehow their pursuit of peace and disarmament could be Soviet directed and inspired and thus pose a threat to the security of Canada.

My question is directed to the Solicitor General. Will the Minister now explain to the House and to Canadians why CSIS this year hired several individuals whose responsibility is in fact to watch the mainstream peace movement in Canada? Will this Minister do the right thing now and immediately order a stop to this dangerous, undemocratic practice by CSIS?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I have said on many occasions in this House, CSIS has been mandated by Parliament to investigate anyone who is considered to be a threat to the security of Canada. Under Section 2(b) of that particular Act, a threat to the security of Canada includes foreign influenced activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person.

• (1440)

To date I have received no evidence that CSIS has acted beyond the mandate given to it by Parliament.

Mr. Robinson: If that is the case, it is a condemnation of the sweeping mandate the Liberals gave to CSIS when they created the organization.

Mr. Holtmann: Then take it up with Nunziata.

[*Translation*]

INFILTRATION OF DEMOCRATIC ORGANIZATIONS—GOVERNMENT POSITION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have another confidential document of the CSIS which confirms that our secret service is infiltrating not only the labour movement and the Quebec peace movement, but also legitimate Canadian political parties, namely the Canadian Communist Party and the Quebec Communist Party.

How can the Minister justify this harmful attack against small but legitimate political parties? Why does the Minister believe that the CSIS has the right to infiltrate these democratic Canadian organizations?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I just said, I have no evidence to date that CSIS has acted beyond its mandate. Notwithstanding that, as I said on a number of occasions, I have directed the Inspector General to conduct an investigation to see whether or not allegations of this nature are true. The Security Intelligence Review Committee set up by Parliament under the Act is also conducting an investigation into matters of this nature. The Act is working.

The Act also provides under Section 41 that anyone who feels they are being improperly investigated have the right to go to SIRC and ask for an investigation. I suggest they do that and make the Act work. That is why it is there.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

CITY OF MONTREAL—REQUEST FOR $25 MILLION GRANT—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montréal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion, who is responsible for matters involving the greater Montreal area.

The Minister is fully aware that the Committee for Economic and Job Renewal in the East end of Montreal has published its recommendations, showing that despite the economic recovery, and contrary to what the Prime Minister stated earlier, the East end of Montreal is plagued with a very high, 12.4 per cent unemployment rate. In order to prevent the loss of thousands of jobs and to create new jobs, the Committee has put forward some 12 recommendations directly involving the Canadian government.

My question to the Minister is this: Would he be ready to inject $25 million into the setting up of a bureau to help restructuring and modernizing larger businesses, and to create a special fund for manpower training? Is the Minister ready to give a positive answer to that recommendation of the Pichette Committee?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, as the Hon. Member mentioned, we have received the Pichette Committee report. That most interesting report clearly has required a lot of work. We are going to make an in-depth study of the recommendations and hopefully we will be in a position to respond to its special recommendations within the shortest time frame.

AID—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, the people in the East end of Montreal are just about sick and tired of this Government's numerous studies. This Government has had three years of inaction and thousands of jobs have been lost in the East end of Montreal. And I know this junior Minister is talking about Bill C-22 to manufacture pills in Montreal-north. Workers in the East end of Montreal want to know—as for instance the welder at Bombardier's, the welder at Vickers', the mechanic—when are you going to help him keep his job? Are you going to wait again? Stop studying and start doing your job! They are asking you to use $25

million to help them, to create an employment tax credit. Are you going to do something, yes or no?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, our intention never was to wait. To the contrary, we have taken action—133,000 jobs created in Montreal within the last three years, and I repeat 133,000—we did our job! The unemployment rate has come down to 9.6 percent from 10.6 percent, Mr. Speaker. We did our job!

Some Hon. Members: Hear, hear!

Mr. de Cotret: Inaction is on the other side, among those who are blocking Bill C-22—they are preventing the injection of $700 million in new capital in Montreal, they are stifling the creation of 1,300 new jobs. Join with your colleagues in the other Chamber and have that Bill enacted and see how the 133,000 figure will increase.

Mr. Rossi: Always the same excuse! Bill C-22. Outside of that, nothing for the East end of Montreal, nil!

* * *

REGIONAL INDUSTRIAL EXPANSION

PICHETTE REPORT—GOVERNMENT POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is also for the Minister of Regional Industrial Expansion.

[*English*]

Mr. Murphy: Quiet over there.

An Hon. Member: Shut up!

Mr. Rossi: Shut up yourself, okay?

Some Hon. Members: Oh, oh!

Mr. Speaker: Both sides have the right idea. The Hon. Member for Ottawa Centre.

[*Translation*]

Mr. Cassidy: Is the Minister aware that there are still 22,000 unemployed in East Montreal? Is the Government ready to follow up on the recommendations of the Pichette Report? What the people of East Montreal want to know is when the Government will follow up on this report to help reduce unemployment in that area.

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, we are well aware of the problems in East Montreal. These problems have existed for several years. The recommendations of the Pichette Report are now being considered by my Department and I hope to be able to respond to these recommendations in the very near future.

URGENCY OF SITUATION

Mr. Mike Cassidy (Ottawa Centre): The Government has now been in power for several years also. It could have responded to the problems of economic recovery in East Montreal for the past three years. Can the Minister explain why, since the publication ten months ago of the Picard Report on the economic future of Greater Montreal, action has been taken only about certain aspects of this report, and the Minister is now promising to respond and take action in the very near future? What does that mean and why is the Government unable to act immediately?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, my hon. colleague is right to say that we have already followed up on several recommendations contained in the Picard Report. We are now taking action about several other points and we shall be giving a complete response to the Picard Report within a few days.

As for our concern for Greater Montreal, I said earlier that 133,000 new jobs had been created. There has also been a 32 per cent increase in retail sales as well as a marked increase in housing starts and industrial expansion in the Montreal region. This is reflected by the number of building permits. The Montreal region is faring much better now than when the Conservative Government came to power.

* * *

[*English*]

HORTICULTURE

HONEY PRODUCERS—REQUEST FOR COMPENSATION FOR LOST SALES

Mr. Jack Scowen (Mackenzie): Mr. Speaker, my question is directed to the Minister of Agriculture. His Department has prevented some honey from being sold in the U.S., testing it so slow that some deals are being cancelled. When can the honey producers expect compensation for lost sales? Is the Canadian Government going to buy the honey from these producers, assist in the replacement of equipment, and take responsibility for all other implications of this action which I estimate will cost $100 million?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I appreciate the continuing interest of my hon. colleague in the problems of the honey industry. Canada is not stopping sales in the U.S. The problem is that the U.S. is not accepting our product at the moment. We are trying to work with the people in the industry, the provinces, and our counterparts in the U.S. to develop a plan whereby we have secure access to markets for Canadian products in the U.S.

[*Translation*]

REGIONAL INDUSTRIAL EXPANSION

PICARD REPORT RECOMMENDATIONS—MINISTER'S POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is for the Minister of Regional Industrial Expansion and Minister of State for Science and Technology. My colleague for Ottawa-Centre referred to the Picard Report. I am certain that he forgot about the recommendation on the Space Agency, which he should support as much as we, Liberals.

My question to the Minister is this. He is now blaming the Senators for sitting on Bill C-22. Yet, the Minister himself has been sitting on the Picard Report for much longer. Could the Minister take the lead and show that he can act quickly by making the required decisions as concerns the Picard Report? Instead of waiting for eleven new recommendations, could he not follow up on the first 86?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, we have already taken action about several of the 86 recommendations which were before us. First, I must tell the Hon. Member that many of these recommendations were addressed mostly to the municipal and provincial governments. Naturally, these recommendations were referred to the proper government level because we do not want to impinge on other jurisdictions. We have taken action about many other recommendations. As for the rest, as I have said many times, we shall be giving a complete response to the Picard Report in the coming days.

REQUEST THAT MINISTER ACT IMMEDIATELY

Hon. Jean Lapierre (Shefford): Mr. Speaker, I have a supplementary. The Minister referred earlier to certain figures and pretended that there had been an increase in job creation. If he had read the report which has been tabled, he would realize that unemployment has in fact increased to 12.4 per cent in East Montreal and that there are now 8,000 more potential unemployed because of the age of certain industries. What I ask the Minister is this: Will he wait for these 8,000 workers to lose their jobs before taking action or will he do something immediately in line with the recommendations of the Action Committee and ensure that action is taken immediately instead of letting the situation deteriorate?

Hon. Robet de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, we have certainly not let the situation deteriorate. We have created jobs in Greater Montreal. We have created jobs in East Montreal. It will give me great pleasure to provide you with a list of our investments in East Montreal if you want this information.

When I say that we are now looking at the Pichette Report, it is because we are doing just that, and we shall give our response to this report as soon as possible.

• (1450)

[*English*]

CANADA POST CORPORATION

CORPORATION'S FREEDOM TO ACT

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is directed to the Minister responsible for Canada Post. In a letter which the Prime Minister wrote this summer with regard to Canada Post he said:

> A long term solution to these problems can only be worked out by the Corporation and its unions through compromise—

In a spirit of compromise, is there a true arm's length relationship between the Government and Canada Post? Is Canada Post free to drop its insistence upon franchising out existing work to drug stores which are often right across the street from existing post offices?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as the shareholder of this Crown corporation, we require of Canada Post, as we do of every other Crown corporation, a corporate plan to indicate what it plans to achieve over a five-year span. It is updated annually.

As part of its corporate plan to improve service to Canadians the Post Office intends to open up some 6,000 postal outlets so that people can buy their postal services where they shop and where they can park at times more convenient to them.

The Government approved of that plan. If circumstances cause a change in the plan, which the corporation will bring to the Government's attention, we will, of course, consider it.

CORPORATION'S NEGOTIATING STANCE IN LABOUR DISPUTE

Mr. Rod Murphy (Churchill): Mr. Speaker, is the Government allowing Canada Post to negotiate freely? Does it have a complete open hand in negotiations, or does it have to come back to the Government to get permission to change its negotiating stance?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I am not at the negotiating table. No representative of the Government is at the negotiating table. I have no influence on the decisions. This is being run by management. The negotiations which are going on are the same kind of negotiations that went on between the cabin attendants and Air Canada last year and between CNR and the railway workers.

The unions and the NDP are attempting to indicate that the Government is somehow orchestrating things. I understand what they are attempting to do, but there is no basis in fact to support those accusations.

AIRPORTS

SECURITY OF TRAVELLERS

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Deputy Prime Minister and is with regard to security at Canadian airports. On June 25, 1985, two days after the Air-India tragedy, the Deputy Prime Minister, then the Minister of Transport, said the following as reported at page 6146 of *Hansard*:

> Over the last 60 hours, since these tragedies occurred, the Government has moved quickly to ensure the security of Canadian air travellers—

We learned today that notwithstanding the assurances given by the Minister of Transport at the time, the Canadian failure rate now stands at 25 per cent which is worse than the failure rate at major American airports. We find now that safety and security at Canadian airports over the last two years have remained abysmally substandard.

Would the Deputy Prime Minister explain to Canadians why he misled this House and Canadians two days after the Air-India tragedy?

Some Hon. Members: Order, order!

Mr. Clark (Yellowhead): Where's John Turner?

Miss MacDonald: As usual he's not in the House.

Mr. Speaker: I am sure the Hon. Member for York South—Weston knows that it is, of course, against the rules to suggest that anyone deliberately misled this place. While the Hon. Member did not use the word "deliberately", his language was pretty strong. I am sure he would want to correct himself and put the question.

Mr. Nunziata: My question is directed to the Deputy Prime Minister. Why did he tell Canadians that the Government had moved quickly to ensure the security of Canadian air travellers when it has become obvious today that the Government did very little, if anything at all, with regard to security at Canadian airports?

Ms. Copps: Well, answer. The arrogance!

Mr. Speaker: Perhaps Hon. Members could assist the Chair. There is, of course, no obligation for a Minister to answer a question. The Hon. Member may want to ask another question.

Some Hon. Members: Hear, hear!

Mr. Nunziata: Mr. Speaker, this is absolutely unbelievable.

Some Hon. Members: Oh, oh!

Some Hon. Members: Sit down.

Some Hon. Members: Oh, oh!

Some Hon. Members: Out!

Mr. Clark (Yellowhead): That was directed at you, Mr. Speaker.

Some Hon. Members: Contempt!

Mr. Speaker: Under the circumstances I know the Hon. Member for York South—Weston would co-operate with the Speaker. I am going to recognize another Member. The Hon. Member for St. John's East.

* * *

CAPE BRETON DEVELOPMENT CORPORATION

REQUEST FOR REPLACEMENT OF PRESIDENT

Mr. Jack Harris (St. John's East): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion. Premier Buchanan of Nova Scotia has joined the loud chorus of voices in the mining community of Cape Breton in expressing dissatisfaction with the policies and attitudes of the current management of the Cape Breton Development Corporation and, in particular, with the President and Chief Executive Officer, Derrick Rance. Will the Minister now take steps to clean up the management of this corporation starting with the replacement of Mr. Rance?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I am well aware of the situation. I have had meetings with the Chairman of the corporation. I have also taken steps, as recently as yesterday, to direct the corporation to stop the stockpiling of coal on international wharves which raises environmental concerns in the province and very strong concerns on the part of the provincial Government.

That has already been done. I intend to sit down with the senior management of the corporation in the very near future to air the whole situation.

MINISTER'S POSITION

Mr. Jack Harris (St. John's East): Mr. Speaker, Mr. Rance, the current President, assured the people of Cape Breton in November, 1985, that efficiency would be obtained in the operations without the reduction of manpower.

Why is the Minister keeping Mr. Rance in office and allowing him to continue his plans to lay off close to 500 workers? Would the Minister not agree that Mr. Rance has lost faith with the workers and people of Cape Breton and really should be removed?

• (1500)

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I can only respond by repeating

what I said in my former answer. I will be meeting with Mr. Rance in the next few days to clear up the situation.

* * *

AGRICULTURE

BRITISH COLUMBIA'S WITHDRAWAL FROM SUPPLY MANAGEMENT AND MARKETING BOARDS

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is directed to the Minister of Agriculture. Yesterday it was reported that the British Columbia Government is pulling all of its producers out of the national supply management programs and marketing boards. If this is true it represents a tremendous threat to our national marketing system for some three or four commodities across the country.

Can the Minister confirm these reports and tell us what the implications are for these producers? Will dairy producers continue to receive payments under the Canadian Dairy Commission? Will our import controls continue to be in place under our GATT obligations? Will the Minister tell us what the implications are for these dairy and feather industry producers?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I appreciate that question by my colleague, the Member for Algoma. I must respond by saying that I am indeed disappointed, but I am really not surprised because I have been aware of some discontent within certain sectors of the producers in the Province of British Columbia.

I must say, however, that provincial Ministers have already commenced a review of supply management systems and we hope that the report will be due in the near future.

I say that I am disappointed because marketing systems with supply management powers in various commodities have worked well for producers and processors and Canadian consumers. I hope that there would be some sober second thought before the final decision is made with respect to this move.

Mr. Foster: I am pleased to hear that the provincial Ministers are taking action to restore the integrity of the system.

FEDERAL POSITION

Mr. Maurice Foster (Algoma): Mr. Speaker, will the Minister say exactly what actions he is prepared to take or is taking to ensure the restoration of a system that is the envy of producers throughout North America and European countries? We would like to see it maintained here in Canada.

Hon. John Wise (Minister of Agriculture): Mr. Speaker, the Hon. Member will know that the federal Government is one of 10 signatories to those plans with respect to the marketing systems. This involves a provincial Government, it involves the supervisory bodies, it also involves the producer groups of those various commodities.

I have been in touch with all representatives of all the commodity groups in the Province of British Columbia. I take satisfaction in the fact that, while not unanimously, almost without exception they are not in favour of the position taken by the Government of British Columbia at this moment. They would rather remain part of a national supply management system and they hope that a resolution of this matter can take place, thus avoiding the withdrawal from these supply management plans.

* * *

ATOMIC ENERGY OF CANADA LIMITED

POINT LEPREAU, NEW BRUNSWICK—PROPOSED SECOND NUCLEAR REACTOR

Mr. Albert Girard (Restigouche): Mr. Speaker, my question is directed to the Minister of Energy, Mines and Resources.

Yesterday Premier Hatfield announced that negotiations were proceeding with Atomic Energy of Canada regarding the development of a 300 megawatt unit at Point Lepreau II, and that construction will commence in 1990 following completion of detailed engineering.

The Globe and Mail has reported that the Minister has rejected New Brunswick's proposal for 100 per cent financing of the project. Will the Minister provide the House with a report on the status of those negotiations?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, first, there is no truth to the allegation that I have rejected Mr. Hatfield's proposals. Last October Premier Hatfield and I met to discuss the possible development of a second nuclear reactor at Point Lepreau. We agreed that Atomic Energy of Canada Limited and New Brunswick Power should commence discussions with a view to reaching a mutually satisfactory commercial arrangement.

These discussions are ongoing and proceeding well, although no final decision has been reached.

I have consistently maintained that decisions on new generating capacity must be made by the provinces and that the federal Government stood prepared to support the development of commercial projects. I indicated in Calgary a couple of days ago that we were not in the business of financing 100 per cent of any project. I am sure Mr. Hatfield appreciates this position.

We are agreed that the project must be commercial and we are actively pursuing discussions with this objective in mind.

Mr. Speaker: I must advise the House that despite the delay in getting started, all of which was completely legitimate and appropriate, this will be the last question for today. The Hon.

Member for Thunder Bay—Atikokan. Given the hour, I hope the questions will be short.

* * *

AIRPORTS

NON DETECTION OF WEAPONS BY SECURITY GUARDS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Minister of Transport. Will the Minister confirm that nearly 25 per cent of all the fake and real weapons taken through airport security by Department of Transport staff were in fact not detected by the security guards hired by the contractors? If it is true, why has he not moved to replace these contractors with permanent, well trained employees of Transport Canada?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I am pleased to answer the hon. gentleman who observes the rules and traditions of this House and is a very good Member of the House. Such a test was undertaken by the Department, the result of which was that 25 per cent of the pseudo weapons were undetected. However, this was a test at all the airports in Canada, including very small airports and airports in the far North. It was not just major airports, as in the case of the United States where they only checked the major airports.

In the late spring of this year we introduced a new training program for airport security screening personnel. We believe there has been a significant improvement. This follows as a result of the recommendations of the task force on the screening process at airports that was set up by the Deputy Prime Minister. As always, he was very prompt to act when it came to his attention that action was needed.

SECURITY FACILITIES AT SMALL AIRPORTS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, given that the only successful hijacking in Canadian history occurred a number of years ago out of one of those smaller airports—Thunder Bay—and given that there is no matching fire power within the airport grounds and is not even available for 15 minutes in the event of a real threat through the discovery of weapons, what action will the Minister take to ensure that those smaller airports have access to proper security facilities?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the entire security arrangements at airports have been reviewed and in excess of $30 million in additional funds has been devoted to security at our airports. The Hon. Member will know that there are certain procedures going into effect today, I believe, with reference to the security of those who are allowed into restricted areas at airports.

All of these steps have gone forward and there has been steady improvement in that area. We are living in a democratic country and there is a limit to what measures one can put into effect.

* * *

[*Translation*]

QUESTION OF PRIVILEGE

RESIGNATION OF MEMBER FOR MEGANTIC—COMPTON—STANSTEAD (MR. GÉRIN) AS PARLIAMENTARY SECRETARY TO THE MINISTER OF JUSTICE AND ATTORNEY GENERAL OF CANADA

Mr. Speaker: Order, please. I now recognize the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) on a question of privilege.

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, I have already asked the Right Hon. the Prime Minister to relieve me of my duties as Parliamentary Secretary to the Minister of Justice, at the most opportune time for both the Department and the Government.

Yesterday the Prime Minister told me he agreed to my request, so this decision is effective immediately. Over the past year I have done my best to fulfill the responsibilities assigned to me by the Minister of Justice (Mr. Hnatyshyn), and I am confident I did live up to expectations. I still fully agree with departmental policies, convinced as I am that the Minister attests to the excellence which in past history has been the hallmark of Canada's outstanding Ministers of Justice.

I greatly appreciated the non-partisan approach and the close co-operation of Liberal and NDP critics in the course of debates, particularly in committee, as well as the unfailing support of the Minister's staff and Department officials.

I thank the Prime Minister (Mr. Mulroney) for having given me the honour to serve, and I am sure I will have further opportunities to do so again.

Mr. Speaker: I thank the Hon. Member for his thoughts and comments which reflect the spirit of the very good traditions of the House.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, having worked very closely with the Parliamentary Secretary to the Minister of Justice, I would say quite simply that he has done an exceptional job. I am sorry he has decided to resign as Parliamentary Secretary, but I congratulate him particularly for the work he did during the year he was Parliamentary Secretary.

Hon. Bob Kaplan (York Centre): Mr. Speaker, personally and on behalf of the Official Opposition, I too should like to

express our concern and regrets that he has chosen to resign, and we wish him the best of everything!

• (1510)

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I just wanted to rise to join with others in paying tribute to my Parliamentary Secretary and to thank him very much for his kind remarks. The quality of work which he has delivered in his responsibility has been exemplary. He has brought real distinction to the post of Parliamentary Secretary, and I thank him for his assistance to me in the carriage of my responsibilities as Minister.

Some Hon. Members: Hear, hear!

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, persuant to Standing Order 106(8), I have the honour to table in both official languages the Government's response to the 10 petitions Nos 332-2976, 332-3030, 332-3031, 332-3071 to 332-3076 inclusive and 332-3106.

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[*English*]

SPACE RESEARCH

TWENTY-FIFTH ANNIVERSARY OF LAUNCHING OF CANADIAN SATELLITE

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, yesterday, as we all know, marked the twenty-fifth anniversary of Canada's first venture into space with the launch of Alouette I, which was a scientific research satellite.

With the launch on September 29, 1962, of our first satellite, we positioned Canada to become a world leader in the peaceful occupation and the use of space. More important, we set the stage for us to build a space program which serves our national goals and our national aspirations.

Our space-based communications networks have drawn us together as a people and have played an important role in shaping our national character. As well, Canada's involvement in space will increasingly allow us to better understand and to manage our vast land and improve our custodial practices over our resources to protect and preserve our environment for the benefit of future generations, perhaps through remote sensing and technologies developed by Canadian scientists and by Canadian engineers.

But while Canada has produced an amazing variety of sophisticated hardware of world-class distinction, the real story of this nation's space program has been the dedicated zeal of the pioneers who were associated with the programs, who for 25 years have had the vision, the courage and the foresight to compete with the very best in the world in the exploitation of a new frontier and to translate the knowledge we have gained into real benefits which are now enjoyed by all Canadians wherever they may live.

Our space efforts have helped us to bridge the vast distances of our land and have allowed even the most remote of our communities to become integrated into the mainstream of Canadian life. On behalf of the Government, therefore, I wish to pay tribute to the great efforts and the commitment of scientists, engineers, astronauts and, yes, even statesmen and politicians, who have built a solid foundation from which we have now launched a new effort.

Let us be inspired by our space pioneers to look ahead to the future prospects that await us. I am convinced the next 25 years will prove even more challenging and even more rewarding than our past endeavors. We have a proud history of accomplishment and a bright future in this silver anniversary year of Canada in space. I know that all Canadians would want to join us in celebrating this great Canadian success story.

Some Hon. Members: Hear, hear!

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, I would like to join the Minister in commemmorating and celebrating Canada's 25 years in space. Canada's history in space is distinguished, not by glamour, prestige and dramatic adventure, but by a steadfast and continued commitment to the pre-eminent national need for reliable long range communications. As the Minister has said, it began September 29, 1962, with the NASA launch of Alouette. It was a Canadian made, designed and built satellite. It involved three years of workmanship, 20 years in manhours, and $3 million in federal financing. It was built to investigate the ionosphere and provided much valuable information over the years.

That was the beginning, but we continue to go forward. Indeed, Canada will participate with the United Kingdom, the United States in the RADARSAT satellite project which is scheduled to be launched in 1994. It is a remote sensing project that will monitor soil conditions, ship movements, and provide other information at a cost in total estimated today of $770 million, of which Canada will participate to the tune of $250 million. That will also include the participation of the provinces of Canada as well.

Canada, in the last number of years, has provided new pioneers for space, not only technicians and scientists, but these days astronauts. We now have six astronauts in this

country, all payload specialists, one of whom, it is worth noting, is a woman. Canada will participate in the U.S. space station at a cost of about $800 million over 15 years.

Many Canadians would welcome that development provided they can be assured, and there are still some concerns, of the use of such a program, provided that it is non-military and provided that the cost of Canada's $800 million worth of participation is not done at the expense of other research and development.

As much as I join the Minister in celebrating Canada's 25 years in space, I would be remiss if I did not remind the House, and indeed the Minister, as well as Canadians, that this Government had committed itself to increased R and D spending to 2.5 per cent of GNP in line with other major industrial nations. I know the Minister would like to see that happen. That was the commitment three years ago. The reality is an expenditure of roughly 1.3 per cent.

The Prime Minister (Mr. Mulroney) in his book *Where I Stand* committed himself to an expenditure increase of roughly 20 per cent in NRC. The reality is that there has been a reduction of nearly $400 million or a cumulative drop of 23 per cent. He promised an increase and we developed a drop of 23 per cent. The Minister of Finance (Mr. Wilson) in his Budget of February, 1986, announced an increase of $1 billion to federal granting agencies. The reality is that there will be a $335 million drop in base budgets of those same granting agencies.

Yes, Canada does have a proud tradition, Canada does have 25 years in space of which it can be proud and which it should celebrate. But those accomplishments were not only a reflection of the genious, the hard work and the dedication of the technicians and scientists of this country, they were a reflection of the commitment of the governments during those 25 years to see progress in Canada. That commitment can only continue, and the next 25 years can only be as bright when the Government of Canada continues the kind of financial commitment necessary for R and D in this country.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I was a graduate student in the United States when the first satellite, Sputnik, was launched into space. It was traumatic for the nations of the west at the time, but as scientists we saw in the event the beginning of a new era for science. Subsequent developments fulfilled that hope. Working as a graduate student, it was with pride that I learned that 25 years ago my country, Canada, became the third country to orbit a satellite, Alouette I, thus establishing Canadian leadership in the peaceful exploitation of space.

• (1520)

It is meet that it has been through the use of extraterrestrial space that we have been able to enhance communications among our people, across the vast terrestial space of our land, and thus foster a nation more united.

I wish to join the Minister in paying homage to the scientists and engineers who have, by their creativity, skill and knowledge, placed Canada among the front-ranks in the development of first-class space technology. It is technology that is not limited only to the exploitation of space but serves as well to enhancing the technological basis for industry as well as improving the lives of our citizens.

As we celebrate the twenty-fifth Anniversary of Alouette I, Canada has committed itself to the intensification of its efforts in space with its new $2 billion space program. In Radarsat we will be provided with extraterrestrial eyes to help us in managing our resources. In MSAT we will extend again our communications capacity, and in the development of the mobile servicing system we will expand our knowledge of and ability to exploit space.

As a scientist, I appreciate the significance of our involvement in space, but I also, as a scientist and as a citizen, must express my concerns. First, Canada must not allow its collaboration in space to become collaboration in advancing the destabilizing military policies of the United States respresented by the star wars initiative. We should commit ourselves to the more noble effort of establishing in space the monitoring systems that will provide confidence for the world in the security of future disarmament agreements.

Second, our research effort in space must not distort or allow us to forget our scientific efforts in other fields. As the Prime Minister (Mr. Mulroney) has noted, Canada remains minor league in its science effort and our space agency alone will not bring our general performance to the major league level.

While we are preoccupied with free trade as the basis for future industrial and economic development for Canada, we have shown virtually no commitment to the real basis for future growth, the expansion of knowledge. It is there, not elsewhere, that Canada's future lies.

* * *

PETITIONS

EXIT VISAS FOR THE KAGAN FAMILY

Mr. Peter Peterson (Hamilton West): Mr. Speaker, it is my honour to present a duly certified petition from a number of constituents in my riding of Hamilton West and from other concerned citizens of the Province of Ontario. The petitioners have expressed serious concern that the Soviet Government has consistently refused over the past 10 years to grant exit visas to the Kagan family who are forced to reside under this socialist regime.

The petitioners call upon Parliament to protest the constant refusal of the Soviet Government to grant exit visas, and demand that our Government continue its efforts to secure the Kagans release.

Order Paper Questions

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I have the honour to present a petition, pursuant to Standing Order 106, which follows the numerous petitions I have tabled with the House for the last four or five weeks. The petitioners avail themselves of their ancient and undoubted right to present a grievance.

Whereas since September 1984 the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular, on medical, dental supplies, snack foods, candies and soft drinks, and whereas the federal Government in its tax reform proposal is studying the possibility of imposing on Canadians a general tax on goods and services, including food, and whereas food constitutes a vital element in day-to-day life, and whereas the imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, the unemployed, low-income taxpayers, youth, and so on, the undersigned, your petitioners, humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

CANADA POST—MAIL DELIVERY TO NEW SUBDIVISIONS

Mr. W. Paul McCrossan (York-Scarborough): Mr. Speaker, it is my honour and duty today to present a duly certified petition from some 220 residents of York—Scarborough who urge that Canada Post re-establish its practice of providing door-to-door mail delivery to new subdivisions.

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QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I am pleased to advise the House that question No. 174 will be answered today.

[*Text*]

CANADA POST CORPORATION—EXPENSES INCURRED DURING STRIKE

Question No. 174—**Mr. de Jong:**

What were the total costs incurred by the Canada Post Corporation during the letter carrier's strike for (*a*) the use of taxi cabs and rented vans to transport replacement workers (*b*) total payment to replacement workers, including the use of management personnel (*c*) additional security arrangements (*d*) hotel accomodation for management personnel (*e*) additional warehouse facilities (*f*) transportation costs incurred by management personnel?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): The Canada Post Corporation informs as follows:

The information you have requested is currently not available. Information relating to expenses incurred during the letter carriers' dispute will be reflected in the corporation's next annual report which will be released at the end of the 1987/88 fiscal year.

[*English*]

Mr. Lewis: I ask that all the remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions stand?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

* * *

MOTIONS TO ADJOURN UNDER S. O. 29

CANADIAN SECURITY

Mr. Speaker: Applications under Standing Order 29.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I seek leave, pursuant to the provisions of Standing Order 29, to move a motion for the adjournment of the House today on a matter of immediate and urgent concern, namely, the recent revelations regarding the Canadian Security Intelligence Service.

The series of information which has come out in recent days of CSIS infiltration of democratic organizations in Canada, including the labour movement, the peace movement, as well as legal political parties, give rise to grave concerns that must be dealt with on an urgent and emergency basis by the House.

In addition, clearly CSIS has dangerously mishandled its responsibilities in the area of counter-terrorism, including the Air-India disaster and the failure to take steps to provide for the protection of a visiting Punjabi cabinet minister.

In light of the series of events which have taken place and in light of the importance of an urgent debate on this situation, and, Mr. Speaker, in recognition of your earlier rulings under similar applications pursuant to Standing Order 29, I would hope there could be an emergency debate this evening on this serious and important question touching the civil liberties of all Canadians.

• (1530)

Mr. Speaker: I wish to thank the Hon. Member for Burnaby (Mr. Robinson) for bringing this matter back to the Chamber. As the Chair has stated, it is an important matter.

The Chair is in some difficulty, and I have indicated to Hon. Members on both sides that the Chair is somewhat concerned that, in the absence of apparently any allotted days, or perhaps some arrangements soon in committee, this matter is left in a position where it can only be addressed each day in Question Period, and in circumstances which are somewhat less than debate.

I request that the Hon. Member for Burnaby and the Minister have a discussion tonight which will not preclude the fact that I would hear a further application on the same subject.

Perhaps the time has come when it would be in the interests of this place that some time is made available to address some of these matters. In the absence of that, the only action that Hon. Members in the Opposition can take is to ask for an emergency debate.

I am also mindful in reminding Members that one of the reasons expressed many times in the past by Speakers for turning down an emergency debate was that there was some other place and another occasion to debate the same subject.

I would ask that the Hon. Member for Burnaby contact the Hon. Minister and perhaps the chairman of the committee and see if something can be worked out between now and tomorrow. I will hear the Hon. Member tomorrow if he wishes to put in a further application.

Mr. Robinson: I certainly will speak with the Minister, as Your Honour has suggested. With respect to the suggestion of proceedings before the Standing Committee on Justice and Solicitor General on this important matter, I wish to draw to the attention of Your Honour that yesterday at an organizational meeting of that particular standing committee an attempt was indeed made to bring this serious question before the committee, and it is partly because of the fact that I was informed that this would not be possible until some time late next month that I brought forward the motion seeking leave to adjourn under Standing Order 29.

However, I will certainly speak with the Minister tonight, as Your Honour has suggested.

Mr. Speaker: I think that I should make it clear to all Hon. Members, and also to the public, that on applications for an emergency debate the Government is put in a position of disadvantage in the sense that it cannot respond to the application. That is the reason the application is put in its most finite terms, and the Hon. Member has co-operated.

But it is not here that the Chair can entertain a discussion or an argument across the Chamber on the merits or otherwise. That is one of the reasons I am inviting the Hon. Member and others to meet and have a discussion.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, when listening to the comments, I understood that the Hon. Member for Burnaby (Mr. Robinson) said that the Standing Committee on Justice and Solicitor General was reorganizing. I fail to understand how the committees could reorganize at this time because the House has not given concurrence to the Striking Committee report that was tabled in the House in the last few days. I cannot see how a committee would reorganize without the House concurring in the membership of those committees. At this time I would object that any committee would reorganize without the House concurring in those reports.

Mr. Speaker: The Hon. Member for Ottawa—Vanier (Mr. Gauthier) points out another matter arising out of the comments. Perhaps the Hon. Member as chairman of the committee would wish to respond.

Mr. David Daubney (Ottawa West): Mr. Speaker, as chairman of the committee, I wish to advise the Opposition Whip that we did not have an organizational meeting. Yesterday we had a future business meeting at which we planned our agenda between now and the end of the calendar year, and in fact beyond. We agreed to hear from the Solicitor General in the middle of November on the issue raised by the NDP justice critic.

Mr. Speaker: The Hon. Minister on a point of order.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, as you will appreciate, under the rules it is difficult for me to respond on behalf of the Government with respect to a request for an emergency debate. Therefore, I simply raise the question as to whether the House considers *Hansard* from Monday, September 28, 1987, to be correct in that I note that there were no statements made under Standing Order 21 with respect to this subject, and only one series of questions.

I would also point out that *Hansard*, September 29, 1987, records no statements under Standing Order 21, and only one series of questions from the Hon. Member.

I submit, Mr. Speaker, that for an emergency to be a true emergency more than one Member of the House must be seized of that issue and take the opportunity available to Members, through Standing Order 21 and Oral Questions, to bring it to the attention of the House.

Mr. Speaker: As I stated, on these applications the Government is at a disadvantage. But the Hon. Minister is ingenious, and has at least put some of his thoughts forward.

At the risk of closing off other very ingenious Members who may wish to get into a debate, which is not required, I request that Hon. Members follow my suggestion, and if necessary I can hear the matter again tomorrow.

There is another motion under Standing Order 29 and I recognize the Hon. Member for Essex—Windsor.

SUSPENSION OF FREE TRADE TALKS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I am interested to hear the definition of emergency as suggested

by the government side. There certainly have been a great many questions and statements made with respect to free trade.

Mr. Speaker: Perhaps I can do something which I felt I had to do many months ago, that is, dispel any Hon. Members from thinking that just by the numbers of people rising they are necessarily going to persuade the Chair that it is an emergency.

Mr. Langdon: I am pleased to hear that admonishment to the Minister, Mr. Speaker.

With respect to the subject, and I raise this very seriously, in the last week we have had a tremendous charade take place in this country, and a series of "toings" and "froings"—

Mr. Speaker: The Hon. Member does know that the application that he brings with respect to an emergency debate on the trade talks is a matter that is viewed with great seriousness by the Chair, and I am sure by all Hon. Members in this place. The application has to be made directly. The Hon. Member will realize, for the reasons I set out, that under the rules the Government is not given any permission or right to reply, the Hon. Member will make his statement very briefly and not in an argumentative fashion. I can assure the Hon. Member that the Chair understands his position very well.

Mr. Langdon: I do not make these points in any attempt to argue with the Government, but simply to point out that there is a great urgency for the country as a whole and for us as parliamentarians to be able to discuss this issue in a forum that is more open to detailed discussion and probing in detail than is possible during Question Period.

On Monday, there were seven and a half hours of negotiation in the United States, and apparently yesterday Cabinet negotiated for 11 hours. We have not had any statement from the Government, as I expected would come at some stage this week.

Mr. Speaker: The Hon. Minister on a point of order.

Mr. Lewis: I do not wish to interrupt the Hon. Member, and I hesitate to do so. I am not going to engage in debate, but I simply wish to ask the following. It is my understanding that in order to invoke Standing Order 29 an Hon. Member must give to the Speaker, "at least one hour prior to raising it in the House, a written statement of the matter proposed to be discussed".

Under Standing Order 29(3) it states that "the Member shall rise in his or her place and present without argument—"

Under Standing Order 29(4) it states, "The Speaker shall decide, without any debate—" I would simply ask, since this arises as a result of a letter, whether the remarks of my hon. friend should not pertain exactly to what was written to you in requesting the debate.

• (1540)

Mr. Speaker: I think I can help the Hon. Minister. I think I have to say to the Hon. Member for Essex—Windsor (Mr. Langdon) that the Hon. Minister is correct. I have the Hon. Member's point and I am again today not of a disposition to grant an emergency debate tonight.

I say again that that does not mean that the Hon. Member and other Hon. Members are precluded from bringing applications another time. For now, for the reasons, as I mentioned yesterday, which I have in my head and do not always allow out of my head, today there will be no emergency debate. However, that does not mean that there might not be one at some further time.

Mr. Langdon: Mr. Speaker, I rise on a point of order. I would simply like to have clarified whether it is the usual rule in circumstances such as this to be able to put one's case, albeit briefly, or whether it is commonplace or indeed allowable under the rules to have that case interrupted by a Government Minister seeking to stomp the full presentation.

Mr. Speaker: Perhaps I can assist the Hon. Member by remarking that any Member at almost any time can rise on a point of order and call the attention of the House to the rules. Sometimes Hon. Members do that before the Chair does it. The Chair has been known to allow at least some latitude at times. However, as I said, strictly speaking, the Hon. Minister of State (Mr. Lewis) is correct. The Chair has allowed and may well continue to allow sufficient comment when the application is made so that the position of the Member is clear. Applications sometimes come in for emergency debates and they are not much more elucidating than the words, "Dear Mr. Speaker, I want an emergency debate on something, thank you very much, sincerely". It may well be that it is helpful to the Chair to hear at least a few comments, but I think the Hon. Member and other Hon. Members will accept that when it gets beyond argument or when a government Member quite correctly rises to say that perhaps the Chair is allowing too much latitude in comments on the application, then I think we have to take that into account.

The rules are there and I think the Minister of State was within his rights in drawing them to the attention of the House. In any event, as the Hon. Member for Essex—Windsor knows, I have heard him in the past and I know that he knows that I will hear him in the future.

[*Translation*]

I should like to advise the House that because of the Minister's statement. government orders will be extended by 10 minutes.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Tuesday, September 29, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

Constitution Amendment, 1987

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Mr. Lewis: Mr. Speaker, I rise on a point of order. Yesterday my colleague from Ottawa—Vanier made a very impassioned speech and we allowed him to extend the hours of debate in order to complete his remarks. I thought we might have the usual opportunity to question my hon. colleague and then commence debate. Is that not the position we are at?

Mr. Speaker: The Hon. Minister is correct. I have just consulted with the Table and we are in a 10 minute question and answer period following the speech by the Hon. Member for Ottawa—Vanier (Mr. Gauthier).

Mr. Lewis: Mr. Speaker, I would like to take this opportunity to compliment my colleague on his speech and his support for the Accord. I wondered if he would like to elaborate on just how he feels the mechanism of the meeting between Premiers and the Prime Minister (Mr. Mulroney) serves to allow for an agreement to be reached in a country as large as this with so many diverse opinions and wishes. I would ask him to comment on exactly how he feels the Meech Lake process has served the country in coming to grips with this problem among politicians rather than among civil servants, functionaries, law professors and lawyers.

Mr. Gauthier: Madam Speaker, evidently, the process this time was a little more productive than the 1981 process with which nine provinces agreed and one province, the Province of Quebec, stayed out of. The process of consultation among 11 First Ministers is an ongoing one and will now be constitutionalized, from what I understand, if Meech Lake is adopted as proposed, and will give the First Ministers a constitutional obligation to hold annual meetings.

I take it that the results of these meetings would be decisions which, prior to their being adopted by the Premiers, would be thoroughly aired by their provinces' parliaments or legislatures. However, we could be replacing Parliament and the legislatures with another form of Government called constitutional meetings of Premiers and the Prime Minister. A little club would be established of those who would decide matters of national importance among themselves.

I still think that there has to be input from this Parliament and from every legislature. Through that medium, and through the Premiers of the provinces and the Prime Minister, those questions could be well covered at these annual constitutional meetings of the First Ministers.

I have a reservation in my own mind as to the possibility of creating a very elite club of people who would take decisions without the proper consultation. God knows that we do not want that to become a form of constitutional government whereby select people, be they Premiers of the provinces or the Prime Minister, would negotiate among themselves deals or arrangements that would bind the whole country without prior consultation with their respective parliaments.

I would hope that this system of consultation, questions of economics, social programs or anything dealing with the national well-being and the quality of life of Canadians, would be resolved in a fashion that would allow for input from all levels of both the legislatures and the Parliament of Canada.

Mr. Tobin: Madam Speaker, I would like to put a question to the Hon. Member for Ottawa—Vanier (Mr. Gauthier). He talked about the fact that there will be an annual opportunity for Premiers and the Prime Minister (Mr. Mulroney) to come together to discuss a constitutional agenda. As he knows, one of the central themes, I suppose, of the Langevin Accord is the notion of unanimity. Does that concept raise any questions or doubts in his mind about its application?

• (1550)

Bear in mind the possibility that between now and the time this Accord passes all the provincial legislatures and this House there may well be in one province or another a change of Government. The new Government may very well use the principle of unanimity, which is central to the Accord, to destroy the Accord. I would be surprised, and I am asking the Hon. Member if he would be, if the Prime Minister (Mr. Mulroney) and all the Premiers would take kindly to a new player coming into the club and destroying their work. The agreement they drafted contains the principle that any one player can thwart the will of the rest. Has the Member given that some thought and what kind of conclusion has he come to?

Mr. Gauthier: I thank the Hon. Member for the question because it is of great importance. I find it difficult to accept

that following a change of Government a new player can come in and change the rules. I guess one would accept in a federated state like we have that the word of one province has to be accepted. If it so happens that following an election the disposition of that province is not the same, there nevertheless has to be an acceptance of the previous decision, especially on constitutional matters. What the Hon. Member is alluding to is to be found in Part VI which says:

> A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

It goes on to explain that the conferences will have on their agenda Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate, fisheries, and so on. I take it that if these Premiers met, following the decision of the provincial legislatures and this Parliament, the deal would be binding until subsequent meetings change it.

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Madam Speaker, I am very proud to take part in this historic debate in support of the Meech Lake Accord. The accord recognizes formally and by way of celebration what has always been implicitly accepted: Quebec is an integral part of Canada and yet a distinct society among us.

For women, Quebec's struggle for recognition of its distinctiveness holds special relevance because women have also laboured long and hard for recognition of the distinct role they play in society. The gains that women made through the equality provisions of the Charter in 1982 were not just the result of hard lobbying which took place over a short period of time, but the culmination of decades of consciousness-raising, achieving inner strength, and personal and public credibility.

Some women still have fears that hard-earned gains can disappear with one stroke of the pen. That is a sign that we as a society are still a long way from true equality. There are still two levels of comfort in this country, one for men and one for women. However, change has begun. It must begin someplace. The process is well under way.

[*Translation*]

However, any change must reflect honest intentions and good faith, otherwise all ideas, words, arguments and systems are futile. Are our intentions honest? Yes, undoubtedly. Is there real good will toward Canadian women? Yes, more so than ever before in the history of our country. Is that the end of the struggle? No, because some prejudices, either real or imagined, still persist in our society.

[*English*]

But is there progress—considerable and without question. The spirit that enables us to solve the problems of Quebec, distinct yet part of Canada, is the same spirit which looks to erase the other inequities that exist in our society.

Our Government has been and continues to be committed to equality for women, not only in word but also in action. It is unthinkable, therefore, that in accepting the constitutional Accord we would in any way diminish the important rights that the Charter established for women.

The Constitution is the property of all Canadians, men and women. It is open to all. It is a living document. Its life comes not from politicians or from the courts but from the people. No politician today would tamper with the hard-earned rights of 1982 and 1987. Nor would Canadians tolerate regressive action by future leaders. We, as elected representatives in this Chamber are only part of the process and the vigilance which must continue if women are to achieve true equality. This vigilance must carry over into our courts, our factories, our schools and our homes.

As Minister responsible for the status of women, I am very pleased that Canadian women took such an active part in the debates surrounding the Accord. Indeed, among the most distinctive features of the hearings of the special joint committee were the presentations made by many women's groups which amounted to over 10 per cent of the total testimony. Their arguments were complex and thoughtful.

It was concern about a perceived threat to equality rights that brought women before the special joint committee. They raised questions about the potential of the Accord's language duality-distinct society clause to override or supersede the rights guaranteed in the Charter, particularly the sexual equality rights. Women had no argument with the new measures that would welcome Quebec formally into the Canadian federation, but rather the possible creation of a new balance of rights and freedoms that could be used to the detriment of Canadian women.

This question had not been taken lightly by First Ministers. In drafting the constitutional Accord they devoted a great deal of attention to Charter rights. They had a lengthy discussion of the relationship between the rights found in the Charter and the recognition of Quebec's distinct society.

After all is said and done, some controversy may still linger, but it is based on complex legal interpretations rather than on errors. The First Ministers' decision to include the language duality-distinct society clause was based on legal advice that such an amendment would not override the Charter of Rights. It would not allow Quebec or any other province to enact laws that could override the Charter or be immune from Charter scrutiny by the courts. All federal and provincial laws and other government measures would still remain subject to Charter review, federal and provincial human rights legislation, public opinion, and the general democratic process which we must not underestimate.

• (1600)

Charter rights such as equality rights are substantive rights. Interpretation clauses such as the distinct society and recognition of multiculturalism and aboriginal heritage provisions

operate on the margins of other provisions of the Constitution and generally supplement their meaning. They cannot displace or override substantive rights.

The linguistic duality-distinct society clause does not obstruct the Charter. The rights and freedoms in the Charter remain whole. None will be amended, superseded, overridden or taken away. The interpretation clause is not a grant of power to enable governments to do something in the future that they cannot do today. I believe that this point has been lost in much of the technical discussion, and sometimes the passion, which inevitably enters into such debates.

As an interpretation clause the Accord's distinct society provision is designed to be read along with other constitutional values in any Charter analysis by the courts. It enables the courts to interpret the Constitution, including the Charter, in a manner consistent with Quebec's distinctiveness within Canada. It would be used to shed light on the application of the Charter in certain cases where there may be ambiguity. Since the courts are already taking into account the reality of Quebec's distinctiveness in their judgments, this clause essentially makes explicit what has long been implicit.

In no way will the distinct society clause change the substance of Charter rights. Here, Madam Speaker, is where it is important to make the distinction between interpretation clauses and provisions which confer substantive rights in our Constitution. Substantive rights operate on a different plane than interpretation provisions. Section 28 in particular gives sexual equality rights the highest protections within the Charter. This perspective was supported by a number of senior constitutional lawyers who appeared before the committee.

[*Translation*]

The primacy of rights contained in the Charter, including equality rights, is unambiguous.

As the Minister responsible for the status of women, I appreciate the concerns expressed by some women's organizations regarding the Accord. I spared no effort to ensure that these concerns are heard and examined fully. The Special Joint Committee has listened carefully to the evidence put forward by women's groups. I personally met with representatives from several of these organizations in order to discuss the matter and I arranged a meeting in Ottawa where women's groups representatives and government experts discussed the Accord. We had a straightforward discussion on several aspects of this matter.

[*English*]

At the end some did not agree with our position, but I am fully convinced, after considerable research and considerable thought, because the Charter is important to the Prime Minister (Mr. Mulroney) and to the Government as well as to myself, that we have advanced the cause of a united Canada without adversely affecting the rights of Canadian women.

It is clear from the discussions I have had with women, and from the testimony that women's groups presented before the special joint committee, that the unease which women have with the role and interpretation of the Charter and Constitution has its primary source in matters outside of the Accord. Women's fundamental concerns about equality rights delve into the wider context of the Charter's operation as a whole.

For this reason I welcome the committee's recommendation that a consultative process be initiated under the direction of a permanent Joint Senate-House Committee on Constitutional Reform. In light of the concerns that have been expressed the Government agrees with the committee that perhaps the Charter as a whole, particularly Sections 1 and 33, should be reviewed in the future by First Ministers. Further parliamentary scrutiny of this issue would be welcome. This process, in addition to the annual constitutional conferences established by the Accord, would offer women practical opportunities for input into an ongoing process of constitutional reform.

I have said it before in this Chamber and other places, but it is worth repeating here that women have been major players in ensuring the equality rights which all Canadians now enjoy. However, the field has changed substantially in the five years since equality rights were enshrined in the Constitution in 1982. Women and women's groups have been welcomed by the Government as significant participants in the process of policy development and in decision making. In the areas of pension reform, economic development, tax reform, employment strategies, and child care the views and concerns of women have been listened to and heeded.

I am delighted to say that in my efforts as Minister responsible I have been aided and supported by the Prime Minister and my cabinet colleagues who all share belief in the strength and potential of Canadian women. We are united in our determination to further the advancement of the women of Canada with all means available to us. We have advanced issues with tangible measures such as our employment equity program, reform of Canada's divorce and family orders enforcement laws, and a plan of action to ensure the implementation of equal pay for work of equal value in the public service.

[*Translation*]

Moreover, we have made a special effort in the area of appointments. For instance, for the first time a woman held the rank of general in Canada, for the second time a woman was appointed to the Supreme Court, and we nominated the first woman to the Federal Court of Canada.

The initiatives our government intends to take are described in the document entitled *Dimensions of Equality: A Federal Government Work Plan for Women*, which was tabled at the First Ministers' Conference on the Economy held last November. This document identifies our priorities and describes our action plan over the next two years for enhancing equality between men and women.

[*English*]

The constitutional Accord brings into reality one of the most essential elements of Canadian history and the Canadian dream, that is, a nation from coast to coast with Quebec officially a part of the Canadian family. The richness of that province and of its people will shine on all of us. The Canadian dream that was put into motion so many years ago by Sir John A. Macdonald and his contemporaries is a dream that does not end, because it is a dream of justice and fairness for every member of our society across Canada.

The Prime Minister and the ten Premiers were not alone when they put on paper the words that would make this country complete. They had with them the ideas, hopes, and aspirations of successive generations of Canadians. They listened to the voices of the present, but their eyes were on the future because the Constitution is not merely for today. It is a living document and it will encourage Canadians to continue their dream. There is a powerful momentum in this country of justice and equality for all Canadians. That momentum was captured at Meech Lake and will carry all of us, men and women, celebrating Canada into the future.

• (1610)

Ms. Jewett: Madam Speaker, the Minister said that she had met with representatives of several of the national women's organizations. I believe she said she had discussions with their constitutional advisers as well as with the Government's constitutional advisers.

I have talked to all the women's organizations and most of them do not feel there was adequate discussion of their concerns. Indeed, in many cases their briefs were only available in the last week or two because of the shortage of time, lack of financial support and so on.

Since there are differing points of view among the constitutional experts, would it not be an excellent idea for the Minister to seriously consider the proposal of the Canadian Advisory Council on the Status of Women that said yesterday there should be a national conference on the potential effects of the Accord on the equality rights of women and minorities?

I am sure the Minister has read many of the briefs and proceedings of the committee this summer. Does she not believe that there is indeed a great deal more ground to be covered by constitutional experts, including those in the Government and those who represent women's groups and universities, in examining the potential outcome of the Accord? If so, such a conference would be educational, desirable and should be facilitated.

Will she give that assurance to the Canadian Advisory Council on the Status of Women?

Mrs. McDougall: Madam Speaker, I received the resolutions of the Canadian Advisory Council yesterday. Of course, I am always prepared to take those resolutions under advisement.

Let me make two points to the Hon. Member. First, I agree with her assessment of the Charter which she made in the House, that sexual equality rights in the Charter are not threatened by the Meech Lake Accord.

Second, in terms of consultation, I wonder whether a large national gathering is the appropriate place to discuss what is really a legal interpretation issue. I believe the Charter as a whole is a very important issue and that is why I welcomed the recommendation of the committee that we look at the Charter over time and not just for now, so that a permanent part of the Government's role is to be vigilant in regard to the rights of women and other people whose rights are reflected in the Charter.

Having said that, I am always prepared to look at the resolutions and take them under advisement. I think it goes beyond a one afternoon event. Therefore, the process laid out by the committee is probably more appropriate.

However, I did read the briefs and the testimony before the committee very carefully. I have paid considerable attention to this issue because it is clearly one that is very important to women.

I think the appropriate conclusion is that we regard the Charter as an over-all part of the Constitution that we are prepared to review over time as a body of jurisprudence builds up in the courts. I am sure, based on the Hon. Member's comments in the Chamber, that she would probably agree that that is a wise procedure.

Ms. Jewett: Madam Speaker, the Minister knows that the Canadian Advisory Council on the Status of Women is perfectly free to hold its own conference. I hope she was not suggesting for a moment that it needs her approval and she would regard their resolutions as ones that need her approval. I hope she would not repeat the experience of the Member of the Member for Winnipeg—Fort Garry (Mr. Axworthy) when he was ultimately responsible for the advisory council and attempted to cancel the meeting.

Mrs. McDougall: Point of order, Madam Speaker.

Ms. Jewett: I am simply asking a question. I hope she is not going to cancel a proposed conference of the advisory council. They are free to hold a conference on this matter.

Would the Minister be willing to facilitate the conference financially and in other ways?

Mrs. McDougall: Madam Speaker, I certainly recognize the council's right to be independent and to hold its own conferences. It has certainly done so before and I suppose I took it for granted that the Hon. Member and other Hon. Members would know that.

I said that I would take under advisement the resolutions and any role I would have to play. At the moment, I believe there is another process that is more appropriate.

The Canadian Advisory Council has done excellent research on behalf of women in Canada. I have said that many times and I certainly respect their right to make decisions and hold their own consultations, as they have done many times. Indeed, I have been a speaker at many of those consultations and conferences.

I fully understand my role *vis-à-vis* the council and other women's groups in this country, both in terms of listening to them and forwarding their views. We will not always agree with all of the groups that appear before Members of this Chamber. There are as many opinions among women as there are among men and that is why I believe our discussions have been fruitful and should continue. The issues concerning the Charter will not be resolved with one consultation or one conference, but should be considered over time as an integral living part of the Constitution.

Mr. Manly: Madam Speaker, the report of the special joint committee places considerable emphasis on the difference between legality and legitimacy. It points out that while people can claim rightly that Quebec has always legally been bound by the Constitution, the Constitution of 1982 lacks legitimacy within Quebec and with the people of Quebec.

In the same way, I suggest to the Minister that this Accord lacks legitimacy with many of the women of Canada and with the majority of women's organizations in Canada that have studied this report. Is the Minister prepared to remove the doubts that exists among women and women's organizations that the Charter protects their rights from any changes that are brought about by the Accord? Will she ensure that this new Constitution is not only legal but also has legitimacy among Canadian women?

Mrs. McDougall: Madam Speaker, I believe the best way to do that is to provide a procedure whereby the Charter is given pride and place in the kind of monitoring that is recommended by the committee.

I have looked at all of the opinions. I am not a lawyer, so it is the legitimacy that concerns me as much as the legalities. I believe that there is a great deal of legitimacy to the Meech Lake Accord. I understand what was in the joint special committee report. However, I think that in terms of where we go from here, the balance that was achieved in the Meech Lake Accord between the Constitution and the Charter, and the entry of Quebec into Canada, is a very delicate balance. It was achieved. It is something that we on this side of the House are very proud of on behalf of the people of Canada whom we and other Members in this Chamber represent, as well as the regions of Canada that are represented by their elected Premiers as well.

• (1620)

Our celebration of the Accord recognizes that within the whole constitutional process there is always considerably more that can be done, and will be done, because there is now a process in place to recognize the vitality and the life that exists within this document for the future.

Ms. Audrey McLaughlin (Yukon): Madam Speaker, I rise today to join this debate on the Meech Lake Accord.

[*Translation*]

First and foremost, I wish to talk about Quebec. As all Canadian men and women and as a representative of the North, I am delighted that at long last, Quebec men and women now officially adhere to the Constitution. I think that was necessary for the progress of the Canadian Constitution. For many years, a large number of Canadians felt quite concerned about the unfulfilled promise made during the referendum. Now, for Quebec, as a result of the Meech Lake Accord, it has become a reality. I must clearly state that I realize how very important is the Accord for Quebec as well as for the rest of Canada. But it is with anger and sorrow that I hear people say that Canadian Northerners seem to be against Quebec. It is untrue and unfair. Most of the Northerners I represent are quite happy with Quebec being part of the Accord. Now, Madam Speaker, I must deal with the problems which this Accord has created for Northern Canadians.

[*English*]

People in the territories to whom I have spoken feel strongly that the lack of consultation and the lack of participation in the democratic process in the formation of the Meech Lake Accord have been an insult and, more importantly, patently unfair to Canadians occupying one-third of the land mass of Canada. Perhaps it will be the Québécois who understand best what we are saying in the northern territories when we speak of feeling like second-class citizens because we feel that our voices are not being heard and our opinions not respected.

As the Government leader of the Yukon said in his presentation to the constitutional committee, "Quebecers also know the exasperation of abandonment. The failure of fair treatment for Quebec has remained a haunting and collective embarrassment. Has no lesson been drawn from this? Is there no concern for the aspirations of Canada's two northern territories, two potential partners in Confederation?" It should not be in a mature society that 75,000 citizens of that country have no voice, that their duly elected representatives and legislatures are unrecognized in the creation of something as fundamentally important as the development of a Constitution for this country.

For many, I regret to say, at least those above the 60th parallel, it may be seen as the southern Constitution. This is not fair. This is not right. This is not against Quebec. This is not the way to build an integrated and a whole Canada.

In 1981, an article in *The Globe and Mail* under the heading of "Selling the North" stated as follows:

> The people of the Northwest Territories and the Yukon, both natives and white, have been used as bargaining counters in the constitutional argument between the Prime Minister and the Premiers.

Those were the words of a different Prime Minister, a different Government, but the same scenario.

In 1981 also the former Member from the Yukon, a member of the government Party now, put forth a motion during the constitutional debate of 1981 that the territories should deal only with the federal Government as had all other areas in Canada when they came into Confederation regarding potential provincehood. I would like to quote that former Member's comments. He said that for over half a century the dream of provincial status has been the lodestone of northern hopes. It has been central to the vision of the North which sees the development of Yukon and the Northwest Territories as the best and brightest hope for Canada's future. When the Prime Minister accepted the inclusion of two clauses in the April Accord relating to the extension of existing provinces into the territories, and notwithstanding any other law or practice in relatin to the establishment of new provinces, he dealt a crushing blow to the hopes and aspirations of thousands of Canadian citizens resident above 60. He gave away what was not his to give away, the rights and privileges of Canadians of northern Canada above 60.

The mover of that motion was so eloquent that he convinced the members of his Party to vote for that motion. The Liberal Government at the time, of course, voted against that motion. I am proud to say that the New Democratic Party is the only Party that has remained consistent on this issue, as you will see, Madam Speaker, when you read Addendum B of the report of the constitutional committee. At that time, we supported the report on that motion regarding the territories. We support it now, and we will be proposing it.

In June of 1987 the Leader of the New Democratic Party (Mr. Broadbent) proposed a similar motion. We do not see at all the same consistency in either the current Opposition, or the current Government. So six years later we have a flip-flop. I suppose all one can say is that *plus cela change, plus c'est pareil.*

I would now like to say a few words about this one-third of Canada. The North, when viewed from the outside, is often seen as a vast wilderness, largely uninhabited, romantic, with some interesting and perhaps exotic aboriginal residents, and tourists who come to see the last frontier. To be sure, the population is not large, which is very much the attraction of the North. In constitutional terms, it is true that we are not asking for provincehood now. But we do want those rights to be assured for the future.

It is equally true that since the early 1900s the directions of all federal governments have been based on the assumption that the Territories will at some time in the future become provinces. In the presentations of the Yukon and the Northwest Territories to the committee, they made fairly strong points about this. I would like to quote a couple of examples that those presenters made to the committee. In 1922, the constitutional expert, Mr. E. Kennedy wrote in a leading law text of the day:

• (1630)

> It is true that the Dominion of Canada which was created by proclamation on July 1, 1867, consisted of only four provinces, but a little vision might have seen that the Canada in the British North America Act allowing territorial extension was at least pregnant with magnificent possibilities.

In 1958, Alvin Hamilton, the then Minister of Northern affairs and National Resources, stated in the House of Commons in relation to proposed amendments to the Northern Territories Act and the Yukon Act:

> I think the House will recognize that our responsibilities with regard to the Yukon and the Northwest Territories take us into the field of provincial and municipal government. These amendments forward steps in the administration and growth of our new parts of Canada towards provincial status.

The Hon. Minister of Justice (Mr. Hnatyshyn) stated in this House on June 8, 1987:

> I do not think anyone can challenge the fact that my Party and this Government have taken a leadership role in respect to ensuring that, as quickly as possible, we move forward in this area of the Territories controlling their destiny and attaining provincial status.

On September 29, 1987, the Minister made a very moving statement. He said that the Constitution is a document of the people. No one would disagree, but we ask: "Of all the people?" Is it all the people except 75,000? And we leave that question.

The Legislatures and Government of the Northwest Territories and the Yukon today are not glorified municipal institutions. They legislate in respect of municipal matters, business, health, education and justice. Some of the legislatures, to quote the Government Leader of the Yukon, exercise their authorities over an area as large as India. The Government leaders and Ministers of the Territories have also participated in meetings of federal, provincial and territorial Ministers. They were invited to participate in the First Ministers' meetings on aboriginal rights. However, they were not consulted, not invited and not signators to the document which will set the future of citizens living above the 60th parallel. This is the only area in Canada where citizens were not represented by their elected leaders.

The report of the constitutional committee submitted this month states that some unnamed provinces were: " extremely jealous of the trappings of provincehood of the Territories". Therefore, one can only conclude that it was not by oversight but by calculation that the appointment of Senators and Supreme Court judges was reserved only for provinces. At the same time, with this attitude, we feel that our fears that the unanimity clause will preclude future provincehood are well-founded, and therein lies the concern of the North with the unanimity provision.

It is for this reason that my Party, in putting forth Addendum B, highlights those areas to ensure that aboriginal people will be recognized, that the North will take its rightful place, that women's rights will assuredly remain entrenched and that the rights of visible minorities will be similarly protected through a process of Charter review. I say to you, Madam

Speaker, that certainly in the North, the Tory "trust me" is just not good enough.

I have spoken briefly about the provincehood issue. There is another area that remains unchanged, and that is, the clause regarding boundary extension. Do the First Ministers actually envisage that the Yukon will become part of British Columbia, that the Western Arctic will become part of Alberta? Do they really harbour such fantasies of a land grab in this day and age? Can any Canadian take such an idea seriously? Would Albertans, for example, stand by while Manitoba took over Calgary and Edmonton? It is ludicrous. Therefore, why is it there?

I would like to say a few words now about the people of the North. As the Hon. Minister said yesterday, Constitutions are the peoples. I would like to talk about the peoples of the North who, like everyone else in Canada, live, work and raise families. We must first remember that the North is an important part of Canadian history, not just a history of gold rushes, whalers, missionaries and fur traders, but it has a rich heritage of aboriginal people whose ancestors have lived in the North for at least 30,000 years.

These people are not exotic supplements to *National Geographic*. They are politicians, scientists, business people, trappers, hunters, storekeepers, linguists and archeologists. As an example, in Old Crow, Yukon, there is a man who does not read or write but who, without the aid of any of our culture's science, classified 200 species of birds, not in Latin but in Loucheu, not written on paper but remembered and recited orally. He is a scientist. He is a northerner. He is a Canadian.

There are those who came to the Yukon as fur traders, adventurers, seeking gold, seeking jobs, building the highway. They stayed to build a country, your country, Madam Speaker, and mine. I know a woman whose father carried a piano on his back over the Chilkoot Pass on his way to the gold rush. Today that woman, her children and her children's children are building a society in the Yukon. They are Canadians.

I know a miner, a refugee, who works at a difficult and dirty job but who is proud "she" and her family are Canadians. She can work here and build her community in her Canada and our Canada.

I know farmers—yes, Madam Speaker, there are farmers in the North—raising cattle and growing crops under very difficult environmental conditions. They are working to ensure the self-sufficiency of the North. They are Canadians.

There are many more. There are fishermen, business people, gourmet cooks. There are theatres and cinemas. There are singers and song writers. From Watson Lake to Old Crow, from Dawson to Haines Junction, from Mayo to Faro, in Teslin, Tagish, Carmacks, Carcross, Elsa, Snag, Burwash, Swift River, Beaver Creek, Moose Creek and Whitehorse, and in the 13 Indian bands of the Yukon, there are Canadians who elect governments territorially, elect Members of Parliament, who raise their families, run their businesses, drink a beer now and then, and understand themselves to be full-fledged Canadians. As an aside, Madam Speaker, Revenue Canada certainly appears to agree with them.

Unless amendments are made to this Accord, northern Canada will be saying it is only half Canadian, that our voice does not count.

At one time when people from the south asked me what I did for a living, I would say somewhat facetiously: "I am paid to occupy the North". We see increasing instances of our sovereignty under dispute, but it will not be through further militarization that we assert our sovereignty. It will be through pointing to Yukoners, to residents of the Northwest Territory, to the Inuit, to the Dene, the Loucheuc and other aboriginal and non-aboriginal groups, saying: "This is our land. These are Canadians. This is Canada".

With respect to our specific concerns which are addressed in these amendments, such as appointment to the Supreme Court, why would members of the Bar, many of whom belong to several provincial Bars but reside in the Territories, be excluded? It defies logic. There is the need for a resolution of aboriginal rights, further aboriginal rights conferences. As aboriginal groups have so eloquently said, the circle of Confederation will not be closed until Canada's first peoples are recognized.

• (1640)

Finally, provincehood, not now but for the future. Surely this is a logical extension of our history to date. The Government of Canada has a fiduciary duty to protect the interests of the North and aboriginal people. Can the Prime Minister (Mr. Mulroney) truly say that he has fulfilled this duty?

In an article in *The Toronto Star* on September 20, 1987, Richard Gwynn stated, "The Arctic matters deeply in itself to Canadians. It matters in terms of sovereignty; and of the environment. It matters most perhaps, psychologically. It rounds us out as a nation; giving us depth and form". I could not agree more.

Representing that part of Canada which has no vote and no voice, I must vote against this Accord as it stands, unless amended. I urge Members to listen to the amendments which will be put forward by our Party which will add to making this Accord acceptable to a much broader range of people.

As I mentioned earlier, we were not part of the consultation process. This is the only formal forum in which we can speak and say no. I urge Members of the House to support the amendments of the NDP.

[*Translation*]

Hon. Chas. L. Caccia (Davenport): Madam Speaker, I feel that this debate is about Canada, about ourselves, about the way we perceive ourselves and it is also a debate on the division of powers to enable us to do the things which we have to do as citizens, in our country.

If I speak out against the Accord today, it is not because I am against Quebec, as you surely know, but because I am for a stronger, not weaker Canada than the one we had known so far.

[*English*]

It seems to me that the important thing is how we organize ourselves as citizens in a large nation, and how we see ourselves in the mirror called the Constitution. We are a small population, geographically located next door to the most powerful nation. We live in a large geographical chunk called Canada. The fact that we are neighbours to the United States and not to Luxembourg, or the Republic of San Marino, requires a Constitution that adds strength and does not diminish strength in the role of the national Government, if we wish to compete successfully in the world instead of seeking special favours in Washington and retreating to the comfort of fortress America.

What happened to public participation in the process of this Accord? The Prime Minister (Mr. Mulroney) did not consult with Canadians when he negotiated the Accord. Eleven politicians decided for 25 million Canadians. The joint committee did not travel. Instead, it brought a handful of witnesses to Ottawa. Yet the committee had a responsibility to travel and consult Canadians on the Constitution. To make things worse, in July the Prime Minister announced that the Accord would not be changed, no matter what the committee recommended.

This week we are debating the Constitution of the people of Canada. Senator Murray told the committee at the outset that amendments to the Accord would not be accepted, and that the hearings were for public information only. What a sham! What a sad day for democracy! Is that the Progressive Conservative notion of democratic consultation?

This is the constitutional proposal of 11 individuals. The committee report did not produce one amendment, except for the Liberal proposals. In my submission, the 11-man vision of Canada expressed in Section 2 of the Accord is a rear-view mirror vision which may have been valid two generations ago. However, today a new Canada is emerging.

Canada includes many distinct societies: Quebec, Newfoundland, Haida Indians, New Brunswick, Ontario, Lubicon Indians, immigrant groups, the Dene Nation, Inuit, Mennonites, British Columbia, you name it, Madam Speaker, there are hundreds of distinct societies from coast to coast. In my submission, it is wrong to single out one distinct society in this constitutional Accord. Instead, we should constitutionalize what Canada is, a multicultural society, a nation composed of people from many different backgrounds.

Canada is not a nation where ethnics are over here and majorities are over there; not two founding races over here and aboriginal people over there; not the 10 provinces and the Prime Minister at one table cooking this up, and the two northern territories left out, as mentioned by the Hon. Member for Yukon (Ms. McLaughlin).

Ethnicity and multiculturalism are not only the label for minorities. Majority groups are also ethnic and part of multiculturalism. Since ethnic and multicultural have become interchangeable words in the current political language, since Canada means people from many origins and cultures who joined the aboriginals, since the distinct character applies to many regions and people from Newfoundland to British Columbia, from the 49th parallel to the North Pole, it becomes imperative to amend Section 2, which is the description of our society.

When a decision is made on the present amendment before you, Madam Speaker, I intend to move an amendment to Section 2 which will state that the Constitution of Canada should be interpreted in the manner consistent with the recognition that Canada is a multicultural society which includes aboriginal peoples, French-speaking Canadians centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians concentrated outside Quebec but also present in Quebec. In the amendment I intend to move, aboriginal people and new Canadians will not be added as an afterthought, which is probably what the Prime Minister and the Premiers did at 4.30 in the morning when they realized the political repercussions of their initial oversight.

In the amendment I intend to move, Canada is defined as one society, one distinct society because of its uniqueness in which there is no room for the potential emergence of two societies and eventually of two nations, in which there is no division between minority and majority groups, and no division between aboriginal and all other groups that compose Canadian society.

If not amended, the reasons I will vote against the Accord are the following. First, the definition of Canada proposed in the Accord is outdated. It is not the modern Canada. Millions of Canadians are left out who do not identify with either French or English. They have no place in the Accord, and they are outside the Constitution. Native people are an afterthought. This is not today's Canada.

• (1650)

Second, the spending power clause would lead to a chequerboard Canada and to the Balkanization of standards of social services, as it was so well put to the joint committee by several witnesses including the former Deputy Minister of the Treasury Board. Further, we want Ottawa to retain the power to stop provincial attempts to opt out in future as in the case of extra billing. The Accord encourages this option of opting out.

On the spending power, we do not want future federal Governments to be restrained when taking environmental initiatives. Third, there is the devolution of power to the provinces in the appointment to the Senate and the Supreme Court. As well, there is uncertainty about women's rights.

Greater rights are given to the provinces on immigration matters. The Cullen-Couture Accord, as far as I am concerned, goes far enough. There is no need to give provinces greater powers. Immigrants should not and cannot be forced to reside in a specified province. Immigrants choose Canada when they come, not Ontario, Quebec or British Columbia, but the whole Canadian nation.

Because of the erosion of power of future Parliaments, federal-provincial constitutional meetings will from now on be institutionalized. The result will be that joint committees and Parliaments will not be able to make changes to future accords for all sorts of reasons, as it is the case now. Canada's future constitutional changes will then be written, if we adopt this Accord, by a process reminiscent of a board of directors consisting of the Prime Minister of the day and the 10 Premiers as well.

Once the Accord is approved as it is proposed, everyone in the House knows that it will be virtually impossible to make substantial changes to federal institutions in the future. Once passed, this Accord will be cast in cement and it will be Canada's Constitution.

As I mentioned at the beginning, the Constitution is the mirror in which we see ourselves as Canadian citizens. It is the instrument that we agree upon to divide powers so as to get things done for the benefit of the nation and of all its citizens.

This Accord is not good because it weakens Confederation. It gives the wrong picture of Canadian society. It leaves the public out of future changes. It gives the provinces new powers without giving to the national Government, to Canada itself, new powers as well. Therefore, it produces a one-way flow of powers in the direction of the provinces without benefiting the national interests.

For these reasons, I oppose the Accord. My reasons are based on a number of considerations. Fundamentally, I reject the definition of Canada in Section 2(1). I find it outdated, a vision of the past. This is why I call it a rear-view mirror. That is not the Canada that we experience and see every day, be it urban or rural Canada. We do not want to leave out of our Constitution those who do not identify themselves with the French or the English culture, and we do not want to have in the Constitution as an add-on, an afterthought, the consideration that is due to our aboriginal people, to the minority groups and to immigration groups. Hence, I look forward to the debate later on when there will be an opportunity to put forward an amendment on the definition of Canadian society, an amendment which proposes a definition which I think is the proper and more contemporary one for Canada to consider.

The Acting Speaker (Mrs. Champagne): Questions and comments. There are no questions, so we will resume debate.

Mr. David Daubney (Ottawa West): Madam Speaker, as a member of the special joint committee of the Senate and House of Commons which looked into this matter, it is an honour for me to participate in this important debate today. I am very proud to have my signature on the report of our committee. I would be bold enough to suggest that I think it is one of the finest parliamentary reports ever to be handed down in the history of this institution.

The constitutional Accord of 1987 itself is an historic document. It truly marks a turning point in our constitutional history. It closes a difficult chapter that began when Quebec was left out of the agreement leading to patriation and to the Canadian Charter of Rights and Freedoms in 1982.

The 1982 reform was a major, significant and important advance in our constitutional development, but it was incomplete. It did not include all of Canada. Quebec's distinct identity within Canada and our linguistic duality as a country were glaring omissions from the 1982 description of our national values. The elected Government of Quebec did not join the other nine provinces in support of the agreement.

As the Hon. Robert Stanfield told us at the joint parliamentary committee hearings in 1982, we created two Canadas. By recognizing linguistic duality and Quebec's distinct identity within Canada, the 1987 Accord completes the constitutional picture drawn in 1982 of how Canadians see themselves, of Canada as it is, in the words of our committee.

Quebec's acceptance of the Accord makes Canada whole again. The chapter that opened in 1982 is now closed. Now we can write a new and happier chapter for the Accord unblocks the constitutional reform process. It offers new means and new hopes for reaching such long-held goals as Senate reform and for addressing a number of other issues raised before our joint committee.

As Hon. Members know, the Government of Que' ec had been watching the constitutional reform process from the sidelines ever since the 1982 package was put together. With the Accord in place, it can return, as the Prime Minister (Mr. Mulroney) foresaw, with honour and enthusiasm to the constitutional bargaining table.

This is a development of measurable importance. Quebec's isolation was more than a rebuke to the values of moderation and tolerance that we cultivate as Canadians. It was also a real obstacle to further constitutional reform. There are dry, mathematical reasons for this. Without Quebec's participation, it would be all the harder to secure amendments calling for the support of seven provinces representing half the population. It was impossible to pursue reform of the Senate because of Quebec's veto over its representation there and it would be impossible to secure amendments calling for unanimous consent.

More important are the reasons related to our democratic and federal principles. No solid or lasting reform would be possible when a large segment of the population felt that its wishes had not at least been considered.

• (1700)

Gordon Robertson, the federal Government's top constitutional adviser from 1975 to 1979, reminded us in committee that the first goal of the constitutional reform process from the start was, in his words, to produce a sense of satisfaction and acceptance in Quebec. Through the Accord this goal has been won at last. I would like to quote briefly from Mr. Robertson's testimony shown at page 29 of the committee report. It says:

> Members of the Joint Committee were particularly impressed with the approach formulated by Gordon Robertson, former Clerk of the Privy Council and a participant in almost every important federal-provincial conference on constitutional matters from 1950 until his retirement from the federal public service in 1979.
>
> Mr. Robertson advocated a three-step approach.

These are his words now:

> As I see it, the basic question is what are the prime objectives of policy to be achieved at this time, 1987, in the constitutional realm? The (federal) government has decided, and I think the other governments, the provincial governments agree, that the prime objective is to achieve an agreement under which Quebec can become a willing participant in the Canadian Confederation. This seems to me to be right as to the prime objective of policy at this time. If that is agreed, the second question I think is whether the arrangements to achieve that objective involve consequences that are seriously adverse for Canada.
>
> Then the third question, it seems to me, is whether there is a reasonable prospect of getting better arrangements than the arrangements that are incorporated in the *Constitutional Accord, 1987*.

Mr. Robertson went on in his testimony to answer both those latter questions in the negative.

Really, I think there are two opposing visions of Canada challenging us in this debate and that challenged us as members of the joint committee over the long hot summer days when we sat in the Railway Committee Room. One is a vision of confrontation, the other a vision of co-operation. One is founded on struggle and animosity between federal and provincial Governments, the other on co-operation and mutual respect. One sees the federal and provincial Governments as rivals for the allegiance of Canadians, the other as partners in serving Canadians.

The Constitutional Accord of 1987 stands squarely for the vision of co-operation, mutual respect, and partnership. I believe this vision of co-operation and partnership is shared by most Canadians.

I believe as well that most Canadians want us to adopt the Accord because it translates this vision into the building blocks of a stronger and more united Canada. How does it do that? That is a question I intend to answer in the next few minutes of my remarks.

The Constitutional Accord of 1987 is rooted in the spirit of federalism and the principle that the federal and provincial Governments share responsibility for the well-being of Canada. That spirit was brutally ruptured during the events leading to patriation of the Constitution. In 1980 Quebecers said *non* to sovereignty association and *oui* to the renewed federalism they were solemnly promised by the rest of us, in particular the Right Hon. Pierre Elliott Trudeau, during the referendum campaign. Yet when the final deal was made it was without Quebec's consent, without the participation of the people who had opted for Canada in the belief that their culture and their presence would be respected.

We heard clear testimony in committee on the threat this situation posed to our continuing unity. "It left a wound and a grievance", in the words of Jack Pickersgill, a man who draws on a wealth of experience in constitutional and political matters going back to the time of Mackenzie King. Gordon Robertson sounded a clear warning that it would be "an extremely dangerous situation for the future if we leave it one in which perhaps there is a sense of grievance, frustration, perhaps even of betrayal" in Quebec.

This Accord now gives us an opportunity to heal the wounds and make us one Canada again. I think it was perhaps put best, certainly most emotionally, by Solange Chaput-Rolland, former member of the Pépin-Robarts committee and Liberal Member of the Quebec Legislature when she told the committee:

[*Translation*]

> It was only on the day following the Meech Lake Accord that I really felt for the first time that we had won the referendum.

[*English*]

Those are the words of a woman who cherishes and respects her country, who stood for her country when it was not easy to do so, and who now rejoices in the respect her country has paid, with this Accord, to her culture.

However, the Accord does much more than bring Quebec back into our constitutional family. I would support it even if it had nothing to do with ending Quebec's isolation since it promotes my view of Canada by creating a framework for heightened co-operation between two orders of Government.

I will not take up the time of the House describing these provisions of the Accord in detail, they are well-known and have been mentioned by other participants in this debate. However, I think it is useful to sketch some of the implications to make my point clear.

Let me begin with key federal institutions. By offering the provinces an opportunity to have a say in appointments, the Accord strengthens the Supreme Court of Canada, and the other place, the Senate, as truly federal institutions. In the case of the other place, the Accord moves forward the process of further reform in the second round of constitutional talks.

I do not suppose anyone doubts that the goal is to strengthen regional voices in our national decision-making process. Certainly that is the starting point. The interim procedures set out in the Accord represent an important gesture of good faith. Let me point out that this aspect of the Accord is in the spirit of 1867 when the Fathers of Confederation envisaged the second Chamber as a forum for regional concerns at the centre. As to the Supreme Court, its federal character can only be reinforced by provincial participation in the choice of

justices. This is, after all, the court that acts as the ultimate referee in disputes about the meaning of the Constitution, including federal-provincial disputes. It is also the court that rules on the constitutionality of federal and provincial laws.

Much has been heard, in the shallow criticism of this Accord, about the so-called limitations on federal spending powers. I think that is a good political catch phrase. It is portentous and empty, perfect for those who want news coverage and to give the illusion of thought. The truth is that there has never been any requirement for provinces to adhere to shared cost programs initiated by the federal Government in areas of exclusive provincial jurisdiction. For the first time we have entrenchment of federal Government power to be involved in areas of exclusive provincial jurisdiction. We are talking about areas of "exclusive provincial jurisdiction". Those three words seem to have escaped the critics of this part of the Accord.

All the Accord does is to recognize the integrity of provincial jurisdiction by guaranteeing reasonable compensation to provinces that prefer to meet national objectives in ways tailored to the particular needs of their people.

Peter Leslie, Director of the Institute of Intergovernmental Relations at Queen's University, pointed out to the committee that this arrangement can be of positive benefit to Canadians as taxpayers and users of programs. Provinces, he points out, will have the latitude to find innovative solutions to problems felt across the country. They will be encouraged to devise means that are the most cost effective or most efficient in pursuing national objectives.

Professor Gerald Beaudoin, of the University of Ottawa Law School, told us that terms employed in the section dealing with national shared cost programs were unlikely to give rise to great difficulty because the concepts such as "compatibility" and "initiative" were already known to the law.

• (1710)

He emphasized that, in any event, the section would only come into play in the limited category of future programs that have the following characteristics. First, it must be a national program; second, it must be a shared cost program; third, the program must have been established after the section has come into force; and finally, the program must be in an area of exclusive provincial jurisdiction. Only if all four of these conditions are satisfied will the section be triggered.

Accordingly, the proposed Section 106A will have no impact on established national shared cost programs, nor will the section affect non-shared cost programs such as the family allowance program. If the Government of Canada establishes a regional rather than a national program, the section would not come into play either. The section will not apply to programs established in areas of shared jurisdiction such as agriculture, immigration, and perhaps education.

I suggest that some of the Members opposite are trying to walk both sides of the fence. They are afraid of taking a clear stand on the principle of national reconciliation so they posture, adopting positions they know will not work, stands they know will have no chance of implementation. They propose an amendment to the spending powers provision so they will look good on the evening news, so they will look as if they knew a constitutional principle when they stumbled over one.

This kind of posturing is the cheapest attempt to gain notoriety without taking responsibility for action. The proponents of this amendment know, as we all do, that this proposal has already been discussed by the First Ministers at length and has been rejected. What can be easier than proposing an amendment you know will not, cannot, be accepted or implemented?

Members opposite evidently believe that making the amendment will delude the public into a belief that the members of the Liberal Party are in fact capable of independent thought. Well, they are not. They have lost the fire and the vision necessary to build a country. All they have left is the pathetic posturing of a marginal Party which does not count any more because it does not care anymore. It does not care about our history, our culture, or anything beyond short-term partisan advantage. While they whimper in the corner of our national life, the rest of us will go about the business of building a nation secure in its diversity.

This Accord is both an end and a beginning. It marks the end of a profound and dangerous alienation of Quebec, its culture and its people, from the rest of Canada. It is the beginning of the rest of our national journey into the twenty-first century. This Accord provides us with the basis for a continuing exploration of the territory of constitutional reform. With a strong and stable national base we can afford to listen, and we must now respond to the legitimate calls for equity and reform which in other times might have threatened us. It is an exciting time to be a Canadian and I will be proud to vote in favour of the Accord.

Mr. Jim Fulton (Skeena): Madam Speaker, I am pleased to participate in this debate. While I was sitting here I was thinking of the long history that my family has had in constitutional matters. I was talking to an uncle of mine who used to teach history in Alberta who reminded me that a distant forefather of mine, Peter Mitchell, was a Premier of New Brunswick and actually sat at the constitution table and was one of the Fathers of Confederation 120 years ago. More recently, another relative, whom I also did not meet, was the Premier of Prince Edward Island earlier in this century and was also involved in constitutional matters. Only five short years ago I was the spokesman for our Party on constitutional matters. Many of my old wounds from that lengthy process are still healing.

Mr. Siddon: Were they Liberal or Conservative, Jim?

Mr. Fulton: One of the Members across asks about my two forefathers. I believe that Peter Mitchell, who was the Premier of New Brunswick, was a Conservative and that James Stewart, who was the Premier of Prince Edward Island, was a Liberal.

Mr. Crosbie: Then you are a typical NDPer.

Mr. Fulton: As we progressed westward, our politics have changed. Most of my relatives in Alberta and British Columbia are New Democrats to a one.

I want to spend a few moments talking about one of the grave errors which I think occurred in the constitutional process and why there are raw nerves in many areas of the country. The construction of constitutional consensus was missed out. For a constitution, a charter, our courts and a society to work truly all Canadians must trust and be confident that a proper process was gone through. Public involvement must be first rather than last. I believe that all Members who participated on the joint constitutional committee found that not being able to travel and not giving all Canadians the opportunity to appear at the committee until after the fact has created many raw nerves.

We were served up a constitutional meal without a chance to ever see the menu. The 11 cooks at Meech Lake left out some vital ingredients—the spice of participation and the choice of democratic involvement.

With the support and good will of all Canadians, Quebec has joined as a full and willing partner in Confederation and constitutional affairs. The Accord makes good the promises to Quebec of seven years ago when Quebecers said yes to Canada. It was very much time that the Parliament and the people of Canada responded to that deep-felt need in Quebec.

I listened with care to what Mr. Trudeau had to say when he appeared before the committee. I and many other Canadians disagreed when he said that the division of power between the federal and provincial Governments was disturbed. After studying carefully the wording of the Accord and having listened to and read the evidence of many of the witnesses, I am certainly convinced that those powers were not disturbed. In fact, many of the powers that had been exacted through practice now exist in the wording of the Accord. I will come to those in a moment.

I will deal for a moment with the fact that Quebec is now properly recognized as being distinct. That has been done without giving Quebec a different constitutional status than that of British Columbia, Alberta, the Maritimes, or any other province in this country.

Just this year in Montreal the New Democratic Party passed a resolution supported by delegates from every province and both Territories which stated: "The uniqueness of Quebec as the one province within which the majority, language and culture is French—". That policy was first enunciated by the NDP in 1961. I am proud to belong to a Party that has remained consistent for many decades in pursuing the aspirations of Quebecers and all Canadians and to have now seen that become a constitutional reality.

The federal Government's authority to set up national cost shared programs, even in areas of exclusive jurisdiction, is unimpaired and likely even strengthened, as we heard from many of the witnesses. Provinces can opt out of programs which are set up entirely within their jurisdiction, but only with compensation when their programs achieve the national objectives set out in legislation. When a national day care program is set up, we hope in the next few years, it will only be possible for provinces to opt out when they set up child care programs which meet the national objectives set by this Parliament. That is a very good thing.

However, in my view the First Ministers demonstrated a collective blindness to the reality of some parts of Canada and some parts of our history in some very key areas. In particular, I want to spend a moment discussing our first nations and first citizens. Canada is more than only a duality of French and English. The founding nations were the first citizens, the first nations, of over 30,000 years' duration with powerful internationally recognized cultures and highly evolved laws and traditions. They included the Niska, Inuit, Haida, Huron, Beothuk, Iroquois, Tsimshian, Nootka, Haisla, Tahltan, and Tlingit to name just a few.

As we heard from Senator Lowell Murray and others speaking for the Government, out of an abundance of caution special protection was provided in Clause 16 for the constitutional wording on aboriginal rights that have been stalled by political inaction and bureaucratic inertia, not because of a lack of public support.

• (1720)

In my Province of British Columbia, it has been found through polls and discussions among people on the street that the majority of British Columbians support and endorse negotiated settlements on the questions of aboriginal title and rights in the Province of British Columbia. It is political inertia and the blindness of the political leadership at the provincial level in British Columbia, in other provinces and certainly in Ottawa that is responsible for the lack of substantial movement one would have expected in the wording of the Constitution Act, 1982 which recognizes and affirms aboriginal rights and title which have been practised by some aboriginal cultures in Canada for 30,000 years or more.

In facing the reality and vital importance of providing an avenue for the entrance of Quebec, some key Canadian realities were sidelined. This includes fairness to the aboriginal peoples. First, in terms of the First Ministers' meeting on aboriginal rights and self-government, we will be moving an amendment to attempt to secure in the wording of the Accord and the motion before the House that aboriginal rights and the full participation of aboriginal leaders takes place at the meetings as we propose, as well as in terms of any First

Ministers' meetings that deal with or touch upon matters affecting aboriginal rights. It is crucially important that aboriginal people not be inhibited or dealt with unfairly in terms of these vital constitutional matters.

Members of the House and Canadians generally should recognize how the wording in relation to aboriginal rights came to be in the Constitution Act, 1982. That wording was withdrawn by Prime Minister Trudeau and it was only under pressure from the New Democratic Party that it was restored. Canadians should understand that in terms of the evolution of aboriginal title and rights in this country.

It has only been through the ongoing battle by groups such as the Nishga Tribal Council of British Columbia who took their case to the Supreme Court 15 years ago. After a century of trying to deal with Great Britain and Ottawa, trying to deal with kings, governors general and political Parties, they, along with Tom Berger, finally took their case to the Supreme Court of Canada where they obtained a tied decision on the matter of Nishga title in the Nass Valley.

It was at that point that the assimilation and cultural extermination policies of the Parliament of Canada were reversed. The Minister at that time, Mr. Chrétien, backed away from the White Paper proposals on assimilation. It led to the march toward the constitutional wording that is there. We must move on to the constitutional conferences that must be held to bring on side those Premiers and political Parties that would live in the historically inaccurate backwaters of Canada rather than move forward to recognize title and remove those grey areas that are infringing on the rights of Canada's first nations and citizens.

I want to spend a moment dealing with fairness for Canada's northern citizens. In my view, three new provinces would be created in the North, of which two would be in the Northwest Territories, perhaps to be called Denedeh and Nunavut, and the Yukon. As my colleague, the Member for Yukon (Ms. McLaughlin), pointed out so well, even in the words of Erik Nielsen, the concept of provincial status was the lodestone for more than half a century of northerners as they look toward their aspirations of becoming provinces.

I spoke to the Prime Minister (Mr. Mulroney) after the Accord was signed and asked how there could have been such blindness in requiring the unanimity rule for the creation of new provinces north of sixty. I was somewhat saddened to hear the Prime Minister, as the number one statesman for Canada, one would always hope, taking such a legalistic approach. He said that making them new provinces would affect the Consolidated Revenue Fund and federal institutions. He said this would require a First Ministers' Conference and the need for unanimity and so on.

That is hardly the case. All our other provinces entered Confederation in a bilateral process between the federal Government and themselves. It was only after 1982 that it was changed to seven provinces with 50 per cent of the population, along with the federal Government. This represented a much higher wall to be scaled by Yukoners and residents of the Northwest Territories in their aspirations to become provinces.

They now face the bleak prospect of a wall that many of them believe is perhaps impossible to scale in order to become provinces. I believe that the First Ministers should have put much more thought into the feeling this leaves with northerners. As my friend from Yukon pointed out, northerners now experience, as Quebecers once did, the feeling of being left out and that this is a southern Constitution which ignores a third of Canada north of sixty.

I reviewed press clippings from the last decade to see whether any political Party or leader in Canada ever suggested that Clause 43 should have been changed in this Draconian way in terms of the creation of new provinces. I could find none. I believe that the First Ministers did not notice this omission and, in their view of the greater picture of Canada, they ignored the fact that northerners—I am proud to consider myself as one—hold dear the feeling of fullness in participating in the Canadian family.

Not only do we face the unanimity rule, there is also the fact that northerners, whether members of the Bar or the bench, are excluded from the opportunity to even be proposed to be members of the Supreme Court. My uncle in Yukon is the Supreme Court Justice of Yukon. I find it dumbfounding that he should be prohibited from having his name submitted for sitting on the bench of the Supreme Court of Canada. While I do not want to speak for him, and do not know whether he would want to take on such an onerous task, I believe it is unfair. Furthermore, the Supreme Court Justices of Canada said as much to the Canadian Bar Association, and it is very rare that Supreme Court Justices would speak out about the unfair, un-Canadian and perhaps even unconstitutional move to prohibit certain Canadians from having the opportunity to be nominated or placed on the Supreme Court of Canada. That is a terrible oversight and is something that we hope to rectify as part of our amendments.

Let me deal for a moment with the Senate. Premier Getty and others said much in the West about a Triple E Senate. They were certainly snookered at Meech Lake.

I believe that the Senate is one of those anachronisms in Canada. We should abolish it first, then decide what is required in addition to the democratic institution of Parliament. That opportunity was missed, although I suppose the Premiers were somewhat appeased by being able to submit names for the Senate, as though it would in any way deal with the important issues which this country must face.

I want to talk about the participation by the territorial Governments. They must be given more than simply slots on the agenda in terms of the First Ministers' meetings. There must be participation by territorial Governments, particularly at meetings where matters affecting them are on the agenda. As a northerner, I certainly serve notice that northerners intend to move to provincial status in the future. It is very important that the venues and ongoing access to major

decisions be maintained. Territorial leaders such as Tony Penikett who have given so much of their time to the North must be given the opportunity to participate in the important evolution of constitutional debates in this country.

The matter of equality of women and the Meech Lake Accord requires considerable comment. Section 28 was Canada's constitutional commitment to sexual equality. That section was achieved as a result of great effort by thousands of women from every province and territory in 1981 and 1982.

In my view, it is more a matter of consistency than necessity that Section 28 be included in Clause 16. Senator Lowell Murray said that it was out of an abundance of caution that Clause 16 was formulated to include aboriginal rights and aboriginal matters. Even since 1982, court rulings have had dramatically different effects than what was suggested by the Ministers who spoke in the House and in committees back in 1981 and 1982.

• (1730)

We have seen that the courts, in terms of the trade union movement, in terms of freedom of association and so on, did not and were not held in that light by the justices and the courts of the country. In the construction of constitutions it is crucially important that there be consistency. Just as Sections 25 and 27 were included out of an abundance of caution, out of consistency, we are moving an amendment to attempt to get the Government to make the necessary changes to make this Accord better.

I want to spend a moment now on the future of constitutional evolution in terms of Charter review, the ethno-cultural reality of Canada, and the democratic process of how we can deal with what I described earlier as the raw nerves that are out there. Northerners did not have the kind of biological and vocal involvement in this process that there should have been. The leaders from the NWT and the Yukon were excluded, as were aboriginal people. When we see an agenda set for future meetings, including fisheries for example, we have to think very carefully about how to improve the democratic process.

In terms of the democratic process, we have recommended that the special joint committee on constitutional reform carry on and become an ongoing process whereby Canadians who are touched, damaged or feel endangered in some way by rulings of the court or by pieces of legislation brought forward by provincial, federal, or the territorial legislatures will have an opportunity to have their constitutional views aired. There will be an ongoing balance, some forum, some focus where Canadians of all origins, creeds and sects have an opportunity to have their views heard and to have them heard often, before First Ministers' conferences, before we have anything further cooked in the kitchen at Meech Lake, or anywhere else.

On Canada's ethno-cultural reality, we see the linguistic duality of Canada recognized in the Accord as a fundamental characteristic of Canada. The report of the committee states that the ethno-cultural diversity of Canada deserves further study. I doubt that there is a single Member of the House who would not agree with that. It is crucially important in terms of constitutional evolution with the ever-changing demographic flux within Canada that much greater consideration be given to this. We are urging early consideration of the ethno-cultural reality of Canada as a fundamental characteristic of our nation.

On the matter of Charter review, after the Meech Lake Accord had been struck, we heard concerns raised by women, constitutional experts, and by representatives of visible and other minority groups that go far beyond the scope of the 1987 constitutional Accord.

To come back again for a moment to what I said earlier, one of the crucial things that was missing in this whole process was the involvement of Canadians to a true extent in the process leading up to the Accord. I must say that we have very much the same critical concern from Canadians from coast to coast back in 1981-82. There was not as broad a forum and as broad an opportunity for them to set the seeds of their ideas to fertile soil, for parliamentarians and First Ministers to have an opportunity to grapple with the kinds of wording that would be the most useful and the longest standing for all of us in Canada.

So the democratic process, the Canadian ethno-cultural reality, fairness for Canada's northerners, fairness for aboriginal people, fairness for women, and Charter review, are matters that we feel very strongly should be dealt with in the near future. I have been involved for many years in constitutional matters. I am honoured to say that because of the movement on board now of the people of Quebec and the Province of Quebec it is with open arms, I can tell you from the bottom of my heart, of British Columbians that we receive them. So from the West to the East to the North it has the substance that allows me to vote for it despite its flaws.

• (1740)

[*Translation*]

Mrs. Suzanne Duplessis (Louis-Hébert): Madam Speaker, it is with deep emotion that I rise in this debate today, and I would hope that all Hon. Members are fully aware that we are living through historic moments about which our children and grandchildren will be talking.

When I decided to be a candidate in the 1984 election in the riding of Louis-Hébert my idea was to promote in particular four goals that were of special concern to me. As I said in this House on October 7, 1986, the first of these goals was to have Quebec sign the constitutional agreement and resume its rightful place in Canada, and to see that its rights were respected.

I had faith in our leader who had committed a Conservative Government to work with all Canadians to achieve national reconciliation. Throughout the election campaign he had made several references to this pledge. Allow me to quote the remarks he made in Sept-Îles on August 6, 1984:

Canada is the bet made by men and women of different cultures, languages and religions to settle their disputes, harmonize their interests, and successfully promote the values of respect for others and selflessness.

A Conservative Government will take up this bet. Co-operation and understanding will be more than mere words to us. It will be the honour of the Party I lead to make that a way of living, to deal with our fellow Canadians, to suffer, to work, and to triumph with them. One thing for sure is that not a single Quebecer, man or woman, has given federal Liberals free reign to take advantage of Quebec's disarray resulting from the referendum to sentence the province to constitutional ostracism. My Party does not rejoice over the political weakening to which these deplorable incidents have led Quebec. If Quebec is weakened, so is Canada; if Quebec is strong, so is Canada.

There is room in Canada for the affirmation of all identities, respect for all aspirations, and the quest for all ideals.

I know that Quebecers expect more than simple words. We will have to offer guarantees and take positive steps to achieve the objective I have in mind: convince the Quebec National Assembly to endorse Canada's new Constitution with honour and enthusiasm.

Madam Speaker, since the Meech-Langevin Agreement, this is exactly what has been done. As a Quebecer, my fondest wish has come true thanks to the firm will and negotiating talent of our Prime Minister (Mr. Mulroney) and to the open mind of the Premiers, and I am quite proud of it.

This historic Accord puts an end to the constitutional ostracism of Quebec, with terms which are to the advantage of Quebec, of all the provinces, and most important, of Canada as a whole.

As you know, Madam Speaker, the situation in Quebec was not very good during the last twenty years. There was a climate of constant confrontation between the provincial legislature and the central Government. There was no possibility of agreement between the two Government levels. Quebec had been isolated and rejected.

When Premier Bourassa dared to defend the rights of Quebecers, he only succeeded in being called a "hot-dog eater" by then Prime Minister Pierre Trudeau.

Quebecers have had enough of the obvious lack respect for their views before the 1980 referendum, and it was absolutely essential to back the Federal Government against the wall if we wanted at least to resume discussions. Quebec had to give itself tools to obtain the power to negotiate. As a Quebecer and a Canadian, I was distressed to see Quebec lose ground, and this is why I accepted to chair the yes campaign in the Louis-Hébert constituency for the 1980 referendum. A "yes" victory in the referendum seemed to me the only possible solution to make the Trudeau Government negotiate with the Quebec Government. Unfortunately, at the time of the 1980 referendum, Quebec voters were promised that a no vote would not mean that they were accepting the *status quo*, but rather that they wished a renewed federalism. At the time, there was no detailed explanation of what this renewed federalism would mean, but I believe that everyone understood that it would be a federalism along the lines that successive Quebec governments had supported.

Madam Speaker, the Trudeau Government betrayed Quebecers. Recently, one of my colleagues opposite, the Hon. Member for Laval-des-Rapides (Mr. Garneau), following publication of the letter of Pierre Trudeau in the newspaper *La Presse*, recognized the terrible mistake made in 1982 by stating that if he had realized what his then leader was thinking, he would have voted yes in the referendum. In addition, Mrs. Chaput-Rolland, one of the eminent members of the Pepin-Robarts Commission on Canadian unity between 1977 and 1979 and leader of the no committee for 1980 referendum, stated the following before the Special Joint Committee:

In Quebec, we decided seven years ago that Canada was our country. It remains for us to find out if we were right to assert our loyalty. Quite frankly, I must say that I wondered in 1982 whether the suffering, the disputes, and the bitterness which followed the 1980 referendum had really been necessary. We voted for Canada, but Canada, through its central Government, which was so busy preparing to repatriate the British North America Act of 1867, did very little for those who had just openly stated their will to remain within this country. Promises and dreams had both vanished. Not a single Quebecer would want to relive this period in our history.

Madam Speaker, the isolation of Quebec is a problem with which we had to deal when we came to power. It was essential that we not leave it as a legacy to another generation which might have been forced to solve it under more difficult circumstances and at a less favourable time.

Madam Speaker, since the Meech-Langevin accord, I am a proud Quebecer and a proud Canadian. I can tell all Canadians that I am speaking here from the bottom of my heart. I do not claim to be a constitutional expert, but deep inside I know that finally Quebec has resumed its rightful place, its rights finally have been acknowledged after so many years of confrontation, and I must add I am deeply moved. The accord, Madam Speaker, acknowledges the basic aspirations of Quebecers, and as stated by Michel Roy in *La Presse* on May 2, 1987: "What transpired Thursday in the Gatineau Hills is somewhat of a miracle. That accord to a large extent agrees to the five proposals put forward by the Bourassa Government after it was elected. This is an agreement that fully warrants Quebec's concurrence to the Constitutional Act. It protects Quebec's historic rights and legitimate aspirations. It enshrines Quebec's distinct nature. It recognizes the Canadian duality that Ottawa and the provinces are agreed to protect. Premier Bourassa and Prime Minister Mulroney rightfully view it as the conclusion of an exceptional day."

The constitutional expert, Robert Décary, in an interview to the program *Le Point* of May 1, 1987, stated and I quote: "It was not expected that the concept of distinct society would appear in the body of the Constitution itself. The courts now will be able to give it far greater consideration than if it had been written in a preamble. The courts are now empowered to rule that Quebec has the authority and duty to protect the French language.

I was extremely surprised to see the situation resolved. Mr. Mulroney had stated it was necessary that Quebec adhere to the Constitution with honour and enthusiasm. This has been achieved in my view."

Many experts who appeared before the Special Joint Committee of the Senate and the House of Commons on the 1987 Constitutional Agreement also lead us to conclude that the Meech Lake Accord was a solid document that ends Quebec's constitutional isolation and strengthens national unity. No major flaw was found. Distinguished law experts, such as Professor Lederman from Queen's University, Mr. Yves Fortier, former President of the Canadian Bar Association, and Professor Gérald Beaudoin of the University of Ottawa stated they were satisfied with the present wording of the accord.

Veteran participants and researchers in the area of federal-provincial relations such as Robert Stanfield, Jack Pickersgill, Gordon Robertson, Peter MacKinson and Professors Richard Simeon and Peter Leslie, the former and present directors of the Inter-Government Relations Institute, have stated that in the circumstances the accord could not be any better. They were unanimous in concluding that such a favourable opportunity must be taken to end the round of discussions on Quebec and to open up the constitutional reform process.

Mr. Gordon Robertson, the former Cabinet Secretary under the Trudeau Government, took part in all the conferences from 1968 to 1969 and attended throughout all the 1980 and 1981 conferences as a CBC analyst. In his view, in order to analyze the 1987 Accord we must first ask ourselves what prime policy goals we want to set up in 1987 in the constitutional area. The federal Government has decided, and the provincial Governments have agreed, that the prime goal was to have Quebec become a fullfledged partner in the Canadian Confederation. Like Mr. Robertson, I am deeply convinced that major policy goal was the right one.

Madam Speaker, to those who fear that the Accord may weaken the central Government, my answer is: not at all! Quite the opposite! Indeed, the Meech Lake Accord will strengthen our federalism in two ways: first, by providing greater legitimacy to our institutions and greater harmony for the exercise of jurisdictions at every level of government.

Since it reaffirms the will of each region to promote the well-being of the country, the Accord will strenghten the ties within Confederation. Moreover, by acknowledging the importance of each province in the development of our collective options, we will thus strengthen the federal character of Canada.

By allowing the provinces to have their say in the appointments to the Supreme Court, the Accord will voice within one of our most important institutions the spirit of true federalism. Considering the acknowledgment in our basic legislation of the specific character of Quebec in Canada, the Meech-Langevin Accord shows that we are ready to live in a community while respecting our differences and our ties.

Madam Speaker, all Quebecers and Canadians throughout the country should rejoice and have confidence in the new concept of co-operative federalism as advocated by our Government and the Premiers of all our Canadian provinces.

Madam Speaker, like all Canadians from whatever region, I am deeply attached to my province, Quebec, and to my country, Canada. I have no qualms whatsoever about this feeling of dual belonging because to me, far from being a sign of weakness, it is a sign of strength, and this also makes us greater as a nation.

That is where lies the full portent of the Meech Lake Accord. Its amendments to the Constitution are nothing more or less than the perception of all Canadians. The Accord attests to our confidence in ourselves and in our collective future.

It projects the image of a federal state where a strong national government speaks on behalf of all citizens. It mirrors a federation where the central government plays its role of guardian of the national interest with the close co-operation of provinces.

Madam Speaker, with this Accord today we can look to the future with confidence. There is only one strong Canada, the kind of country which the Conservative Government has always advocated and of which, as I said on many occasions, I am very proud.

Madam Speaker, the Saskatchewan and Quebec legislatures have already endorsed the Langevin-Meech Lake Accord. As federal Members of Parliament from all regions of Canada we are gathered in this House to debate the Accord.

Again I want to express my heart-felt hope that the Accord will be ratified as soon as possible, and this is why I urge all Hon. Members, whatever their political persuasion, to give it their unanimous support and, at last, to say a resounding yes to Quebec.

As I pointed out earlier, the interests of all Quebecers, naturally, and as a Member from Quebec, I am especially aware of these interests, but most of all, the interests of all Canada are at stake.

I therefore ask, Madam Speaker, all the Members of this House and all Senators, who will also have to ratify this Agreement, to respect the will of the Canadian population and to vote unanimously and without reservation in favour of having Quebec rejoin the Canadian constitutional family.

The Meech-Langevin Agreement is a major step toward national reconciliation, and both this House and the provincial legislatures which have not already done so must ratify it without delay in the interests of all Canadians and for the future of our beautiful country, Canada.

• (1750)

[*English*]

Mr. Keith Penner (Cochrane—Superior): Madam Speaker, this motion serves to ratify the 1987 Constitutional Accord, more commonly known as the Meech Lake Accord, or the Langevin Accord after it was modestly modified to place in the Accord a non-derogation clause which, it was believed, would protect the aboriginal people and the multicultural nature of society from the duality that the Meech Lake Accord emphasizes.

That modification indicates that it was recognized that there were certain weaknesses, but that the Prime Minister (Mr. Mulroney) and the Premiers were not prepared to deal with them. They took so much satisfaction in having reached an arrangement that they closed their eyes to the many weaknesses in this document.

It is difficult for me to resist the temptation to be immoderate in expressing my feelings on this agreement. Quite frankly and candidly my own view is that this is a bad piece of constitutional work. It is out of step and out of keeping with the type of Canada in which we live. I see it as a throw-back to another time when the *ancien régime* or a model of that nature predominated in Quebec, and when the United Empire Loyalists dominated Upper Canada. That time has long since past.

This agreement fails to reflect the reality of modern Canada. I am convinced that gradually over time this document will serve to change the character of Canada so that our search, sometimes even a struggle for a national identity, which has always been elusive and difficult to grasp, will become well nigh impossible to achieve as we tend more and more to go our own ways as provinces and regions.

I am sometimes asked what is wrong with the constitutional amendment of 1987, the Meech Lake Accord. What is wrong is that it gives validity to the view that our nation is no more than a community of communities, what former Prime Minister Trudeau once disparagingly described as a loose association of shopping centres.

Mr. Crosbie: Nonsense.

Mr. Penner: This Accord permits and encourages political power to flow from the centre into the provincial capitals, and it leaves unanswered the question of who will speak for all Canadians when there is a reason to have someone speak for all Canadians.

A few weeks ago I had an opportunity to speak to an Ontario cabinet Minister. Among other things, we discussed the Meech Lake Accord. I told him I did not like it.

Mr. Crosbie: Which they are supporting.

Mr. Penner: Yes, they are supporting it. The Hon. Minister of Transport (Mr. Crosbie) has interjected that they are supporting it. I wish to tell the Hon. Minister of Transport that the cabinet Minister stated that we cannot blame Premier Peterson, to which I replied that I did not blame him. The cabinet Minister stated that they had been given far more than they expected or asked for, and how could that be turned down.

Mr. Crosbie: Absolutely.

Mr. Penner: That is right. In other words, we sold the farm for an old run-down half-ton truck.

I am convinced that the shift in power that is bound to take place over time will make the provincial capitals the preferred centres of action. That will relegate this national forum and Parliament into something that is analogous to the European Parliament that now sits in Strasbourg. Of course, the provinces will still make use of us. They will still like to use us as the collection agency. After all, collecting taxes is never a pleasant duty. Over time, Parliament will be a centre for the debating of vague resolutions that will carry very little in the way of effective influence. The Prime Minister's duties are bound to be significantly altered as he or she will become the person chairing the annual meetings of First Ministers. At one meeting they will discuss the economy. At another meeting they will discuss an agenda—they have actually put an agenda right into the Constitution. Forever and a day they must discuss the Senate. They must discuss fisheries, and they must discuss such other matters as may be agreed to. We can just imagine that meeting, "Is there any discussion on the Senate? None. Any discussion on fisheries? None. Are there any other matters that we can agree on? No." Meeting adjourned. How can something like that be put into the Constitution and call it a good piece of constitutional work?

The description of Quebec as a distinct society is a difficult and troublesome concept. If the Accord were modified in a number of ways, perhaps I would be able to swallow this notion. If definite steps were taken in the agreement to prevent or assure Canadians that there was no dilution of the Charter of Rights and Freedoms, particularly women's rights, if steps were taken to guarantee and advance aboriginal rights, if the political future of Canadians living north of 60 were not blocked, as they certainly are by the Meech Lake Accord, if all of those safeguards were built in, as the Liberal amendments to this Accord attempt to do, then, reluctantly and hesitantly, I could perhaps accept the distinct society of Quebec, but I would never like it. I would never feel comfortable with it.

• (1800)

I think that to describe Quebec as a distinct society is really an insult to many other Canadians who live in the various regions and areas of Canada. Distinctiveness in Quebec, it is argued, is based on language and culture. But surely there are numerous other equally valid categories of distinctiveness if we want to play the game of distinctiveness. I sense, when I cross the Rockies and go to our western most province, that there is distinctiveness there. I certainly feel it north of 60 and on the Prairies.

The region from which I come regards itself as being distinct from southern Ontario, distinct from other parts of Canada. Certainly that distinctiveness exists in Canada and it exists nowhere more clearly and evidently than it does in the province from which the Hon. Minister of Transport comes, the great Province of Newfoundland.

If we adopt this measure, how then will we address each other in the House? We will all be Hon. Members, but if you are an Hon. Member from Quebec, you will be an "Honourable and Distinctive Member". The Minister will be an Honourable and Distinctive Minister". A judge of the Supreme Court will be "Your Distinctive Honour". The Premier from one province will not be Mr. Premier but "Mr. Distinctive Premier".

The multicultural nature of Canadian society is surely downplayed by this Accord. As I said earlier, if we want to talk about distinctiveness, then what a sound and good case could be made for the distinctiveness of the aboriginal peoples of Canada. They too have distinctive languages, though many of them are dying out. There is a rescue operation going on, not too successfully because the resources are not available, but there are distinctive languages and there are distinctive cultures.

If Hon. Members want to take a moment to read that marvellous new edition of the *Historical Atlas of Canada*, they will find that the first section in that new edition says that for a long period of time, it was argued that the aboriginal people were immigrants who came here in 2,000 B.C. across the Bering Strait ice bridge. That has now been refuted and there is clear evidence from archeological research that the aboriginal peoples in North America go back 12,000 B.C. So when the elders of the First Nations talk about time immemorial, they are referring to time that goes back as far as there can possibly be any evidence for, that is, to 12,000 B.C.

The struggle for the recognition of the constitutional rights of aboriginal peoples is, in my view, set back irreversibly by the Meech Lake Accord. I talked about the agenda that is built into this Accord dealing with the Senate, fisheries and other matters as may be agreed to through unanimity.

We had four national conferences on aboriginal rights and made very little, if any, progress. Surely to goodness if there is to be an agenda—and how ridiculous it is in the first place to put an agenda in the Constitution— we would not forget to put in a major piece of unfinished business, defining and describing what are the aboriginal rights of Canada's first citizens.

Those who live north of 60, a great part of Canada, a distinctive part of Canada, are given a lower status than all other Canadians. In the City of Yellowknife, they are wearing armbands branding themselves as being a lower level of citizenry. That is how strongly they feel against the Meech Lake Accord. Northerners believe that they may be prevented forever from achieving their legitimate political goals of provincehood, of owning their own resources, of directing their own future.

In this House in answer to a question I posed several months ago to the Prime Minister about the creation of new provinces, the Prime Minister shot back a question to me. He asked if it is the Liberal position that new provinces shall be created bilaterally between the federal Government and the territory in question and the people who live there. The answer is unequivocally, yes. That is the way the other provinces were created.

When my grandfather came to this country and settled on a homestead in western Canada, his first address was the Northwest Territories. He was among those who encouraged the creation of a new province in 1905 and said that since there were certain matters that should be dealt with closer to home, they should be a province and have their own capital and their own legislature. Why should that not be possible for the Yukon? Why should that not be possible for the Western Arctic? Why should that not be possible for a new territory that is likely to be created in the Eastern Arctic with the name Nunavut?

I believe that the Meech Lake Accord dilutes one of the most valuable constitutional tools that any individual citizen has, and that is, the Charter of Rights and Freedoms. I think it does threaten women's rights, and that point has been made strongly, articulately and forcefully by the National Action Committee on the Status of Women.

I am concerned too about linguistic rights of English speaking people in Quebec and linguistic rights of French speaking people outside of Quebec. What does this do to the nature of Canada, which I see as a society that has as its first citizens aboriginals with a history that goes back as far as it is possible to go back, a multicultural society and two official languages.

The 1987 Constitutional Accord is one which should be substantially amended. The document, in its spirit and in its thrust, runs directly counter to what constitutes this nation. I deeply regret the process by which this Accord came into existence. It was so exclusive, a private conclave. It should have been much more open. It should have followed the pattern of the 1982 Constitutional Act.

As you know, Madam Speaker, a series of amendments have been proposed by the Liberal party. I think these amendments would significantly improve the Accord. They would make it much more acceptable to many Canadians and they would in no way offend Quebec or the people of Quebec. For me, these amendments are not only vital and important, but they are essential.

In 1517, there was a young German priest who nailed on the door of a church at Wurtemburg a number of proposals for change to the institution that he loved and to which he was dedicated. He had exhausted every single avenue in order to

get these changes accepted. When he was turned down at every door, at every forum, he said, "Here I stand, I can do no other, God help me".

For me, my Party's amendments are necessary to accepting this 1987 constitutional amendment, and if they fail to be accepted by the House, I am left with no choice, no option. I will vote no. I will vote against the Meech Lake Accord.

• (1810)

[*Translation*]

The Acting Speaker (Mrs. Champagne): It's being 6.10 p.m., the House stands ajourned until tomorrow, at 11 a.m., pursuant to Standing Order 3(1).

The House ajourned at 6.13 p.m.

HOUSE OF COMMONS

Thursday, October 1, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

BILL C-46—PRESENTATION OF REPORT OF LEGISLATIVE COMMITTEE

Mr. Derek Blackburn (Brant): Mr. Speaker, I have the honour to present, in both official languages, the report of the legislative committee on Bill C-46, an Act to amend the Royal Canadian Mint Act and the Currency Act.

[*Translation*]

BILL S-10—PRESENTATION OF REPORT OF LEGISLATIVE COMMITTEE

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, I have the honour to present, in both official languages, the report of the legislative committee on Bill S-10, an Act to revive Yellowknife Electric Ltd. and to provide for its continuance under the Canada Business Corporations Act.

[*Editor's Note: For above reports see today's Votes and Proceedings.*]

* * *

[*English*]

PETITIONS

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have another petition to present in the continuing series which I have been bringing to the House dealing with the very serious dangers to this country which are represented by the Fermi II nuclear plant in Munroe, Michigan. This plant is 10 kilometres from the border of my constituency.

In this petition 250 residents of towns such as Amherstberg and Malton have pointed out the extended length of time it has taken to get this facility even close to operating capacity. They have pointed out the serious accident record which the facility has. They have suggested very strongly that the Government of Canada must intervene in order to ensure that a safe review process is established by neutral parties to ensure that there is not a danger established by the reactor moving to full capacity without such a review.

[*Translation*]

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, as the next petition in the series I have been tabling in the House for the last four or five weeks, I am pleased to table one signed by the residents of two senior citizens' homes in my riding located at 255 Donald and 800 Saint-Laurent, which reads as follows:

> Whereas since September 1984 the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candies and soft drinks;
>
> Whereas the federal Government in its tax reform proposal is studying the possibility of imposing on Canadians a general tax on goods and services, including food;
>
> Whereas food constitutes a vital element in day-to-day life, and whereas the imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, the unemployed, low-income taxpayers, youth, and so on;
>
> Wherefore, your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

[*English*]

OPPOSITION TO PURCHASE OF NUCLEAR POWERED SUBMARINES

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, it is my duty and privilege to present a petition signed mainly by residents of Saltspring Island in British Columbia who are concerned about the great danger of accidents while nuclear armed and/or powered ships are in Canadian ports. They point to the threat which this poses to the environment and to Canadian citizens. They call upon the House of Commons not to purchase nuclear powered submarines for Canada.

Order Paper Questions

AMENDMENTS TO BILL C-55

Mr. Sergio Marchi (York West): Mr. Speaker, pursuant to Standing Order 106 I would like to table in the House of Commons two petitions on two different issues.

The first issue is with regard to the legislation currently before the House, namely, Bill C-55, the refugee determination Bill. I have a petition signed by residents of Vancouver, Richmond, Thunder Bay, Mississauga, Etobicoke, Brampton, Bramalea and Toronto. All these petitioners are asking the Government to delete the safe country clause and the prescreening stage and to upgrade the refugee appeal mechanism so that we may have a refugee determination system which is accessible, fair, and expedient and will discourage those who wish to abuse our system and do an end run around our regulations.

• (1110)

CONSTITUTIONAL ACCORD—RECOGNITION OF MULTICULTURALISM

Mr. Sergio Marchi (York West): Mr. Speaker, the final three petitions come from residents living in the Cities of Burnaby, Vancouver, London, Peterborough, and from my own riding of York West. These petitioners are asking the Government to amend the current Meech Lake Accord in order to incorporate and entrench in the opening clause one fundamental character of Canada, which is Canada's multicultural heritage, as a reality in this country that should be alongside the English-French linguistic duality in defining who Canadians are and what this country is about.

REQUEST FOR MORATORIUM ON AUTOMATION OF LIGHTHOUSES

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I have the honour and privilege to present a petition concerning the Government's proposal to automate light stations on the coast of British Columbia. The residents who signed the petition are concerned that the Leblond report was totally biased and did not reflect the need for public safety.

They ask the Government to impose a moratorium on any action by the Coast Guard in destaffing the light stations and that light station keepers be equipped and trained to do an even more effective job on public information and public safety.

* * *

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions on the Order Paper be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

MOTION TO ADJOURN UNDER S. O. 29

SUSPENSION OF FREE TRADE TALKS

Mr. Speaker: I want to bring to the attention of the House that again I have received an application under Standing Order 29 with respect to the granting of an emergency debate relating to the trade talks. I recognize the Hon. Member for Ottawa—Vanier (Mr. Gauthier).

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I would ask that you allow me to move a motion at the appropriate time so that the House can deal with a very important matter. We know that the deadline on the free trade issues is October 5. I suggest that you might want to use your judgment and protect the minority interest in the House and, of course, in the interest of the greater understanding of the issues, allow this debate to take place tonight.

I hope you would see the urgency of that request. Indeed, you have asked the Government to use whatever tools it has at its disposal to allow for this debate. The Government has not been forthcoming to date as far as I know, and there is one day left for debate. I hope we could have your consent to have this emergency debate tonight.

Mr. Speaker: I thank the Hon. Member for Ottawa—Vanier for bringing this matter to the Chair's attention. As I have said repeatedly for some days now, the Chair views it as an extremely important matter. As yet, however, it has not been the disposition of the Chair to order an emergency debate.

I say again to the Hon. Member that that does not preclude the Chair from having a different view at a different time. For today, however, it is not the disposition of the Chair to order an emergency debate for tonight. I repeat that the Chair knows that it is an important matter.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION ACT, 1867

CONSTITUTIONAL AMENDMENT, 1987

The House resumed from Wednesday, September 30, consideration of the motion of Mr. Hantyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development): Mr. Speaker, as the Member for Madawaska—Victoria in the Province of New Brunswick, and as an Acadian and as a francophone outside Quebec, I welcome this opportunity to take part in this debate on the 1987 Constitutional Accord. Today, I would like to comment on one of the fundamental aspects of the Accord, one that has my full support, and I am referring to the recognition of linguistic duality and the consequences for official language minorities.

The patriation of the Constitution in 1982 gave us a chance to recognize and confirm the importance of certain fundamental values and characteristics of our country. At the time, we recognized the rights of native peoples and stated our will to protect our multicultural heritage. We also guaranteed the equality of men and women, democratic rights and major language rights.

However, Mr. Speaker, how can any country be proud of guaranteeing and recognizing rights so fundamental for its citizens, how can any country be proud of such an accomplishment when we all know that the 1982 Accord left out one of the fundamental parts of the Constitution, one of the founding peoples of this country which had legitimate demands, demands which Quebec had presented to Canada long ago?

In 1982, Quebec was left out, and that is why the 1987 Constitutional Accord is so important. In addition to bringing Quebec back into the Canadian family, the Accord takes us even further in our recognition of language minorities. As a result of this Accord, Canada's linguistic duality will now be recognized in the Constitution. It is the first time in the history of this country that all Governments have agreed formally to define this fundamental characteristic of our Federation, and we are not talking about two nations or two totally separate entities but about French-speaking Canadians and English-speaking Canadians, living together across this country. I see this as continuing what we have already accomplished in the sphere of official languages. We are finally recognizing, in the Constitution, that which forms the foundation of our efforts to ensure respect for our two official languages.

Furthermore, all provincial legislatures have been given the responsibility to protect this fundamental aspect of our Federation. All provinces have now pledged their support for our language minorities. When we consider how important the full and unstinting co-operation of provincial Governments is to the future of these communities, we can only rejoice in such an undertaking. The Commissioner of Official Languages said that language minorities have now acquired the kind of protection they did not have before. Whatever some people may claim or maintain, this was not a foregone conclusion. And to those who are shouting from the roof-tops that Canada gained nothing and Quebec was the only winner in this spring's negotiations, we should recall what was said by the committee.

As the report points out, none of the five conditions set forth by Quebec sought explicit constitutional recognition of the existence of linguistic minorities in that province or elsewhere, nor was there anything about Quebec having a role to play in the protection of such minorities. The committee also recalls that the provincial Premiers went to Meech Lake to deal with the issue of Quebec being a "distinct society", one of the things Canada obtained in the constitutional negotiations. The provincial Premiers went back home, fully committed to enshrine in the Constitution the obligation to protect francophone minorities in their own provinces. They agreed to the formal acknowledgment of the presence of these minorities as being a fundamental characteristic of Canada, and this is one of the things Canada obtained in the constitutional talks.

[*English*]

Some concern has been expressed about the fate of these minorities as the Constitution simply affirms the role of the provinces to preserve linguistic duality. It is feared that the *status quo* will be maintained whereas bilingualism still has a very long way to go in many provinces. I agree with those who say that there is still much to be done in the area of bilingualism. On this I believe we fully agree. However, I do not share the view of those critics who state that because the Constitution affirms responsibility for preservation, nothing else will be done, for it is clear that such an affirmation establishes a minimum common undertaking. It does not prevent any Government from doing much, much more.

• (1120)

Affirmation of this role did not prevent the adoption of Ontario's Bill No. 8, nor has it stood in the way of our tabling a new Official Languages Act. The provisions of the new Bill dealing with the advancement of official languages exceed by far all that has been accomplished to date. Clause 40 of that Bill reads as follows:

> The Government of Canada is committed to enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development and fostering the full recognition and use of both English and French in Canadian society.

[*Translation*]

The measure also provides that the Government will take positive steps to live up to this commitment, both by working in its own fields of jurisdiction and by encouraging the provinces, the municipalities as well as the major associations

of the private sector, the labour movement and volunteer organizations to make a special effort.

More specifically as far as the provinces are concerned, the government will encourage and help them promote the expansion of francophone and anglophone minorities, particularly by providing provincial and municipal services in both official languages and enabling them to be educated in their respective language.

Given this firm government pledge and the constitutional guarantee that provincial legislatures will protect this duality, we can indeed look to the future with optimism. This constitutional guarantee is all the more significant that it is spelt out in an interpretative rule. At least that is the view of expert witnesses who appeared before the committee. As Mr. Robert Decary pointed out, the Constitution and therefore the Charter as well as linguistic rights will have to be so interpreted as to ensure the protection of francophones.

On June 3, the First Ministers confirmed the role of all Governments in protecting duality. It may not be much, but they all see this as a giant step forward.

Still, many of them had expected more. Spokesmen for francophones outside Quebec and their supporters would have liked all Governments to be given the role of promoting as well as protecting Canada's fundamental characteristic, namely the presence of francophones and anglophones throughout Canada.

Senator Murray stated that on June 3 the First Ministers had examined—and actually they did—a number of avenues to that end. It had then to be recognized that despite the Prime Minister's personal efforts, the consensus could not go any further than it did.

People will ask, since the provinces will not accept a promotional role, that we at least bind the Canadian Parliament to such a proposal, if only to cast in stone the commitments it made up till now at the legislative level. This is what the Liberal Party is asking for in its series of amendment proposals. We are asked to reopen the Accord to stress the role of both Parliament and the provinces that would so wish to promote our duality, adding that since that commitment only involves Parliament and some of the provinces, it would easily command unanimity.

But to those who make such a suggestion or proposal, I would like to submit two points. First, according to the testimonies produced, the Joint Committee Report, and the comments of those who negotiated the Accord—and I am referring here to all the First Ministers—it is clear that any reopening of the Accord for anything else but the correction of a major error or a substantial oversight would be viewed as a reopening of negotiations. From then on, everyone could propose changes. And in the opinion of many people, that is a recipe for failure. I share that view, Mr. Speaker.

If 25 years of constitutional negotiations in Canada were needed to bring us as a nation to that day of June 3 on which finally, after pondering and negotiating, the First Ministers finally reached a consensus, and when we say this is a canvas that is weaved together, I believe it would be illusive to believe we could now reopen the Accord in order to perhaps placate concerns that may seem legitimate. If we did that, we would inevitably be asking for an end to the Meech Lake Accord, and if that Accord were to break down we might have to wait another 25 years or more and without being a prophet of gloom, I can assure you that if this time we say no to Quebec, a lot of time will be needed to repair such a serious error.

But the people who propose that Parliament and some provinces only do the promotion of the French culture within their exclusive jurisdictions, could perhaps more importantly think of the impact a commitment by Parliament alone or a few Governments to promote duality could have. Clearly, Parliament is already promoting this duality, and a constitutional commitment would do no more actually than the Official Languages Act already provides. The same goes for certain provinces.

However, we may wonder whether that commitment by Parliament or a few Governments to promote duality could not be interpreted as encouraging the status quo in the other provinces. Indeed, why should a province that has nothing more than a protective role under the Constitution promote duality if that is the responsibility of a few Governments only?

I submit to you, Madam Speaker, that under the Constitution French-speaking Canadians outside Quebec would become second-class citizens in some of the provinces and first-class citizens in other provinces. I feel that I cannot subscribe to such a constitutional situation in this country.

Today with the Meech Lake Accord, and the Constitutional Accord of 1987, we have a common role which is to protect our cultural duality and the Government of Canada can encourage provinces to play that role and go beyond that. I am not suggesting that Parliament should not assume the constitutional role and do more but I point out that we have to look seriously at the consequences before compelling it to do so by means of a reconsideration of the consensus reached on June 3.

To my mind it would be highly preferable to take advantage of the forthcoming constitutional discussions to add to the duality already provided for in the Accord.

Madam Speaker, I should now like to deal with another aspect of the Accord which has been discussed. A distinguished critic of the Accord, and I do not mean the leader of the Liberal party in New Brunswick, but rather the Right Hon. Pierre Trudeau who wrote on May 27 last: That the Constitutional Accord gave Quebec a competence which other provinces did not have, that is, he said, to promote the concentration of the French culture in Quebec. He saw therein a bad omen for French-speaking minorities.

As a French-speaking Canadian from outside Quebec, I admit that I do not understand his argument concerning French-speaking Canadians from outside Quebec.

The *FFHQ* and other groups told us that it was essential to maintain a strong French culture in Quebec. Mr. Décary stated: "If Canada wants to protect the French element of this country, the province having a French-speaking majority should be given the political and legislative tools needed to promote its language, its genius and its civilization." He added: "Without Quebec, the French culture elsewhere in Canada would be an illusion." However, no one, except Mr. Trudeau ever suggested that it would give Quebec new constitutional powers. Messrs. Beaudoin and Lederman, among others, have clearly stated the opposite. The role of Quebec, as Mr. Beaudoin said, should remain within shared competences. It does not change Sections 91 and 92. It does not give Quebec extraterritorial power nor any mandate to act in a jurisdiction at other government levels. I do not see how the other provinces or the federal Government would have anything to fear.

• (1130)

[*English*]

I see progress in this Constitutional Accord. I see progress for Quebec and for francophone minorities. I see progress for linguistic duality and for acceptance of our policy on official languages. Many, if not the majority, of the witnesses heard by the committee, share my view. It is not perfect in the sense that we could have done more. However, politics is the art of the possible and the heart of compromise. When I say the art of the possible and the art of compromise, it is perhaps even more true when it comes to constitutional matters. I do not believe that anyone who has participated in the constitutional negotiations, including Mr. Trudeau, can say otherwise.

I am sure that the Charter of Rights with the notwithstanding clause, Section 33, is not the type of full, air-tight protection of fundamental rights that the former Prime Minister wanted. The circumstances of the moment forced him to accept section 33, but he did not reject the Charter because of it. No. Instead, he chose to move forward with the Charter because a Charter with section 33 was better than no Charter at all.

The agreement reached on June 3 was also a compromise, but a less dramatic one. Still, I do not consider it a step backward. I see no danger for francophones or for anglophones.

[*Translation*]

I see progress in this Agreement, Madam Speaker, progress for Quebec and for francophone minorities. What I find deplorable, however, as a representative of New Brunswick in this House, is that during the current electoral campaign in New Brunswick, one of the provincial party leaders is threatening to destroy the Meech Lake Accord under the pretext that, if he becomes premier of New Brunswick, it would be with the mandate of re-opening the Meech Lake negociations.

I am speaking about the leader of the New Brunswick Liberal Party, Mr. McKenna, who is telling two things to the people of New Brunswick, to Acadians and to women. First, as he knows quite well that the Acadians recognize that Richard Hatfield was an architect of the Meech Lake Accord with the Canadian Prime Minister and that Mr. Hatfield has been promoting and protecting the rights of Acadians in New Brunswick for a long time, Mr. McKenna, the leader of a political Party, to attract the votes of Acadians, is now going through the province and telling people: A vote for me is a vote to re-open and amend the Meech Lake Accord. When he is asked why, he speaks about the rights of women, francophones and the native people, but what he does not say to the people of New Brunswick is what he will do exactly. He says that he will re-open the Accord, but he does not tell the people of the province why. At least, we know where the federal Liberal Party stands. The federal Liberals have proposed amendments saying that these amendments deal with fundamental issues, but that if these amendments are not accepted, they will still support the 1987 Constitutional Accord, which Mr. McKenna refuses to do in New Brunswick.

He is asking the people of New Brunswick, including Acadians and women, for a blank cheque. He asks them to send him to Ottawa, but without telling them what he will do. When such a major issue is involved, Mr. Speaker, you cannot give a blank cheque to someone who does not have the guts to tell the people of New Brunswick whether or not he will really destroy the Meech Lake Accord.

This is an important issue because I would not want the people of New Brunswick, including the Acadians, to be isolated from the rest of this country by the petty political action of a leader who is only trying to attract a specific group of voters in New Brunswick.

* * *

[*English*]

BUSINESS OF THE HOUSE

DISPOSITION OF CONSTITUTIONAL AMENDMENTS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, there have been discussions among the Parties, and I think that you will find there was unanimous consent for the following order to be moved immediately:

> That consideration of the motion of the Minister of Justice for amendments to the Constitution of Canada (Government Orders, Government Business, Number 14) shall be conducted as follows:
>
> (1) No later than 6:00 p.m. on Thursday October 1, 1987, the Leader of the Opposition and the Leader of the New Democratic Party, or a member of their respective Parties acting on their behalf, may each give notice of a motion incorporating amendments described in addendum A and B, respectively, of the report of the Special Joint Committee on the 1987 Constitutional Accord, tabled in the House on September 21, 1987, and, when the said Government Order is next taken up on a subsequent sitting day, the Speaker shall, notwithstanding any Standing Order or usual practice, declare these motions to have been duly moved and seconded;

(2) No later than 5:00 p.m. on Friday, October 2, 1987, other Members may give notice of amendments substantively different from those of which notice has been given pursuant to Section (1) of this Order, and when the said Government Order is taken up on the next sitting day, the Speaker may declare these motions to have been duly moved and seconded;

(3) No amendment shall be permitted other than as provided for by Sections (1) and (2) of this Order and any amendment or sub-amendment proposed before the adoption of this Order shall be deemed to have been withdrawn;

(4) During the debate on the said Government Order, and any amendments thereto, no Member may speak more than once;

(5) At the conclusion of debate on the said Government Order, the Speaker shall put forthwith and successively, without further debate or amendment, all of the questions necessary to dispose of all of the proposed amendments and of the main motion, as amended or not amended, as the case may be, in the following order:

(i) the motion proposed by the Leader of the Opposition or a member acting on his behalf pursuant to Section (1) of this Order;

(ii) the motion proposed by the Leader of the New Democratic Party or a Member acting on his behalf pursuant to Section (1) of this Order;

(iii)Any motion proposed pursuant to Section (2) of this Order;

(iv) the main motion;

(6) For the purposes of this Order, a Whip may request a deferred vote on all questions set out in Section (5) of this Order for 48 hours.

(7) During consideration of this Government Order, the provisions of Standing Order 9(4) shall not apply.

The Acting Speaker (Mrs. Champagne): Does the Hon. Minister of State have unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Lewis: Madam Speaker, I should have prefaced my remarks by pointing out to the House that the House Leaders from the Official Opposition and the New Democratic Party have been very co-operative with the Government in an effort to organize and manage the debate so that it meets the wishes of the Parties and also the individuals who may wish to place amendments.

I wish to thank them for their co-operation.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, on behalf of the New Democratic Party, I too wish to offer an observation that on this very historic occasion when the House is dealing with the Constitution of Canada that it was a pleasure to work with the House Leader of Her Majesty's Official Opposition and the Government House Leader to arrange a package that would permit every Member to have an opportunity to speak to the motion before the House regarding the Accord, or the respective amendments put forward by the various Parties or individuals, and allow for a free and open debate on this very important matter.

I concur with the Minister of State (Mr. Lewis) that this has been a very productive exercise. It indicates that when the will is there, all three political Parties in Canada can work together for the good of the country.

• (1140)

Hon. Herb Gray (Windsor West): Madam Speaker, I simply want to say that the order which has just been adopted represents the results of consultations. It will permit the consideration of amendments deemed important to the opposition Parties, as well as possibly to individuals.

In addition, it will ensure that those who wish to speak in this debate will have the opportunity to do so.

The Acting Speaker (Mrs. Champagne): Following the comments of Hon. Members and the motion which has just been carried, I think the Chair may also express a few comments.

In the special order which the House has just adopted it is provided that certain amendments included in the report of the Special Joint Committee on the 1987 Constitutional Accord shall be proposed to the House notwithstanding that they may be out of order pursuant to our rules and practices.

While this is a most unusual procedure, it is not for the Chair to interfere with the course which the House has unanimously chosen to follow. However, I believe it is my duty to state for the record that the amendments which may be proposed during the debate on this government order should not be cited or referred to as precedents in future proceedings in this Chamber.

The House will now proceed with the question and answer period following the speech of the Hon. Minister.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed debate on the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Constitution Amendment, 1987

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"Part VI

Constitutional Conferences

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Mr. Jean-Robert Gauthier: Madam Speaker, I listened carefully to the Minister's speech and, indeed, I share some of his views. We both belong to a minority in our provinces, although the minority in his province is more important than it is in mine. We are part of the Canadian diaspora and we understand each other very well, I think, in terms of our objectives.

I would like to ask him a question because, at the end of his remarks, he mentioned the possibility that, should there be a change of Government—and I mention it only because the Minister himself alluded to it—that Government, headed by someone other that Mr. Hatfield in New Brunswick, might not endorse the Constitutional Accord known as the Meech-Langevin Accord.

We all know that, at the present time, the amendment formula requires seven provinces with 50 per cent of the population, but that the Meech Lake Accord introduces a new formula which demands unanimous approval, and that is precisely what the Minister is concerned with. The new method will come into effect when the Accord is agreed upon. The provincial Premiers and the Prime Minister (Mr. Mulroney) have agreed unanimously that this new formula should prevail. Yesterday, I was asked in the House the question I am going to put to the Minister. I do not know whether he read it or not. Would a new partner on the Canadian scene, a new provincial Government which would refuse to endorse the accord, this Meech Lake agreement, destroy the unanimity concept? In the Minister's opinion would such a move jeopardize an agreement accepted by a Government legally elected and rightfully representing the interests of the Province of New Brunswick? I am asking the question because, as far as I am concerned, I consider that a new player must accept the rules presented to him. Those of us who are in favour of the Meech Lake Accord, and I am sure that I am expressing the feelings of many of my Party colleagues, think it would be improper and perhaps even difficult for a new player to change the rules of the game and say: the Meech Lake Accord is no more, for there is no longer unanimity. We will return to the old amending formula which required the support of seven provinces and 50 per cent of the population. If I understood him correctly, is that what the Minister meant? He was concerned that a new player, New Brunswick, might change the rules of the game concerning the Meech Lake Accord.

Mr. Valcourt: Exactly, Madam Speaker. That is what is occurring now. There is, of course, the fact that the Leader of the Liberal Party of New Brunswick is involved in an election campaign and that, in an effort to obtain the support of both women and Acadians, he claims that he will, all by himself, reopen this dossier in spite of the fact that this document is the result of a consensus between all the First Ministers of this country. But what does he really mean? When he says, for instance, that he wants to improve this document or that he wants to meet the concerns of women, although constitutional experts have abundantly demonstrated that their rights would not be affected, although those who know something about Canadian reality are well aware that some provinces are resisting their constitutional obligations at home, he claims that he wants to promote the French fact and, in order to flatter Acadians, he says that he will reopen this dossier. But what he absolutely refuses to say, it is whether, if elected, he would submit the Constitutional Accord to the Legislative Assembly for approval. What I simply cannot accept, what I deplore, Madam Speaker, is for him to use the concerns of Acadians, women and Native peoples, saying: Of course, I am going to reopen this, but without saying openly that, once the issue is debated, no, it is out of the question, for it cannot be reopened. Are you going to submit it to the Legislative Assembly, yes or no? That is what he will not say. It is because he refuses to show leadership that I, for one, feel that we should not give him a blank cheque. I feel also that he is depriving the citizens of New Brunswick of one of the most basic tenets of democracy, namely, that they should know where their political leaders stand. Is he going to submit the 1987 Constitutional Accord for approval, just as the legitimate and duly elected prime minister of New Brunswick did on June 3 last?

The Acting Speaker (Mrs. Champagne): The Hon. Member for Ottawa—Vanier (Mr. Gauthier) has the floor for a very short supplementary. Then I shall recognize the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly).

Mr. Gauthier: Madam Speaker, what the Minister has just put forward are facts! Each province has agreed to submit the 1987 Constitutional Accord to its Legislature. I do not see how it could do otherwise. Personally, I feel that the newly elected Premier of New Brunswick . . . I do not share the Minister's opinion on this, for I feel Mr. McKenna has very good chances of being elected—I think that Mr. McKenna will submit the Constitutional Resolution to the New Brunswick Legislature, and we will see what will happen next.

[*English*]

Mr. Manly: Madam Speaker, the Minister spoke as a francophone from outside Quebec. I think it was very important for him to do that because there are many related concerns.

The Minister is also the Minister of State for Indian Affairs and Northern Development and, as such, he has responsibility to aboriginal people. Could he give us his views on the impact of the Accord upon aboriginal people, particularly in respect of that section of the Accord which calls for constitutional conferences that will be dealing with such subjects as Senate

reform and fisheries, both of which are absolutely vital to aboriginal people?

Mr. Valcourt: Madam Speaker, of course, I think the question of aboriginal rights is very important. It is obvious that on June 3 the First Ministers could not agree on putting the question of aboriginal rights on the agenda of the next constitutional conference.

• (1150)

We have had dates agreed to for constitutional conferences on aboriginal rights and it has not worked. Why? As our Prime Minister (Mr. Mulroney) stated many times, with Quebec at the negotiating table and part of the Constitution the native people stand a much better chance of having the question of aboriginal rights resolved, in particular that of self-government. I understand and appreciate that they would like to see at this stage the issue of aboriginal rights on the agenda at the conference, but experience teaches us that fixing dates for conferences without a consensus does not work. If we had said in 1982 that the Quebec round would take place by October, 1984, or June, 1985, would that have ensured the resolution of the Quebec round? Not at all.

The groundwork the Prime Minister laid down in Sept-Îles was good. He said that we will start consultation and call a conference when there is a chance of reaching a solution. I think that is the best course to follow on aboriginal rights.

The Acting Speaker (Mrs. Champagne): The time allowed for questions and comments has expired.

Ms. Lynn McDonald (Broadview—Greenwood): Madam Speaker, I am very excited to be taking part in the process of constitutional development, particularly bringing Quebec back into the constitutional family. I believe the adoption of this Accord by Parliament and the provinces will be an historic occasion on which all Canadians can rejoice.

[*Translation*]

I remember well how ashamed I felt when the Constitution was signed and Quebec was not there. The Queen came for the ceremony, but Quebec was not part of the Constitution that was signed that day. So our Constitution and the Charter were launched without the agreement of a major part of Canada.

We will now change this unhappy situation. We will welcome Quebec in the Constitution. From now on, we will work together in one Canada in order to renew our country, our Constitution, and this, in a Canada that recognizes the distinct character of Quebec. Together, we will tackle other constitutional problems such as Senate reform and justice for native people.

We cannot solve these problems without the full participation of Quebec.

While the Meech Lake Accord constitutes an important step for Canada, it is not perfect. We in the NDP have proposed some amendments in order to eliminate the injustice suffered by our northern citizens and to include more considerations for native people.

[*English*]

We have in particular proposed an amendment. We are not satisfied with the change which means that the Yukon and the Northwest Territories would need to have unanimous consent of the provinces in order to become a province themselves. No other region of Canada had to face that. We do not like the exclusion of the Yukon and Northwest Territories from participation in the selection of Supreme Court justices or Senators. We think that should be changed.

The NDP deeply regrets the failure to reach a just settlement with native peoples and we believe the Accord should have included early consideration by First Ministers of aboriginal rights and self-government.

My riding of Broadview—Greenwood contains many citizens whose heritage is neither English nor French. Many are concerned about multicultural heritage and while the Accord does nothing against recognition of this heritage, it does nothing for it either. We recommend that First Ministers give early consideration to the ethnocultural reality of Canada as a fundamental characteristic.

In the course of looking at the Constitutional Accord many people, particularly women and minority groups, raised concerns regarding the application of the Charter. We have not yet begun to deal with those concerns. We believe there should be a very thorough Charter review and these considerations should be treated seriously.

The incorporation of a Charter in our Constitution was a major change for Canada, moving from a parliamentary system to one with an entrenched Charter. That gave an enormously greater role to the courts. Of course we have to review the results of that change. We must adapt where we see that the results are not those desired or intended.

I want to get on to some major considerations raised in the constitutional debate, considerations which make some people worried about accepting the Accord as it stands. I want to begin with the very serious concern regarding women's equality. I am a feminist. I was very actively involved in the Charter fight for women's equality back in 1981-82. Frankly, I am not one of those who was keen on a Charter and thought with some confidence that it would solve our problems. Certainly when we saw that there was going to be a Charter, I, along with other women, acted in a very determined way to ensure that the Charter would be good for the women of Canada. I am very concerned that this Accord respects the gains the women's movement made in 1982.

The first version produced in 1982 was very inadequate. It would have worsened the situation of women. Yet we saw the women's movement come of age, and the enormous force of that movement changed the Charter. The wording was changed. For that reason we can understand why women are suspicious of this new Accord. We have not been treated

properly in the past. However, while we should have some amendments, I believe that, even if we did not, we need not be worried about taking a step backwards.

To meet the concerns expressed, we propose that Section 28 of the Charter be incorporated in Section 16 of the Accord. Here we have a need for consistency and symmetry. With multicultural heritage and aboriginal rights being given special recognition it is very important that women's equality not be lost.

What happens if we do not achieve amendment? I still think the security we have in Section 28 is adequate. This gives women that extra recognition that equality is a fundamental part of our Constitution. We have Section 15 as well as the back-up of Section 28. I feel very confident that that will be adequate.

It has been suggested that the distinct society recognition could be used against women's equality. I think that argument is all wrong. In the 1930s in Quebec, when women did not have the rights they had in other parts of the country, that certainly would have been a legitimate concern. However, we are not living in the 1930s. Quebec is a very different society in the 1980s, one in which women's equality is perhaps closer to achievement than in many other parts of the country.

[*Translation*]

Quebec was the first province to pass an act providing equal pay for work of equal value. The *Régie des rentes* in Quebec was more favorable to the participation of women than the Canada Pension Plan. The Quebec Plan includes the drop out measure providing for the inclusion of women homemakers when they have a child of less than seven years of age. That measure was rejected by Ontario for many years which, because of the veto of that province, blocked any move in that direction for the rest of Canada. So the distinct society made possible a valuable difference. Later on, that measure was introduced in the rest of Canada.

• (1200)

[*English*]

Here we see doing something differently was actually beneficial, and the rest of Canada caught up. I do not think we have to worry about distinct society impinging on women's rights. Nor do I think the distinct society recognition is any loss for the rest of Canada. It is simply a fact of life, and the Accord is very clear that most English-speaking people live outside the Province of Quebec but some live in Quebec, most French-speaking people live inside Quebec but others live in all other parts of the country. Minority rights are recognized in our Constitution before and after the Accord. It is not a give-away, it is simply a recognition of Canadian reality.

Another very, very serious objection that has been raised against the Accord is that it weakens federal powers. It has been stated that the federal power will be so weakened that we will not be able to create the social programs we need to face and solve the problems we have as a united nation.

I do not believe that the Accord has that kind of effect at all and I think people are being caught up too much in theory and abstractions. I think the remarks of former Prime Minister Pierre Trudeau are simply off base. He talks in an academic fashion, in the pejorative sense of the word, being far-fetched, argumentative, theoretical and indeed capricious.

Let us look at the reality. The Accord comes close to the reality that exists. It is a change on paper but it is not really a significant change in how we order our national and provincial shared responsibilities. Indeed, the federal Government for the first time will have a stated explicit constitutional authority to spend in areas of exclusive provincial jurisdiction. Again, this is not a give-away, this is not something that any province has lost, because that power was already recognized in fact, thanks to the very significant spending powers the federal Government had. It is not a change in practice but it is constitutionally accepted.

There are about a hundred shared-cost programs of various sorts between the federal Government and the provinces. The really significant ones were achieved by consensus and negotiation. In some cases, it was a 100 per cent consensus. Our great social programs like the old age pension, unemployment insurance and the family allowance were achieved only when all provinces agreed. Then we have a different situation with the Canada Pension Plan and the Quebec Pension Plan. Here we have two slightly different plans set up, but this was not a defeat for Canada, this has actually been advantageous.

The Quebec Pension Plan has done things a little differently, and in some cases I say the Quebec Pension Plan has done things better. In some cases, the Canada Pension Plan has subsequently accepted things begun by the Quebec Pension Plan. We can see that this possibility of having provinces do things differently, as long as they meet national objectives, is not a new departure. We have been doing this anyway and it is a healthy development. It has been good for the country and it will continue to be good for the country.

There have been disputes between the provinces and the federal Government, for example in medicare, and we only got medicare because a province started it, the CCF Province of Saskatchewan. Ontario opposed it, but very soon thereafter when it was brought in on a national basis, Ontario came along.

We need to have some flexibility. We need to have negotiation. I suggest that the next social program that we need and that I hope we are going to have, namely child care, will only be successful if we have federal-provincial negotiation and consensus. These are not matters in which there is any significant change, and indeed the change on paper will strengthen federal powers by constitutionalizing the right of spending in areas of exclusive provincial jurisdiction.

Some people have objected to the statement in the Accord that there will be annual First Ministers' meetings. Some people have even suggested that this would work against the federal power. I think this is absolute nonsense. We already have First Ministers' meetings. They are part of our normal governmental life, and they are healthy things to have. We have a shared-responsibility Constitution. Some programs are federal, some are provincial, some are shared. It is normal, natural and healthy for the Governments to get together at least annually to discuss matters of mutual concern to Canada.

The question of power over immigration has been raised as being a diminution of federal power and also a matter which could impinge on women's equality. I do not think either are true. We have already had arrangements with the Province of Quebec for 16 years now and we have not seen inordinate discrimination. There is discrimination against women in immigration, but it is not in any particular province. There is national discrimination.

The safeguards in the case of immigration are quite clear. The Charter still holds. That is made perfectly clear in the Accord and it is made perfectly clear that the agreement arranged with the province must be approved by Parliament, by us, elected representatives, and we certainly would not approve of a discriminatory arrangement. The terms, objectives and nature of immigration policy remain federal. I think that is not an area which will pose new problems, and let us hope that it will provide some new solutions. We want immigration to be handled in a way that is satisfactory to provinces, and it will work much more smoothly if that is the case.

It has been suggested that giving the power to the provinces to nominate Senators, although I hope we do not have a Senate much longer, and judges for the Supreme Court of Canada is a diminution of federal responsibility. Again I do not think this is true. It does not give the power to a province to put someone in the Senate or the Supreme Court of Canada to work against Canada. That simply is not possible. The appointment must have the final approval of the federal Government through the Governor in Council. It means that the provinces will propose people for nomination, and that is perfectly reasonable. This is done in other federal states. If the federal Government does not consider those nominees acceptable, then they will negotiate. Negotiation, talking to each other, reconciling differences is a normal and proper part of life in a federal state.

[*Translation*]

We must rely on the common sense of Canadians, of the federal and provincial governments, in order to find a solution to these differences.

I am an ecologist and I want adequate federal power to enact regulations in the area of environment. Toxic substances flowing in our rivers and polluting our air, as in acid rains, do not recognize provincial boundaries. Therefore, there must be strict national criteria. I believe the provinces should have the right to demand even stricter criteria but not to lower the established national criteria. Ecologists from Quebec agree on that. Ecologists from all parts of Canada are asking for such measures. Yet, both levels of governement share the responsibility for environment. Agreements must be negotiated in order to establish adequate criteria. The Accord does not bring any change in this regard. The federal Government is not any more capable nor any less capable to act in this area. Political will is required at both levels of Government in order to bring about a real remedy and this goodwill cannot be legislated. However, I suggest the agreements that are required will become more likely with Quebec's adhesion to the Constitution. The energy that was wasted in bitterness and confusion will be better used if Quebec becomes part of the Constitution.

[*English*]

That, Madam Speaker, is what I am looking forward to. We have to put our past behind us. We have to put behind us those years of confrontation and bitterness. I want further to see many more Canadians involved in the process of constitutional development. The Constitution belongs to all Canadians. It is not government property. Average Canadians should be involved in the next steps as we work toward a fairer Constitution, redressing the injustices to the North and our native peoples, and dealing with the alienation of the west and the east and their proposals for constitutional change to meet their concerns.

• (1210)

I have carefully examined the objections which have been raised. I have studied the committee's work on the subject. The committee worked hard all summer on this issue. It weighed the objections raised against the consequences of not acting. I think we must consider those objections very carefully as well as amendments, but we must also consider the consequences of refusing reconciliation with Quebec. That would be a terrible non-step to take, a terrible dereliction of our duty.

I believe that by saying yes to Quebec we will also be saying yes to all of Canada and our future together. Let this Parliament and the provincial legislatures make this commitment now so that we can work together creatively, responsibly, and amicably to build the kind of Canada that all Canadians want.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Questions and comments. Resuming debate. The Hon. Member for Saint-Henri—Westmount (Mr. Johnston).

Hon. Donald J. Johnston (Saint-Henri—Westmount): Madam Speaker, I would like to use the time available to me today to speak, first of all, to my colleagues, friends, constituents and fellow citizens in the Province of Quebec. Madam Speaker, as you know, there are supporters of the Constitutional Accord who insist that to be against or to reject the Accord is to be against Quebec; that to reject the concept of Quebec as a distinct society is to be against Quebec itself; that not to accept the Constitutional Accord unamended, despite its flagrant shortcomings, means not accepting Quebec as a member of our constitutional family. That, Madam Speaker, is tantamount to blackmail. However, there are many people who have let themselves be convinced by these simplistic and unsound arguments.

If I had more than 20 minutes, I would be able to demonstrate to you, and convince those who listen with an open mind, that this radical change of course contemplated by the constitutional Accord could weaken if not destroy the Canadian Federation. We are embarking upon a dangerous course towards decentralization, a poorly thought-out constitutional dead-end caused by the requirement that the provinces must be unanimous on major constitutional amendments. This is a step backward from the vision of a bilingual and multicultural Canada and a return to what some people call the two-nation concept, one anglophone and the other francophone. To those who say: "Donald, if you vote against the Accord, you are voting against Quebec", I say: To vote for the Accord is to vote against Canada.

I am for a confident and strong Quebec, within a strong Federation.

If I wanted to destroy the Canadian federation, if I wanted to suppress the rights of language minorities, and if I wanted to create a loosely constructed federation, a kind of alliance among 10 provinces, with a distinct society in Quebec, endowed with powers that would not be available to the other provinces, if I wanted to wipe out the possibility of creating jointly-financed national programs like health insurance, if I wanted to do all that, Madam Speaker, I would vote for the Constitutional Accord.

I will therefore vote against it.

Madam Speaker, I am being accused of wanting to maintain the dream of a bilingual country, a dream that does not reflect the Canadian reality that Quebec is a francophone island in an anglophone country.

I am being accused of refusing to accept a fact of life, namely that Quebec is a distinct society within the Canadian federation and that the Quebec National Assembly and the Quebec Government must be able to protect and promote that distinct identity, as described in the Constitutional Accord. Today, Madam Speaker, I therefore wish to concentrate on this particular aspect, namely, Quebec as a distinct society.

First of all, Madam Speaker, to explain my philosophy I must comment briefly on my own origins. I am not originally from Quebec. I was raised on a small farm in the Ottawa Valley, just 12 miles from Parliament Hill. But for more than 40 years I lived in the Province of Quebec, first in Saint-Jean-sur-Richelieu and later in Montreal. My father retired in Vancouver, and my wife comes from Nova Scotia.

And so, Madam Speaker, I feel at home everywhere in Canada but particularly in Quebec where I have chosen to reside. Madam Speaker, I am sorry I did not learn to speak French before my adult years, and that explains my strong accent. I mention these points of personal history simply to tell you that I chose to make Montreal my home. Like many other anglophones in the province—I believe the great majority—we not only accept the promotion of French in "la belle province", but we take an active part in the process. Our children speak French, they work in French and, far from being hostile to the French fact we are proud of it! We are in the Province of Quebec not despite the French fact but because of the French fact. Although there was an exodus of anglophones after the election of the *Parti québécois*, those who remained chose the Quebec option and have no intention of abandoning their province.

Madam Speaker, my problem with the Constitutional Accord lies far beyond Quebec linguistic issues. But I emphasize that the protection of minority rights remains a basic point in this debate, whether we are talking about the 800,000 people who speak English in Quebec and can be found in every socio-economic stratum of society, about the rights of francophones outside Quebec, about women, about native people, about Catholics, Protestants, Jews, Indians, all visible minorities, just to name a few. In my judgment, given the legal scope of the distinct society clause, there is no doubt that minority rights could be prejudiced under the proposed agreement.

However, Madam Speaker, let us get back for a moment to the dream of a bilingual country from Newfoundland to British Columbia.

As I see it, the Accord will indeed put an end to this dream, this dream about a bilingual country where Canadians who speak French or English or are bilingual will be entitled to public services in the language of their choice throughout Canada. A country where education would be available in either French or English in every region. Unfortunately, and there is no doubt on this point, in both its tone and direction the Accord leads toward a French-speaking Quebec in an English-speaking country. Admittedly, it is true that we have not yet fully realized the bilingual Canada of our dreams, but instead of applauding the progress already made and of continuing in the same vein, the Government is telling us that we should entrench in the Constitution what it considers to be the Canadian reality. For my part, I say that you should never enter public life if you are satisfied with reality, satisfied with the *status quo*.

Did Sir John A. Macdonald accept the Canadian *status quo* of his time? Or rather, did he dream of a strong and united federal country—a dream which guided his policies? Was the building of a railway across this beautiful country, which is the subject of the book *The National Dream* by Pierre Berton, not inspired by this dream? Was the vision of Laurier, who said that the 20th century belonged to Canada, not a dream also? Even if it is impossible to make our dreams come true, we must still make sure that our society progresses toward those dreams. As for me, Madam Speaker, I am convinced that the dream of Henri Bourassa, Laurier, St-Laurent, Pearson, and more recently Trudeau, namely the dream of the bilingual Canada which I have described, is a dream which can come true. Indeed, it is essential for this dream to come true if we want to have a strong and united Canada which can compete with the rest of the world. As far as this dream is concerned, Madam Speaker, the Accord represents a disappointing failure.

Faced with this Accord, what would be the thoughts of Henri Bourassa, the great Canadian nationalist who stated the following in 1912:

> No, indeed, French, we have the right to be because of our language; Catholic, we have the right to be because of our faith; free, we have the right to be because of the Constitution; Canadian, we are before anything else; British, we have as much right as anyone else to be. And these rights should be ours to enjoy throughout the Confederation.

Let me also quote the words of Archbishop Langevin, who attended a conference in Montreal that same year on the occasion of the first Congress of the French language in Quebec:

> We do not recognize the right of anyone to stop French Canadians at the Quebec border to tell them: From this point on, you are no longer at home. We are at home everywhere in Canada.

Now, 75 years later, Madam Speaker, we are abandoning this dream. It seems to me that what has been achieved to date justifies our confidence in the future of the policies which have made it possible for Canada to make such extraordinary progress.

The legal recognition of Quebec as a distinct society represents in my view a capitulation to the philosophy of those who favour the coexistence of two nations on Canadian territory, namely a francophone nation and an anglophone nation. Many people say to me: "Donald, it is obvious that Quebec is a distinct society." There is for instance Professor Beaudoin, and I shall now reply to the comment of my friend, the Hon. member for Saint-Denis (Mr. Prud'homme). As Professor Beaudoin stated before the National Assembly Committee:

> Because the language and culture of a majority of its population are French, and because it operates under a French civil law, Quebec is a distinct society.

Well, even if we support Professor Beaudoin's point of view, observation of fact should not be entrenched in a Constitution, because of their legal consequences. As another professor suggested:

> Let us suppose the Constitution stated that Toronto is the financial capital of Canada.

While this may be exaggerated, it makes the point.

There is no doubt that Quebec has distinctive characteristics. Its history, language and culture are different from those of the other provinces, there is no doubt about that. But the other provinces also have distinctive characteristics. Let us take for instance the case of Newfoundland which has a different history and culture; the Acadian population in New Brunswick, the Ukrainians in the Western Provinces; the unique characteristics of British Columbia, and so on. In other words, every province has a distinctive character. These differences are also based on an economy which changes considerably from one region to another, from one province to another, so that each region is different from the other regions, each province is different from the other provinces.

That is why we have here in Canada a federal system which makes sure that the individual interests of the partners in Confederation are looked after by the provincial Governments, each being independent in its own area of responsibility. If we accept Mr. Beaudoin's definition that Quebec is a distinct society because the language and culture of its majority are French, and because it operates under a French civil law, we must also recognize that all these rights and characteristics are now protected by the Canadian Constitution. Why, then, should we add the notion of a distinct society to the Constitution? Is it purely to give more power to the province—that is to say, to the provincial politicians?

There is no doubt that because of its special status as a distinct society Quebec will enjoy powers which will not be available to the other provinces. Those who suggest this is not the case are frankly wrong. The Joint Committee has taken care not to call witnesses who would have proven that point. For instance, Madam Speaker, is it not strange that the Joint Committee did not insist on the presence of official spokesmen for the Quebec Government to explain their interpretation of that clause? Would Mr. Bourassa's Government be satisfied if Quebec gained nothing with its "distinct society"? I do not think so.

Before the National Assembly, referring to the Constitutional Accord in last June, Mr. Bourassa said: "... It must be emphasized that the entire Constitution including the Charter, will be interpreted and enforced in the light of that distinct society clause. Legislative jurisdiction is the target and this will enable us to consolidate our gains and win new ground." This statement by Mr. Bourassa is in flagrant conflict with the position of the federal Government as expressed on many occasions by Senator Murray.

I would like to accept the government point of view given by Senator Murray but any student of constitutional law knows that many important powers have been allocated through the interpretation of the division of powers. For those who maintain that the distinct society clause is merely a rule of interpretation, I quote, this time with approval, the following comment made by Mr. Beaudoin: "It is a rule of interpretation which has changed Canadian federalism."

In this instance, Madam Speaker, he was right. Therefore it is clear: there is no doubt that there will be a change in the distribution of powers such that Quebec will have powers not available to other provinces. With such an approach, we are setting out upon an extremely dangerous road to an unbalanced federation. A clear consequence of that new approach will be a castration of the role of Quebec's politicians and bureaucrats at the national level, once Quebec takes on important powers not granted to other provinces. And if there are questions concerning the nature of powers that could be transferred, I would be pleased to answer then, Madam Speaker, once I have concluded my comments.

To conclude, when the Prime Minister tells us how much the Canadian federation has been strengthened by this Constitutional Accord because Quebec now becomes a member of the family, I remain sceptical. Why? For three reasons at least. First, we are told the Accord with all its flaws is justified because Quebec is adhering to the Canadian Constitution. Is that so? To which Constitution? Not the 1982 Constitution. Rather, to a new one in which Quebec is not bound to submit fully to the Charter of Rights and Freedoms, in which Quebec will have special powers and where Canada will become the head waiter serving the provinces when they meet each year to feast at the expense of the national interest.

Second, we are told that this adherence to the Constitution will permit the evolution of the Canadian Constitution. Is that so? What evolution? Without the ability to amend the Senate or the Supreme Court, to create new provinces or to change other national institutions unless there is unanimous approval by all provinces, how in all honesty can constitutional evolution be considered a possibility for Canada?

Third, the Fathers of this new Constitution have not explained to Canadians that the Quebec Government feels itself in no way bound to remain part of the family. It maintains the right to leave the federation at will. Listen to what Mr. Bourassa had to say on June 18, 1987, when the Constitutional Accord was adopted by the National Assembly, and I quote:

> The Liberal Party recognizes the right of Quebec to freely express its will to maintain the Canadian federal union or to end it.

Furthermore, he confirmed that this policy:

> "is not changed or affected in any way by the adoption of the Meech Lake Accord."

So when Mr. Bourassa said that "Quebec is winning one of the greatest political victories of its history, a victory that is undeniably recognized by most objective observers as one of the greatest in two centuries", Madam Speaker, he was right. But he should have added that it was at the same time the greatest defeat for Canada.

Mr. Berger: Madam Speaker, I heard the Hon. Member say he would have perhaps a few supplementary comments to make on the powers that could be transferred to the Province of Quebec as a distinct society, and I invite him to make those comments, if he so wishes.

Mr. Johnston (Saint-Henri—Westmount): Madam Speaker, perhaps I could elaborate on the rule of interpretation as explained by Professor Beaudoin. I made the point that if Quebec were to be invested with many important powers, that would unbalance the federation. The communication sector comes first to my mind. True, powers are shared in the communication area, but the role of the CRTC results from the interpretation of the Constitution. Communication is not found among the powers divided between Sections 91 and 92 of the Canadian Constitution. It is therefore an excellent example. If, for instance, Quebec as a distinct society becomes responsible for the control or content of communications, would a Quebec Member of Parliament be an appropriate candidate for the position of federal Minister of Communications, considering he would not have jurisdiction in his own province? Would it be found acceptable to entrust Canadian policy in the area of communications or some other area to someone who does not have a say in these matters at home, in his own province? Would not all Hon. Members from Quebec in fact be bound by the same constraints? And I may say that the same would hold true for civil servants. Could we imagine, for example, in these circumstances, André Bureau from Trois-Rivières as CRTC President?

There you have it, Madam Speaker. To me, to ask these questions is to answer them. We shall be creating what lawyers would refer to as an asymmetrical federation, an unbalanced federation, where, as I have already indicated in my comments, the role played by politicians from the province of Quebec will be castrated.

• (1230)

[*English*]

Mr. Berger: Madam Speaker, I would like the Hon. Member, if he would, to comment perhaps on another area which I do not believe he mentioned in his speech, that is, the area of the environment. I would like to refer to a letter that was sent to the clerk of the Special Joint Committee on September 10 by a group of organizations, The Canadian Environmental Law Association, The Citizens Network on Waste Management, Energy Probe and Pollution Probe. The authors of this letter are concerned that the Meech Lake agreement as presently worded may act as another barrier to the federal Government taking a strong role in the area of environmental protection.

The authors are concerned that the ability of the provinces to opt out of shared-cost programs and to receive compensation therefor will inhibit or may discourage the federal Government from assuming its responsibility to protect the environment, if it can be argued that any federal initiative is in an area of exclusive provincial jurisdiction. We have the problem precisely because the environment is not listed as one of the items of responsibility in either Section 91 or Section 92. Concern for the environment was not a matter which was discussed, if you will, or which was a concern at the time of the BNA Act in 1867. So it is an area where there has been considerable ambiguity.

I would like the Member perhaps to comment upon this and to state whether he agrees that this shared-cost provision, the right of the provinces to opt out, would in effect inhibit the federal Government from taking action in this area?

Mr. Johnston: Madam Speaker, I do agree with the representations made by the Hon. Member that the federal Government would be inhibited from operating in these areas by virtue of the new provisions on cost-shared programs, which is one of the few levers left to the national Government to establish national standards in areas which we say fall under exclusive provincial jurisdiction.

Of course, someday the Government may try to invoke the peace, order and good government clause to argue that the environment is a matter of national concern, going back and relying on the *Canada Temperance* case and others. On the other hand, if one is able to argue, say, in the case of Quebec, that it is a distinct society and that the peace, order and good government clause should receive a restricted application of the kind given by Viscount Haldane, namely, national emergency, then one could easily see that a checkerboard would emerge in this country with respect to environmental control programs.

I would also draw to the attention of the Hon. Member for Laurier (Mr. Berger) the fact that national objectives are nowhere defined as being established by the Government of Canada. In fact, if one looks at the comments of Mr. Bourassa in the National Assembly—

[*Translation*]

It is quite obvious that in his heart he considers that national objectives will be established in consultation with the provinces.

• (1240)

[*English*]

One must ask, where are these national objectives to be established? Here in the House of Commons, or behind closed doors at a private First Ministers' Conference, or behind closed doors at Meech Lake? I would like spokespersons from the Province of Quebec to come forward and tell us how they interpret this particular provision. All we have are comments from Mr. Bourassa in Quebec. If we establish our national objectives through provincial meetings of First Ministers, we are stating that the national interest is the sum of separate individual provincial interests. That is not what Canada is all about.

[*Translation*]

Mr. Malépart: Mr. Speaker, I would like to kow why the Hon. Member for Saint-Henri—Westmount (Mr. Johnston) is so afraid of the promotion of French in Quebec. Why is he so afraid? Are the provinces enemies of the federal Government? Are the provincial Premiers bad boys? Why is he so afraid of Quebec's distinctive character? I understand that Westmount is no different from Toronto. But Saint-Henri is different from Westmount and different from Toronto. Can the Hon. Member for Saint-Henri—Westmount explain his fear, his fury, and why, in 1982, he did not fight as strongly when Quebec did not support the Constitution?

Mr. Johnston: Mr. Speaker, I do not know if my honourable friend and colleague from Montreal—Sainte-Marie was here when I made my comments, because I did explain that we are very proud to have a Quebec in which French is promoted. We are involved in the process. As I said, our children go to French schools. They work in French. So, as I explained, we stayed in Quebec because of the French fact, not in spite of it. On the contrary! So obviously he did not understand the comments I just made here. But when he asks why I am afraid of the provincial Premiers, I say that we must have a national vision. We are here to stand up for the national interest, not the separate individual provincial interests. The Premier of each province is supposed to look after the interests of his own province. Mr. Ghiz was not elected by the people of Alberta. Only one legislature is supposed to represent the national interest. Its members are elected from all across the country. It is this Parliament. It is up to us to represent the national interest, not the interests of the Province of Quebec in this House. We have been elected to defend the national interest, to promote the national interest. It is not the responsibility of provincial premiers to defend this interest. They cannot do it; they have no incentive to do so. And that is why we cannot leave the management of our country in the hands of 10 Premiers meeting privately behind closed doors with the Prime Minister of Canada. That is not what Canada is all about.

[*English*]

Mr. Albert Cooper (Peace River): Madam Speaker, I am pleased to have an opportunity to participate in this debate. It is important that the first thing I do is to indicate that I spent my summer working as a member of the committee on the Meech Lake Accord, only to discover at the end of that process that my name was not included in the list of members of the committee.

Obviously, this caused me a great deal of concern. I had to go through each of the reasons that I could possibly think of why my name was not included. The first one may have been the fact that my name is difficult to spell, but I do not think that flies. Maybe I am just too shy, quiet, and withdrawn.

Ms. Jewett: No, that doesn't fly either.

Mr. Cooper: My colleagues in the House know that this is not likely to have been the reason. Then I thought that possibly it was some regional discrimination, but after a little homework I had no choice but to rule that out. Finally, I decided it must be discrimination of another type, and that is the fact that I am so short—maybe they just missed me in the line-up.

After checking all those reasons out, I came to the conclusion that it happened as a matter of an oversight. I spent my summer working on the Meech Lake Accord, this historical document, only to be completely forgotten by history. It was a tough time for me, nevertheless it was a time that I thoroughly enjoyed and found most fascinating.

I wish to begin my remarks by complimenting the Hon. Member for Cambridge (Mr. Speyer), the co-chairman of the committee, who did an excellent job. Together with his co-chairman, Senator Tremblay from the other House, those men conducted themselves in a fashion that they can be proud of, and certainly I was proud to be part of the group that worked with them.

I also wish to comment on the witnesses who appeared before us. There is nothing like a constitutional debate to bring out people with strong viewpoints, impressive arguments, clearly defined ideas, and an ability to present their case. That certainly was the case in this particular committee. We had experts come forward, and as is usually the case when dealing with experts, they were divided on the manner in which they viewed the Accord. Nevertheless, the arguments placed before the committee were fascinating, well thought out, and they certainly helped each of us to look at the Accord, gain insight into it, and find a perspective. After hearing the arguments, we were able to reach individual and collective decisions.

Today I wish to address three things on the Meech Lake Accord. First, I wish to look at the Accord from the perspective of my own home Province of Alberta and how the Accord affects them. Second, I wish to spend a little time on the process by which this constitutional agreement was reached. Third, I wish briefly to touch on the future constitutional process in this country, how we must examine that, and the importance of the role it will play in Canada in the future.

Let me begin by looking at the Meech Lake agreement from the perspective of Alberta. There are several items we must look at to gain an insight into the manner in which Albertans may respond to the Accord. First, we must look at the question of federal-provincial powers, the distinct society clause, the issue of Senate reform, and in any discussions of Alberta's perspective, we must look at the question of the veto, the unanimity on the amendments to the federal institutions.

First, I wish to look at the area of provincial powers. Several critics of the Accord have stated that the federal Government has sold out the shop and given the powers away to the provinces. Now the provinces are supreme, they will control the national agenda, and the federal Government's hands are tied. In hearing the witnesses, looking at the Accord, and spending time on this particular issue and others, it was obvious to me and to other members of the committee that that is clearly not the case.

I feel very strongly that the federal Government now works within a parameter that defines its powers in areas of provincial jurisdiction. It cannot holus-bolus move into an area of provincial jurisdiction and stomp on provincial interests. In fact, now there is the ability to draw a consensus, get the various levels of Government to work together, not only to the good of the various provinces and regions, but also to the good of the national Government.

I think back to some of the areas on which Albertans would have reacted angrily if the federal Government had moved in. Albertans would be very angry if the federal Government were to move in with a national program in areas of energy, as was done by a previous Government with the National Energy Program, or in the area of education. They would respond to that in a most negative and critical manner. After the Meech Lake Accord, Albertans have the opportunity to take a look at federal concerns and decisions that may be forthcoming in those particular areas; they have an opportunity to participate in those discussions. But they also have an assurance that they cannot have their area of jurisdiction over-examined or controlled by a federal Government.

• (1250)

I also want to look at the area of distinct society. When the Meech Lake Accord was first signed, many Albertans were concerned and said: "We as Albertans are also distinct. Why don't we have a constitutional definition or description which declares Albertans to be distinct as well?"

I spent some time looking at the Accord, and I think it accepts or acknowledges a fact of Canada—the fact that the Province of Quebec is distinct. It is distinct in its language, and it is distinct in its culture. It has a distinctness long recognized by Canadians from coast to coast. What the Meech Lake Accord has done is taken that distinctness, which we accept as a fact, placed it in our Constitution, and described it as such.

In a number of rulings on areas dealing with the Province of Quebec, the Supreme Court has already made reference to the fact that Quebec is a distinct society. We are not charting new ground, and I do not feel that Albertans have to be concerned. The fact is that Quebec is distinct. It is a unique and wonderful part of Canada. Through the Meech Lake Accord and through the description of Quebec as a distinct society, I see Quebec now as a full partner in Canada and a full participant in our Constitution. That in itself strengthens all Canada. It strengthens Alberta and it strengthens Quebec. It builds the kind of nation which all Canadians really want.

There is no way that I could look at the Meech Lake Accord and not talk for a few moments about Senate reform. It is probably one of the most important issues to Albertans today. Certainly it was one of the most important parts of the Meech Lake Accord which attracted the attention of Albertans.

Many have said that Senate reform is now more difficult as a result of the Accord. People such as Dr. Elton of the Canada West Foundation appeared before us as witnesses and argued that, as did other witnesses. However, there were several other witnesses with whom I am inclined to agree who said that that was not the case. They did not see Senate reform as being more difficult now than it was prior to the Meech Lake Accord.

I agree for the following reasons. As the Constitution of Canada presently exists, with Quebec being outside the constitutional framework, not legally or technically but in spirit, the Province of Ontario virtually has a sole veto or automatic veto. Therefore, Senate reform at the beginning of the process was in a very difficult position. With the present amending formula of seven out of 10 provinces and 50 per cent of the population agreeing to any amendment, Ontario is in a very unique spot about which I as an Albertan was very much concerned.

Albertans feel very strongly. When they look at the area of Senate reform, they argue for what is commonly called a Triple E Senate—equal, effective, and elected.

I should like to touch briefly upon what that means. The term "elected" is a very obvious one. We feel that Senators at present have the authority of their position but do not have any moral authority. What moral authority do they have? How many people from Alberta, Quebec, or Ontario can name the Senators of their provinces? I am willing to bet that very few can. Why? It is because Senators are not in any way accountable to them. Therefore I argue, as do other Albertans, that our Senators must be elected.

We are also looking for an effective Senate which, as a result of being elected, has the moral authority to act, the right to represent their regional interests, and the responsibility and collective consent of the provinces and the people they represent, not the present situation.

The third area of the so-called Triple E Senate is "equal". As Hon. Members and Canadians know, the Senate is equal on a regional basis right now. Advocates of the Triple E Senate are proposing that we move from not only being regionally balanced but that we start to look at provincial balance. I would argue for that because I think it is important. We have population balances in the House of Commons. For example, Quebec has more Members of Parliament than does Saskatchewan, and Ontario has more Members of Parliament than does Nova Scotia. Why can we not take these balances and put them in the Senate? Why can we not define, represent, and be concerned with regional concerns? Why can there not be equal numbers of people from each province? I obviously support that concept as do Albertans in general. This is why they were so concerned about the Accord and the impact it may have upon Senate reform.

I argue, as I have already said, that the Accord does not diminish our opportunity for Senate reform. I will come back to that in my next point which I think is so crucial, that is, the whole question of a veto with regard to federal institutions or the unanimity which is now required for amendment. This was also very crucial to Albertans. For example, if under present circumstances someone decided to put in place an unelected Senate which would be reformed in some other way, right now seven of 10 provinces might well agree to that, with the Province of Alberta not agreeing and in fact being very angry and frustrated with the proposal. Under present circumstances our hands would be tied. We would have no opportunity to block the process.

However, with the Meech Lake Accord Albertans have a chance. They have an ace in the poker game on Senate reform. I think it is crucial and important to Albertans. It assures us that we as Albertans will see what we want to see, particularly in the area of Senate reform, but not only in that area.

I want to close my comments by paying a compliment to Premier Don Getty of the Province of Alberta. I looked at the Meech Lake Accord and at what resulted there, and I must say as an Albertan that I was pleased to see his fingerprints and his involvement in the process. I was pleased to see how he brought an Albertan perspective to a document which is significant nationally and fundamental to our constitutional history and future. I think Don Getty very much represented Albertans in a way which all of us can be proud of. I think that is demonstrated in the kinds of things about which I have talked in the last few moments.

I should also like to talk a little about process, but I see that it is approaching one o'clock. If I may call it one o'clock and continue at three o'clock, I would feel better than breaking my speech in the middle of it.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent to call it one o'clock?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): It being one o'clock, I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

TRANSPORT

ANGUS SHOPS—OPPORTUNITY TO REASSURE RESIDENTS OF MONTREAL EAST

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, on Monday I met with spokesmen for the workers of the Angus shops in Montreal East. They told me that the company has laid off 1,000 workers over the past five years, that unfortunately there are only 1,116 employees left in these Montreal east shops, and that as early as next week 40 jobs will be transferred to western Canada.

Mr. Speaker, CP management did not bother to tell the employees nor the people who live in the neighbourhood of these shops. I would urge the Minister of State for Transport (Mrs. Vézina) to meet with these workers to tell them that the Angus shops will stay in Montreal east and that neighbouring residents may rest assured that company operations will be maintained.

I dare hope the Minister of State for Transport will heed our advice and get in touch with CP management so as to reassure these people who have had to cope with steadily declining employment in Montreal east.

[*English*]

TAX REFORM

VIEWS OF TOURISM INDUSTRY ASSOCIATION OF CANADA

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, a delegation representing Canada's $22 billion tourism industry appeared before the House of Commons Standing Committee on Finance and Economic Affairs this morning. On behalf of the 60,000 businesses employing over one million people, the Tourism Industry Association of Canada offered its input on the White Paper on Tax Reform. While TIAC is generally pleased with the proposed reform, it voiced some concern in specific areas.

From the outset the Minister of Finance (Mr. Wilson) promised to consult the people of Canada prior to drafting legislation, and this he has done. After the auto industry, the tourism industry is the largest earner of foreign exchange in Canada, drawing $6 billion from beyond our borders. Canada must continue to be considered an ideal international tourist destination. I am confident the Minister would never place this reputation in jeopardy.

He is acutely aware that Canada suffers from an annual $2 billion tourism deficit. For that reason TIAC and this Government will continue to try to convince Canadians there is no better place for a vacation than here at home. Members of this Government heard the association's concerns loud and clear. TIAC can rest assured that the industry will be vibrant and prosperous as Canada heads into the 21st century.

* * *

INDIAN AFFAIRS

HOUSING SHORTAGES ON RESERVES

Mr. Rod Murphy (Churchill): Mr. Speaker, as the Member for Churchill I am deeply concerned about the horrendous shortage of adequate shelter in the native communities of northern Manitoba. In this, the International Year of Shelter for the Homeless, the federal Government should be especially ashamed of this deplorable situation. How can we say we are treating our aboriginal people fairly when we see this level of neglect on the part of the federal Government?

In one reserve in my riding 250 people out of 674, or over one-third, are in desperate need of shelter. In Shamattawa there are only 90 houses for over 670 people. The people cannot even get replacements for nine houses destroyed by fire over the last two years.

I call upon the Minister of Indian Affairs and Northern Development (Mr. McKnight) to rectify this horrid situation. It is his responsibility, as well as that of his Government, to help ensure these Canadians receive adequate shelter. I know all Members would agree with the UN Charter of Human Rights which says it is the right of every human being to have access to adequate shelter.

I call once again upon the Minister to live up to his obligation and address the crisis facing my constituents, and native people across the nation. Adequate housing is something that our native children deserve.

* * *

ABORTION

SURVIVAL OF PREMATURELY BORN BABIES

Mr. Jim Jepson (London East): Mr. Speaker, Canadians have recently been made aware of the survival of two remarkably premature infants. One was born only 141 days after conception, while the other after only 145 days. This is about half the normal gestation period. Each weighed slightly over one pound. I am sure we can all rejoice with the parents of these two tiny human beings.

Unfortunately, Canada's abortion law would have allowed the aborting of both those children who were born after 20 weeks gestation. Statistics Canada records that in 1985, 1,815 babies between the ages of 17 and 20 weeks were killed in Canadian hospitals, and an astonishing 181 were killed after the twentieth week.

The survival of these two tiny infants is testimony to the fact that human life is a continuum that begins with conception, not birth. Those babies aborted are no less human than those born, regardless of the gestational age at which the event takes place. Abortion kills a pre-born human life in the earliest stages of development. It does not simply "terminate a pregnancy".

* * *

CAPE BRETON DEVELOPMENT CORPORATION

REQUEST THAT STOCKPILING OF COAL BE STOPPED

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, yesterday the Minister of Regional Industrial Expansion (Mr. de Cotret) said he directed the Cape Breton Development Corporation to stop stockpiling coal on the international piers in the Whitney Pier area of Sydney. That statement is misleading. It certainly does not mean the Government is opposed to the stockpiling of coal on the piers, it is merely a moratorium until it deals with the public relations problem caused by President Derek Rance.

While the Minister was making that statement, Mr. Rance was meeting with residents of the area Devco will be polluting and telling them the stockpiling will be going ahead and, if Devco is forced to stop, mines would be closed.

• (1405)

Cape Bretoners are being told that if they want jobs, they must take them at any price, and that clean air and the amenities other parts of the country take for granted do not apply to industrial Cape Breton.

I want the Government to state emphatically today that coal will not be stockpiled in the Whitney Pier area of Sidney at any time unless there are safeguards agreed to by the residents of the Whitney Pier area, and that the decision of the Cape Breton Development Corporation to stockpile be immediately overturned by the federal Government.

* * *

[*Translation*]

TRADE

FREE TRADE WITH UNITED STATES—NEED TO PROTECT CANADIAN INTERESTS

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, as everyone knows, the negotiations to sign a free-trade agreement have reached a critical point.

However, at this stage more than ever, I want to reaffirm the need for such an agreement between Canada and the United States since another American bill is threatening Canadian exports, Indeed, Mr. Speaker, the Canadian pulp and paper industry is now the target of the protectionist attacks of Congress.

When we know that the pulp and paper sector, which includes the related industries in the Saguenay—Lac-Saint-Jean region, exported for $33.6 million of products in 1986, it is easy to realize the importance of such an agreement. If no agreement is signed, a region such as the one I represent would suffer heavy economic consequences which the other sectors of our regional economy would have difficulty to compensate.

Mr. Speaker, the Canadian Government wants to preserve the economy of our regions and to protect a large number of industrial sectors, and this is why we shall fight to the end to bring the Americans to show a more positive attitude in the negotiation process.

* * *

[*English*]

ABORIGINAL PEOPLES

CAPPING OF POST-SECONDARY EDUCATION ASSISTANCE

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, this spring the Conservative Government launched what many people agree to be a short-sighted and regressive measure to the detriment of the aboriginal people of Canada. I am referring to the capping of post-secondary education assistance for native students who want nothing more than to learn.

This move was made without any consultation, and was even directly opposed to the recommendations of the Neilsen task force which found among other things that native participation rates in Canada's colleges and universities are far below the national average. The Canadian Association of University Teachers has recently condemned the decision, calling the move cynical and noting that this fall is the first time qualified native students will be denied access to education because of lack of funds.

A society that does not have access to higher education is a society that will continue to face unacceptable levels of unemployment, welfare dependency, and incarceration. In the interests of fairness and a brighter future for so many young native people, I call upon the administration to reverse the damage and to reopen the doors of quality education to native youth.

* * *

ROAD SAFETY

DRIVE DRY PROGRAM—SCHEDULED LAUNCHING IN HAMILTON

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, Sunday, October 11, in Hamilton will be notable for two reasons. The Hamilton Tiger Cats will be meeting the Saskatchewan Rough Riders at Ivor Wynne Stadium. More important than the outcome of that game, however, will be a special ceremony on the field which will launch the Drive Dry Program.

The Council on Road Trauma is the designated committee on impaired driving for the region of Hamilton—Wentworth. Regional Chairman William Sears, Chief of Police Robert Hamilton and I, among others, are supporting this endeavour to cut down on the incredible number of road fatalities involving alcohol impairment.

The most frightening aspect of the nearly 2,000 alcohol-related deaths in 1986 is that the vast majority occurred in the 16-to-24 age bracket. The Drive Dry Program is designed to educate people that it is not cool to drive under the influence. Driving drunk kills people. Driving dry makes great good sense.

• (1410)

I urge the people of Hamilton—Wentworth and all Hon. Members to support the worthy idea of a Drive Dry Program.

* * *

[*Translation*]

AEROSPACE

SITE OF NEW SPACE AGENCY—NEED FOR GOVERNMENT TO MAKE DECISION AS EARLY AS POSSIBLE

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, the new Canadian space agency is a subject of constant

comment in the media, because the Conservative Government cannot make up its mind about its location. The same is true of the disease control laboratory, where the Government is hesitating between Ottawa and Winnipeg. As we all know, a new space agency will have to deal with various sectors that come under the federal Government and are located in the National Capital, the nerve centre where the decision-making takes place. The National Capital would also be a logical choice because a number of countries have decided to locate such agencies in their respective capital cities.

In any event, whether the Government favours the National Capital region or Montreal as the future location of the new space agency, a choice must be made. The Government will have to decide.

To remove any doubt about the location and to prevent further speculation that might jeopardize the project, the Conservative Government must act. It should table its Bill today and tell Canadians as soon as possible where the agency will be located.

* * *

THE ECONOMY

IMPROVEMENT IN ABITIBI

Mr. Guy St. Julien (Abitibi): Mr. Speaker, together with his volunteers and the members of his PC association, the Conservative member for Mégantic—Compton—Stanstead (Mr. Gérin) has successfully completed his fund raising based on a new method, to wit, the refusal of all donations over $1,000, the refusal of all donations from corporations, profit organizations and unions.

The crusade initiated by the Hon. Member for Mégantic—Compton—Stanstead is finally bearing fruit and, in agreement with Mr. Denis Lamarche, from Senneterre, the president of my party association in Abitibi, as well as other members of the executive, I fully support this method which we will use from now on in Abitibi.

Since 1984, together with my association and the economic players, I have had to deal with a number of projects and important issues which had not been settled under the previous government.

We are pursuing the economic recovery which is an accomplishment of our Prime Minister (Mr. Mulroney) and the Abitibi people. At 7.2 per cent, the unemployment rate in my riding is the lowest in Quebec, compared to 20 per cent in 1983-84. All together we are working towards a more prosperous Abitibi.

S. O. 21

[*English*]

EXTERNAL AFFAIRS

CHILE—COPPER MINE PROJECT—CANADIAN LINE OF CREDIT

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Government of General Pinochet in Chile is completing work on a $1.1 billion copper mine which will eventually process 300,000 tonnes a year. This mine of the Chilean Government will compete directly with Canadian copper mines, particularly those mines in the Highland Valley of British Columbia.

It is of particular concern to the miners and their families in this part of Canada that the Canadian Export Development Corporation has recently offered to extend to the Chilean Government a $70 million line of credit to develop this particular mine. The British Columbia Mining Association has indicated that this will create an unfair competitive advantage for the Chilean mine which has an extremely high rate of copper ore and pays very low wages to miners.

These are tough times in the copper industry. The situation is extremely competitive. I think it is time that the Canadian Government started to support Canadian mines, Canadian miners, and Canadian mining communities as opposed to those of General Pinochet in Chile.

* * *

AGRICULTURE

GRAIN EXPORTS—EFFECT OF ST. LAWRENCE SEAWAY STRIKE

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, Saskatchewan grain farmers export over 80 per cent of their production each year. It is a long way from the primary prairie elevator to Thunder Bay and from Thunder Bay to export position at tidewater ports in Montreal or further east. The distance to our foreign customers is even greater. None of the competitors we fight with for a share of the international grain market have to transport their grain as far as we do.

We must export if Canadians are to continue to benefit from the earnings derived from grain sales abroad, even now during a period of devastatingly low grain prices.

With a one-week rail strike in August of this year, a strike/lock-out at Thunder Bay in September, 1986, and now a strike by marine engineers on ships which who would ordinarily ply the waters of the Great Lakes from about the first week of April until the second week of December, the reliability of the eastern grain transportation system seems to be undermined by labour-management relations between those who are responsible for moving grain to market.

Canadians living in cities, towns, or rural areas all benefit from the jobs and income that the grain sector contributes to the economy every time we sell to foreign buyers. The longer

this current labour-management dispute remains unresolved, the harder it will be for Canada to maintain its share of the international grain market.

I encourage all Members of Parliament to use their influence on the two parties in the dispute, the Canadian Lake Carriers Association and the Canadian Marine Officers Union, to bring about a speedy settlement and move our grain.

* * *

• (1415)

ENVIRONMENTAL AFFAIRS

ST. LAWRENCE RIVER—DUMPING OF PCBS BY GENERAL MOTORS FOUNDRY AT MASSENA, N.Y.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, Canadians who watched *The Journal* the other night saw another example of toxic chemicals from a source in the United States threatening human health. This time, it was not the Niagara River or the Great Lakes, but the St. Lawrence River.

Thousands of tonnes of PCBs have been dumped in the river at the General Motors foundry at Massena, New York, upstream of Lake St. Francis.

The Massena site is a priority site for the United States Environmental Protection Agency but little progress has been made. Already, fish, turtles, birds and other animals are contaminated with PCBs. Therefore, people who eat anything caught in this part of the St. Lawrence may be at risk too.

We urge the Government to make strong representations in Washington to implement a plan to remove this threat to the health of millions of people living downstream from the General Motors foundry at Massena along the St. Lawrence River and the Lake St. Francis basins.

* * *

[*Translation*]

FINANCE

TAX CREDITS

Mr. Jean-Guy Guilbault (Drummond): Apparently, Mr. Speaker, we are constantly learning something new about the detrimental effects of the incompetent action taken by the former Liberal administration which had created a tax credit to encourage private research.

The Auditor General has indicated that the Department of Finance had known for at least nine months that the tax credit program, implemented by the previous Liberal minister, was a tax loophole running completely out of control, although it would not admit it.

Since January, 1984, both the Department of National Revenue and the Department of Finance knew for sure, on the basis of ample evidence, that the program had gone berserk and that it would cost much more than the estimated $200 million.

Moreover, when our Government imposed a moratorium on this program one month after our election, this program had already cost $3.5 billion to Canadian taxpayers.

Indeed, we should be grateful to the Canadian people who were clever enough to recognize that something was wrong with this government scheme and to change the situation by bringing to power a Progressive Conservative Government for better management and deficit control.

Mr. Speaker, I should like to conclude by reminding you that this was the worst tax fraud in Canadian history and that it should be mentioned as such in the *Guinness Book of Records*.

* * *

[*English*]

FINANCE

COST TO TAXPAYERS OF TAX EXPENDITURE PROGRAMS

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, tax expenditures have, over the years, become a favourite method of hiding the Government's direction of money into particular sectors of the economy without having to be accountable to Parliament or the people of Canada.

Examples of the Government spending money by not collecting it as taxes are programs such as MURB, the Multi-Unit Residential Building Program, and SRTC, the Scientific Research Tax Credit.

One will search long and futilely in the Estimates, in the financial plans and in public accounts for statistics, or even estimates, of the cost of these and other tax expenditures to Canadians. Tax expenditures to large and small corporations are just as much spending of taxpayers' dollars as is the payment of a pension to a senior citizen. It is time that the Government established an evaluation and monitoring system for tax expenditures.

* * *

LABOUR RELATIONS

CALL FOR MEASURES TO RESOLVE LABOUR DISPUTES

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, the latest postal strike has the potential to disrupt many Canadian businesses. Labour difficulties in the Seaway will cause damage to western grain farmers. These same

farmers were harmed by the Thunder Bay and Vancouver port closures last year and the rail strike a short time ago.

My point is that we in Canada have to find a better way of dealing with breakdowns in the collective bargaining process. We live in a tremendously sophisticated society. We can put men into space, we can transplant human organs, and we can transmit information world-wide in the twinkle of an eye. Yet, when labour and management fail to agree, we find ourselves back in the stone ages with primitive blunt instruments—lock-outs and strikes—which ultimately penalize all Canadians. Surely there are viable alternatives.

Once again I urge the establishment of a parliamentary committee to examine the whole area of labour relations with a view to finding a way to resolving these impasses without resorting to rocks and clubs.

• (1420)

ORAL QUESTION PERIOD

[*English*]

NUCLEAR ARMAMENTS

CRUISE MISSILE TESTING—REQUEST FOR SUSPENSION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, in the absence of the Prime Minister my question is directed to the Secretary of State for External Affairs. I have always believed in honouring the Cruise missile commitment made by the Government of Canada to the United States and to our other allies, and we have honoured that commitment. I have always believed in honouring the commitments that previous Governments made.

As I said in my speech to the House of Commons when the issue was debated on March 6, we should test the Cruise missile until such time as there are concrete results in the negotiations between the two super powers on intermediate range nuclear weapons.

There have been concrete results, much to the relief of the world, and I say the time has arrived to move forward in the world search for peace and for Canada to suspend Cruise missile testing in Canada.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): My question is a simple one. Does the Secretary of State for External Affairs agree with that statement?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I guess we are being exposed to another part of the rehabilitation program of the Right Hon. Leader of the Opposition—

Some Hon. Members: Oh, oh!

Mr. Guilbault (Saint-Jacques): Take the high road, Joe.

Mr. Foster: Don't let your 23 per cent go to your head, Joe.

Mr. Clark (Yellowhead): —with dramatic little announcements being made without regard to the cost to the country or the cost to the alliances of which we are part. There has been progress made, very important progress, on arms control. It is not yet complete. Indeed, the agreement in principle has not yet been completed in detail with regard to the INF agreement.

One of the reasons we were able to get the Soviets to the table was that they knew it was not going to be possible to split the alliance. It is important, in our judgment, that commitments made by the alliance be kept by the alliance if we want to continue to make progress on arms control, and we are more interested in progress in arms control than we are in dramatic statements made for effect at home.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I don't think Canadians are going to appreciate the tone of that reply, and I am not going to reply in kind because I am not going to play politics on the floor of the House of Commons.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): I am more interested in the peace of the world.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Speaker, the Secretary of State may care to use world peace to put on a little performance here in the House, but Canadians don't appreciate that.

REQUEST THAT CANADA REVIEW CRUISE MISSILE TESTING ON OWN TERRITORY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, there is no reason for renewing the agreement on Cruise missile testing if the two superpowers ratify a treaty prohibiting intermediate nuclear arms. Nor is there any reason to test the Cruise missile this winter, since the superpowers have expressed their intention of signing such a treaty. Perhaps the Minister doesn't realize it, but the world is changing, and Canada's foreign policy must evolve accordingly.

Will the Minister persuade or ask the Prime Minister to persuade the Americans not to ask Canada's permission to test the Cruise missile this winter?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, as far as the Leader of the Opposition and I are concerned, our actions are self-explanatory.

As for the question, the suggestion made by the Liberal Party as another attempt to get publicity here in Canada, the suggestion that Canada should now renege on commitments

observed in the past that had made a major contribution toward the ratification of an agreement on reducing levels of nuclear arms, as far as that question is concerned, we do not agree with a policy that could destroy the unity of NATO, and we do not agree with a policy that could be a threat to what we have accomplished so far in reducing levels of nuclear arms.

• (1425)

[*English*]

CANADIAN GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I too believe in living up to our commitments. The agreement to test the Cruise missile in Canada was directly tied, under a two-track NATO decision, to the negotiations on intermediate range nuclear weapons. Now that the superpowers have agreed in principle to ban intermediate range nuclear weapons, is the Government willing to respond, in a complementary and positive way, to that historic agreement? Or is the Minister suggesting that there is a different rationale for Cruise testing? Are he and the Government shifting their ground on behalf of the people of Canada?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the answer to that question is no. I am not shifting my ground. A review of the record will see that the Leader of the Opposition is in fact shifting his ground. What he should do is read the record—

Mr. Turner (Vancouver Quadra): Read the speech!

Mr. Clark (Yellowhead): —rather than *The Globe and Mail* of Toronto.

* * *

TRADE

CANADA-UNITED STATES TALKS—MINISTERS' VISIT TO WASHINGTON

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question which I would also like to present to the Secretary of State for External Affairs. I presume that he speaks for the Government.

Last week, when Simon Reisman suspended the trade talks, the Prime Minister said at the time that we were going to wait for Washington to make its moves. We have now had the spectacle twice in a week of cabinet Ministers going to Washington—I suppose the United States Air Force does not fly this way any more—even though it is quite clear that at this late date the possibility of getting a fair trade deal in the Canadian national interest is virtually zero.

I want to ask the Secretary of State this question. Is he prepared to explain to the House what position the delegation is taking to Washington today? Is it a deal at any price, or is the delegation simply going to deliver an official notice of withdrawal from the trade negotiations?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it is neither of those things. The Hon. Member will recall that one of the questions of very real importance to Canada is the ability to put in place some reliable mechanism for the resolution of disputes. The Right Hon. Leader of the Opposition expressed his view the other day that that was impossible, that that would never happen so he did not want to try. We thought it was worth trying. There has been in fact some slight movement by the Americans.

There has been an agreement more or less in principle to the idea of a tribunal. But there has been no agreement on rules that would guide such a tribunal. In our judgment a tribunal without rules would not provide Canada with the kind of guarantees and security that we require. That is among the items that are being discussed in Washington today.

We think it is better to see if we can make progress to protect Canada's interests rather than simply walk away from the negotiations.

REQUEST FOR TABLING OF CORRESPONDENCE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would also like to pose a supplementary question to the Minister. When he states that the only issue is really a dispute settlement mechanism, he ignores that there are many other issues of major concern, particularly to Canadians, for example, the right of Canada to decide for itself in its own sovereignty the kind of support programs and subsidies it will have for regional development, and other forms of assistance to overcome disparities in this country are of concern. Are those also part of those negotiations in Washington today?

Would the Minister on behalf of the Government table what kind of correspondence, what kind of statements, and what kind of counter proposals have been made so that, for the first time, Canadians will know what is going on? Are we being sold down the river? Are we negotiating away the right of this country to make decisions in its own sovereign interest?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the answer to those last two questions, as it has been on the dozens of times the Hon. Member has put them in exactly those terms, is no. He has also—and I am sure he did it inadvertently—misquoted me. I said that among the things being considered and dicussed in Washington in this meeting requested by the Americans is the question of a dispute resolution mechanism—it is among the items.

• (1430)

We made clear when Ambassador Reisman declared an impasse in the negotiation—

Mr. Turner (Vancouver Quadra): Whatever happened to him?

Mr. Clark (Yellowhead): —that among the things that had been put on the table that Canada could not accept were some proposals regarding regional development.

If there is progress made on the question of rules, there might then be discussion of that and other questions. Canada's interest, as it has been throughout, will be protected by the Government of Canada.

* * *

NUCLEAR ARMAMENTS

CRUISE MISSILE TESTING—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Secretary of State for External Affairs.

In the past the Secretary of State for External Affairs has linked the testing of the Cruise missile in Canada with progress being made in the disarmament field. Specifically, the Secretary of State for External Affairs stated in the House on March 2 when making the linkage between disarmament progress that, "We will determine Canadian Government policy on the basis of what is actually decided in Geneva".

Since the Soviets and the Americans, fortunately, have now reached a major INF agreement moving the world sensibly toward disarmament, why has the Government of Canada reversed its position on this very important matter?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Leader of the New Democratic Party just quoted my words and then distorted them. I stand by the quote and not the distortion.

Mr. Hees: Way to go, Joe!

GOVERNMENT POLICY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I, and many Canadians, at the time thought that the Secretary of State for External Affairs was linking the testing of the Cruise missile with progress being made in the disarmament field.

I wish to ask the Secretary of State for External Affairs was that not the basic position of the Government. Is the Government saying to the people of Canada that, even if we continue to make at long last significant progress in this world between the superpowers, moving toward disarmament, the Canadian Government will continue to test Cruise missiles here?

Why does the Canadian Government not clearly live up to the implication left with the people of Canada? Why does it not make a contribution toward disarmament instead of moving in the opposite direction?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, my words are clear. They are on the record, and they have just been read by the Leader of the New Democratic Party. He drew an interpretation from them that he claims is a legitimate interpretation. I would quarrel with that. I think my words speak for themselves.

Let us come to the question as to how this country contributes to progress on arms control.

It is the position of the New Democratic Party that this country contributes to progress in arms control by breaking up NATO, which is what they would do by running away from NATO obligations.

If that position has been adopted by the Government of Canada, if the Soviets had been successful in finding such a dupe in the offices of the Government of Canada who would take the country out of NATO, then we would not have the agreement in principle that was achieved by Mr. Shultz and Mr. Shevardnadze.

I do not propose to put those types of agreement at risk to meet some ideological commitment of the New Democratic Party here in Canada.

Ms. Jewett: Oh, Joe, sit down.

Mr. Hees: Way to go, Joe.

Mr. Siddon: There is no strength in weakness.

MINISTER'S POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, all I would say is that one would hope that in a matter as serious as this when there is a specific question on disarmament, the Secretary of State for External Affairs would have the courtesy to the public of Canada to deal with the question that is asked instead of raising a red herring.

Some Hon. Members: Hear, hear!

Mr. Broadbent: I do not wish to distort the argument of the Minister, because I understood his argument. I will ask him to explain what he meant. On March 2 he stated, in a way that I understood, that there was a linkage to be made between Cruise testing and disarmament agreements between the Soviet Union and the United States. Would he tell us what he meant when he said, "We will determine Canadian government policy on the basis of what is actually decided in Geneva"?

If the Minister did not mean that we would contribute to this process by stopping the testing of Cruise missiles, what did he mean?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, unlike the Leader of the New Democratic Party, my words speak for themselves.

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): There they are on the record talking about what was actually decided in Geneva. I stand by the record.

I perfectly understand why the Leader of the New Democratic Party does not want to talk about his policy and his Party's policy of pulling this country out of NATO.

Ms. Jewett: Come on, Joe, answer the question.

Mr. Broadbent: Pack it in.

Mr. Riis: Now we understand why you are not the Prime Minister, Joe.

Mr. Clark (Yellowhead): The Leader of the NDP knows that would jeopardize Canada's and the West's ability to achieve reduction in nuclear weapons. We want weapons down. We do not want that type of false gesture for partisan purposes here at home.

* * *

CANADA POST CORPORATION

STRIKE BY INSIDE WORKERS—REQUEST THAT GOVERNMENT APPOINT MEDIATOR

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is on the postal strike.

Again, the financial strait-jacket that the Government has imposed on Canada Post is giving us a postal strike. If the Government has created it, the Government at should at least try to settle it.

The last time the Government first refused to appoint a mediator, and then it waited one full week before appointing a mediator. Now we know that Associate Deputy Minister Bill Kelly is already involved. What we would like to know is the following: Is Mr. Kelly involved as an observer, as a messenger, as a notetaker, or does he have a mandate to mediate? If not, when will the Government appoint a mediator?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, if my hon. colleague had read the press release, he would have noted that Mr. Kelly was not appointed at this particular time as a mediator.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, we know what he is not, but we still do not know what he is.

[*Translation*]

GOVERNMENT'S ROLE

Mr. Jacques Guilbaut (Saint-Jacques): Mr Speaker, the strike is obviously the result of the strait jacket in which the Government has put Canada Post to stop it from making reasonable offers which could lead to a settlement. Why is the Deputy Minister, Bill Kelly, reduced to taking notes during the meetings? Why can he not act as mediator? Does the Government feel responsible for settling the strike or is it simply trying to use the postal workers as political scapegoats?

Hon. Pierre H. Cadieux (Minister of Labour): Mr Speaker, once more, if the Hon. Member took the trouble to read the press release, he would know exactly why I have asked Mr. Kelly to meet the parties involved.

As for the question of whether or not Mr. Kelly should act as mediator, which he is not doing, I would like to quote the words of Mr. Parrot as reported on page 3 of today's issue of *Le journal de Montréal*:

> The presence of a mediator is useful when both parties have seriously want to come to an agreement.

This is what Mr. Kelly is now doing, Mr. Speaker, trying to determine the intentions of both parties and evaluating the situation. He will report to me after completing his evaluation.

* * *

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—PREMIERS' MEETING CONVENED

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the Premiers of Canada have been called together to meet tomorrow morning on free trade without being told what the agenda is, or without any prior briefing for their staffs.

I wish to ask the Secretary of State for External Affairs, whom I just heard deliver a pessimistic speech to Canadian exporters on this subject, why has this meeting been called. Is it in hopes of some deal, or is it in fact to pull the plug?

Mr. Jelinek: Wait until tomorrow.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, you would think that after hearing a speech delivered by me the Hon. Member would be in a better frame of mind!

Some Hon. Members: Oh, oh!

Mr. Riis: Why, Joe? Why would we do that?

Mr. Axworthy: Just more depressed.

Mr. Clark (Yellowhead): Everyone I talk to is in a better frame of mind. I do not know what is wrong with the Hon. Member.

The reason that the Prime Minister has invited the Premiers to meet tomorrow is that we are obviously at a very critical state in the negotiations with the United States.

In sharp contrast to the policy of former Governments, it has been the policy of this Government from the very beginning to involve the provinces fully in all aspects of the discussions. We intend to carry on that practice. Tomorrow the Prime Minister, and my colleague, the Minister for International Trade will report to the Premiers on our assessment of developments in the trade negotiation with the United States. That is part of the way we make this country work.

• (1440)

UNITED STATES POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, given that we now have before us an admission of the seriousness of this meeting tomorrow and an admission of the last minute quality of it, will the Secretary of State for External Affairs share with Canadians as well—not just with the Premiers but with all Canadians—what concessions the United States is asking for in return for the dispute settlement mechanism movement about which he talked earlier in his comments?

What concessions is the United States asking for in return for that movement?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, from the beginning we have been trying to involve as broad a cross-section of individual Canadians and elected representatives as possible in the discussion of what we take into and what we might get from the trade negotiations. We wanted to do it in a way which would not mean that Canada's hand would be shown to the United States.

We have had a very good agreement, the one that worked, in consultation with the Premiers. We offered to the New Democratic Party and to the Liberal Party, as a result of the suggestion of the Hon. Member for Yorkton—Melville, *in camera* briefings so that they could be brought up to date on the developments in the trade negotiations without jeopardizing those negotiations.

The New Democratic Party turned that fair offer down. I do not intend now, as we move toward the deadline the Americans set under their system for these negotiations, to depart from our past practice of not communicating all our positions to the people with whom we have been negotiating, by way of the House of Commons.

CANADA POST CORPORATION

STRIKE BY INSIDE WORKERS—TIMING OF SETTLEMENT

Mr. Jim Jepson (London East): Mr. Speaker, my question is for the Minister of Labour. Most Canadians are absolutely fed up with disruption in the postal service. In light of the happenings of the past few days, could the Minister tell the House whether he anticipates an early settlement of this strike?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I always hopefully anticipate an early end to all various conflicts. In respect of this particular one, I am awaiting the assessment of Mr. Kelly who, I understand, is still with the parties.

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CANADIAN SECURITY INTELLIGENCE SERVICE

OFFICIAL SPOKESMAN FOR SERVICE

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is for the Solicitor General. It concerns the silencing of the official spokesman of the Canadian Security Intelligence Service. Could the Solicitor General explain why he has in effect muzzled the official spokesman of the Canadian Security Intelligence Service? What is the Government hiding? What is it afraid of?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am happy to advise the Hon. Member that his allegation is false. I have not done that. I agree with and adhere to the prime ministerial guidelines laid down in 1984.

PROVISION OF INFORMATION BY PUBLIC SERVANTS—PRIME MINISTER'S GUIDELINES

Mr. John Nunziata (York South—Weston): Mr. Speaker, the Prime Minister, in his guidelines dated November 23, 1984, said that the Government's policy was designed "to ensure that public servants who are called upon to comment on government policy are allowed to do so on the record, and in full freedom".

The Solicitor General has instructed the official spokesman of the Canadian Security Intelligence Service not to answer questions from the media or from opposition Members of Parliament. Can he explain how his latest change in policy is compatible with the Prime Minister's guidelines with regard to information being provided by public servants?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, again in reply to the Hon. Member, I have not effected any change in policy. I agree with and adhere to the guidelines laid down by the Prime Minister.

Oral Questions

CANADA POST CORPORATION

FRANCHISING OF OPERATIONS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister responsible for the Post Office. He will know that the conciliator, Mr. Foisey, said that franchising post offices put job security at risk, and that Mr. Dunstan is quoted as saying that there will be no compromise with regard to franchising.

Will the Minister now recognize that the Government's policy on franchising is the major obstacle to having a negotiated settlement at the Post Office? Will he remove that part of his plan so that there can be a settlement at the Post Office and mail can move?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member should have completed what Conciliation Commissioner Foisey said. He said that it is certainly up to the Post Office to decide how to organize whether or not it is going to franchise. However, the obligation it has is to ensure that there is no adverse effect on the employees.

Mr. Dunstan has made a commitment to negotiate, along the lines suggested by Mr. Foisey, to ensure that no employees would be adversely affected by this decision, which is most properly a management decision.

[*Translation*]

REQUEST FOR ABANDONMENT OF FRANCHISING

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the corporate plan of Canada Post is the work of the Government.

I would like to ask the Minister whether he is willing to stop speaking about back-to-work legislation. Instead, would he take an important initiative and leave the franchising concept out of these negotiations?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I understand where the New Democratic Party is coming from. Its resolution F42 says that an NDP Government will move to allow workers the right to negotiate the degree of control which they may wish to assume. CUPW resolution A5 says: "The union views as a primary direction the workers' control of the workplace".

We view it as management's responsibility to manage the Post Office—to do it with sensitivity toward its workers and to do it in a compassionate way, but to manage the Post Office. We do not think Parliament gave a mandate to Jean-Claude Parrot to decide how the Post Office is going to be organized. Apparently members of the NDP do. That is fine. They will have to live with that.

[*Translation*]

TAXATION

INEQUALITIES IN SYSTEM

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of State (Finance).

Yesterday, the Alliance for Tax Equity, following a study on the Finance Minister's tax reform, stated that the more children one has, the more one is penalized by the Canadian Government's tax reform.

Moreover, the study clearly shows that in 1988 a married couple with four children earning $35,000 will pay $144 more in taxes than in 1986, while a couple with two children in the same income bracket will pay $69 less.

Can the Minister explain to Canadian families why this Conservative Government is drawing up tax policies that penalize families with a larger number of children in Canada?

Why such an injustice?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, in reply to the Hon. Member, he knows that eight out of ten families will be better off as a result of tax reform.

As for that very complicated example he gave, I would like him to table it so that I can study it and respond to it tomorrow.

[*Translation*]

SOCIAL JUSTICE—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, perhaps the Minister does not do his homework.

Moreover, that study carried out by the Alliance for Tax Equity shows that the tax reform favours richer families. An example is provided, with tables to show that a family with a $100,000 income and four dependent children will pay $2,473 in taxes, while a couple with four children with a $35,000 income will pay $144 more in taxes in 1988.

How are they going to explain that to the people? Under what kind of social justice does this Conservative Government penalize have-not families in Canada?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, our studies are clear. Those who have incomes of $50,000 or more are going to contribute substantially more to the revenues of the federal Government. Those earning under $35,000 or less are going to contribute substantially less. Those are the facts.

FISHERIES

FRASER RIVER SALMON RUN—WATER LEVELS

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is for the Minister of Fisheries and Oceans. Sockeye and pink salmon runs trying to get past Hell's Gate in the Fraser Canyon are in danger of being decimated this year because of low water as a result of the long dry summer.

Fisheries officials are now desperately trying to negotiate with B.C. Hydro officials for a release of water from Bridge River to increase the level in the Canyon.

The Minister and his Department have known about this crisis for some time. Why has the Minister not acted until now?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, the answer to that is very simple. It shows the extent to which distortion in a question can seriously miscast an issue.

• (1450)

This morning I spoke to my regional Director General in Vancouver who said, contrary to the distorted video shots shown last night, there is no crisis. Some 430,000 pink salmon are already above Hell's Gate. There is no trouble on the part of either the pink or sockeye salmon in migrating up that corridor. I spoke to the Hon. Jack Davis, B.C. Minister of Energy, an hour or two ago and he offered his full co-operation should additional remedial measures be required.

Mr. Manly: There very definitely is a crisis and salmon production in future years will prove that.

CANADA-UNITED STATES TREATY—SIZE OF AMERICAN CATCH

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, over the past few years the Americans' share of the salmon run on the Fraser has increased, ever since the signing of the Canada-U.S. Treaty. If this year's drought results in a decrease in the salmon run, will the Americans continue to get an increased share, because it is based on an average of previous years?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, the question is hypothetical. There is indeed a serious drought problem in British Columbia. I am told this is a very infrequent situation. However, I assured the Hon. Member a few moments ago that all salmon reaching Hell's Gate and other narrows in the Fraser Canyon are getting past those barriers. There is no pooling or accumulation of fish unable to migrate towards the spawning beds at this time.

PRIVATIZATION

TELEGLOBE SALE—PURCHASE OF SHARES BY MEMOTEC EMPLOYEES

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Minister responsible for Privatization and concerns the Government's privatization procedure. She should know that in addition to those already charged, four senior management employees of Memotec purchased a total of 27,000 shares of that company on the Montreal Stock Exchange on January 21. The value of those shares increased by over $500,000, representing an incredible profit for those employees.

Why are there no rules as part of the privatization procedure to prevent employees of companies making bids on Crown assets from benefiting from insider knowledge?

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, the privatization process in no way precludes anyone in the private sector, or any other company, from living up to their other legislated obligations. It is provincial securities commissions which administer the regulations in this area and the Quebec Securities Commission has done that. The case is before the court and I am sure the Hon. Member knows that.

REQUEST FOR CHANGE IN PRIVATIZATION PROCEDURES

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the Minister knows it was her privatization procedure, in particular that which stopped Memotec from making its bid public for at least a month, which allowed Memotec employees, including the four I have mentioned, to make a $500,000 profit as a result of insider information. That is a direct result of the procedures followed by the Minister.

I ask her again, in view of the scandalous profits being made as a result of insider information, is she prepared to change the procedures and allow some decency to be returned to this kind of government operation? Or is there some plan to ensure that friends of the Government are able to benefit because of the procedures laid down by the Minister?

Mr. Beatty: The Nunziata high road again.

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, first, the officers of the company to which the Hon. Member refers, as I understood it, bought those shares after a newspaper story about—

Mr. Tobin: A rumour. Two days after a rumour.

Some Hon. Members: Shut up!

Mr. Speaker: The Hon. Member asked a question and the Minister is attempting to respond. While she is I think Hon. Members might remain silent.

Mrs. McDougall: Mr. Speaker, after a newspaper report concerning the bidders we had a confidentiality agreement which was recommended by the CDIC as part of normal commercial practice when confidentiality is important in a bidding process. That agreement in no way impaired the company's ability or that of its officers to live up to other obligations with respect to telling the securities commission what they were doing. This case is before the courts. The QSC has laid charges. The information which comes before the courts will be very important. I suggest the Hon. Member be a little more restrained when that is the case.

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EXTERNAL AFFAIRS

CENTRAL AMERICA—ARIAS PEACE PLAN

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. The President of Costa Rica issued a widely welcomed peace plan that will hopefully bind up the running sore of Central America. He announced on radio that he would welcome Canadian leadership in implementing this plan.

Has the Minister received any official communication from President Arias? If so, what will the Government's response be?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I asked for and have seen a transcript of the interview with President Arias. We have not received a formal request from either President Arias or others of the Governments of Central America. I think that is partly because they are still pursuing their own processes to see whether they will be seeking support from Canada, the Nordic countries, and others.

Last week in New York I had the opportunity to meet with Foreign Ministers of the Rio group who are acutely interested in this question. We discussed at some length what Canada and other countries might do to move forward the peace process in Central America. I will be visiting the region myself the week of November 23. While the exact arrangements have not been made, I expect to be visiting Honduras, Costa Rica, and Nicaragua.

Some Hon. Members: Hear, hear!

[*Translation*]

FINANCE

IMPORTANCE OF FLOW THROUGH SHARES FOR REGIONAL ECONOMIC DEVELOPMENT AND SMALL BUSINESSES

Mr. Robert Toupin (Terrebonne): Mr Speaker, my question is for the Minister of State for Finance. In their so-called tax reform of June 18, the Minister of Finance and the Conservative Government attacked the tax breaks for flow-through shares, which will have a harmful impact on regional economic development and small businesses and will be disastrous for the economic development of northern regions such as the Abitibi-Temiscamingue and the Yukon.

My question is this: Are the Minister and the Conservative Government ready to admit their mistake and to recognize the importance of flow-through shares for the economic development of our northern regions such as the Abitibi-Temiscamingue and the Yukon?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am astonished by the question. First, the Government made it clear in the White Paper that it is going to save all flow-through shares. Second, the Hon. Member's colleagues have been attacking flow-through shares for the past six months.

Some Hon. Members: Hear, hear!

[*Translation*]

GOVERNMENT POSITION

Mr. Robert Toupin (Terrebonne): The Minister would be well advised to learn more about our regional economic development programs.

My second question is this: Is the Minister not aware of the importance of these tax breaks, first, for the regional economic development of the Abitibi-Temiscamingue and the Yukon, and second, for the financing of small businesses? If he is aware of this, will the Government admit its mistake and make the appropriate changes?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I cannot count how many times the Minister of Finance met with the Prospectors' Association. I have, as well. We are very aware of their position. That is why we have taken the position we have on flow-through shares. As for small business, it, too, is helped through tax reform.

ENVIRONMENTAL AFFAIRS

ST. LAWRENCE RIVER—DUMPING OF PCBS BY GENERAL MOTORS FOUNDRY AT MASSENA, N. Y.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. The other night Canadians were shown on *The Journal* a major corporation in Massena, New York, namely General Motors, dumping substantial quantities of PCBs into the St. Lawrence River. Has the Government of Canada made strong representations in New York protesting this action? Has it also sought the co-operation of the U.S. Government in cleaning up this situation which is affecting the health of millions of people in that basin?

• (1500)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Hon. Member will know that my colleague, the Minister of the Environment, has taken not only a very active role but has played, in the achievement of the ozone agreement, a highly successful role in advancing Canada's environmental interests, both in this country and internationally. The important question he raises is one that would fall in the first instance in the jurisdiction of my colleague, and on his behalf I will take note of it.

MINISTER'S POSITION

Hon. Chas. L. Caccia (Davenport): The Secretary of State knows that the Minister of the Environment's record is one of inaction on transboundary pollution matters. My question has to do with dumping PCBs in the St. Lawrence River and I would like the Secretary of State to answer the question. Has he himself made strong representations in Washington? Has he protested the action of General Motors? Has he sought the co-operation of the U.S. Government in cleaning up this mess which is affecting the health of millions of people?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, as is the well understood custom in this House, I took notice on behalf of my colleague and I will ensure that the question is brought to his direct attention.

I should go on to say, since it has been raised this way, that if we want to make effective representations regarding environmental problems, it is not enough to quote a television program. We also have to conduct investigations to find out, from the point of view of our scientists, what is the exact nature of the damage that is alleged or might be occurring. That is being carried out now by the Department of the Environment on the instruction of the Minister. We will, as we have in the past, take whatever action is appropriate after that evidence has been accumulated.

Mr. Speaker: I want to advise Hon. Members that this will be the last question and I recognize the Hon. Member for Humboldt—Lake Centre.

AGRICULTURE

REPORTED INTENTION OF BRITISH COLUMBIA TO WITHDRAW FROM SUPPLY MANAGEMENT PROGRAMS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I have a question concerning our federal-provincial relations with the provinces that I wish to direct to the Minister of Agriculture. I will deal with British Columbia today and its unhappiness with the national approach to marketing agencies which has now arisen to the political level with the Premier's announcement yesterday that the province intends to pull out of the supply management schemes and is prepared to stop cheese and industrial milk products from entering B.C. What is the federal Government proposing to do about that?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, because of our interest in the maintenance of supply management systems in Canada, we feel that any involvement other than another statement at this time from the federal Minister of Agriculture could well be less than helpful. I have expressed disappointment and also indicated that I was not surprised because I am aware of some unrest that has existed in the supply managed commodities sector in British Columbia.

Again I have indicated in conversation with the leadership of the producers of those supply managed commodities in the province that their first choice is to remain within the system. I do not think we want to over-react. We do not want to ignore the problem. I hope it would be possible to find a solution to this problem within the supply management system.

* * *

HORTICULTURE

HONEY-RESIDUE TOLERANCE LEVEL

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, since another province, Quebec, has effectively disallowed honey shipments from the rest of the country, by establishing its own very stringent sulfathiazole levels, a very effective non-tariff trade barrier which the U.S. subsequently copied, can the Government tell us what progress if any is being made toward the arrival of one national residue tolerance level for honey in Canada?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, we recognize that the Province of Quebec has the provincial authorization and authority to do this, so we have to respond. At that point, of course, we had no tolerance levels. The action by that particular province necessitated that we make a request to Health and Welfare to establish tolerance levels. Those tolerance levels were established by the appropriate federal authority, National Health and Welfare, and we are carrying that out.

We must recognize that if we are to have a market within Canada for Canadian honey, then we have to meet those

tolerance standards established by the province. If we are to have a market for honey outside Canada, not only in the United States but also in Japan, then of course we have to meet the tolerance levels established by those countries.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to ask the Minister of State to state the business the Government intends to call for the coming week.

Hon. Doug Lewis Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I wish to advise the House that tomorrow and Monday we will be continuing the debate on the Meech Lake Accord. For the remainder of next week we intend to proceed with and hopefully complete that debate and also deal with Bill C-55, the amendments to the Immigration Act, which is at third reading stage, and Bill C-74, the Environmental Protection Act, which is at second reading stage, but not necessarily in that order, in order that we may complete the business and accommodate all Parties in the House.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Mr. Speaker: When the House rose at one o'clock, the Hon. Member for Peace River (Mr. Cooper) had the floor.

Mr. Albert Cooper (Peace River): Mr. Speaker, when I finished at one o'clock, I had just given a brief overview of the Accord from the perspective of an Albertan and tried to relate some of the concerns that I thought Albertans might have with the Accord and to address some of the concerns we may have as to the impact it would have on our particular province. In the few minutes that I have left, I want to talk a bit about the process and I want to touch finally on the future of the constitutional process.

It was not uncommon, as we went through the constitutional hearings, to hear criticisms of the method used to bring about the Meech Lake Accord. People were critical of this so-called marathon negotiation, these *in camera* meetings. The implications of that, of course, were that Canadians were shut out of the negotiation process, did not know what was going on and therefore were not legitimately represented at the table.

I want to speak to that criticism because I think it is important that Canadians understand that this process is probably the only process that would have allowed us to get this agreement. It is very simple. The reason the agreement came together was that in marathon negotiations, people do not have an opportunity to walk out. They do not have an opportunity to change their minds, to go off and think about all sorts of things that might distract them from the issues before them. They are also under a lot of pressure to sit at the table, work out a compromise, work out a deal with which everyone can live. I feel it is absolutely essential that that type of marathon negotiation be used in all sorts of difficult consultations such as that which we had at Meech Lake Accord.

The other thing I want to talk about very quickly is this problem of *in camera* meetings. I find it really difficult to understand why the Prime Minister particularly would be criticized for holding these meetings *in camera*. We do this in all parts of our lives. We do it in business, we do it in day-to-day existence, we do it in all sorts of negotiations. The reason we do it *in camera* is that we do not want people playing to the audience, playing to the cameras. We want them to disucss seriously the issues before them. I think that was a major factor in bringing about this unanimous accord on the Meech Lake that no one thought was possible.

I feel that that process was the right one and it is one that should not be criticized. In fact, I would go even further. I would say that if more of this type of approach had been used in the aboriginal conferences on Indian self-government, we would then have had a better chance for a deal. I would advocate that in future negotiations this type of process be considered and, where possible, utilized.

• (1510)

The last point I want to touch on is the future process for constitutional reform. As you are aware, after hearing all of the evidence and studying the past process and that which we anticipate for the future, the committee recommended that there be established a joint Senate and House of Commons committee, the mandate of which would be to hold public

hearings on constitutional issues. It would examine the evidence arising from the various issues before it and would have an opportunity to study the implications of each of these issues. It would, of course, allow public participation, public debate, and public input into the constitutional matter which is on the agenda of the First Ministers. The committee would do the ground work for the First Ministers in a very public way before the First Ministers met for final negotiations.

I obviously support this proposal. However, Mr. John Holtby appeared before the committee and made a proposal which I think is the father of the committee's recommendation. He recommended a committee process and went one step further. He recommended that the committee be made up of members of the various legislatures across Canada, federal as well as provincial and territorial.

It was a radical approach and I am sure it caused some concerns because of its newness. Even though the committee has recommended a joint House of Commons and Senate committee, I think the Holtby proposal deserves future consideration. The advantage of it would be that we would draw in all levels of Government and give them the opportunity to discuss the issues. In that way we would get a national perspective rather than a provincial or territorial approach to the issues.

There are a number of issues which will have to be dealt with in the future. I do not have much time so I will merely outline them. One issue which I spent a lot of time discussing in my remarks prior to one o'clock is that of Senate reform. The concerns which were demonstrated by the women's groups which appeared before the committee must be addressed at a First Ministers' conference. Aboriginal rights and the issue of self-government must be addressed. Effort must be put into the definition of self-government. Effort must be made to reach a compromise in order to bring about agreement in that important constitutional area.

In conclusion, I really do believe that the evidence which was put before the committee studying the Meech Lake Accord showed that the Accord is in fact a seamless web. It is a very delicate fabric. Due to that there is, at this time, no room for amendment. That does not preclude future discussions, nor does it preclude First Ministers making important decisions on important issues. However, it does mean that the Meech Lake Accord must proceed in the form in which it exists today.

I think this agreement is good for my Province of Alberta. It is good for Canada. It is a document which Canadians can be very proud of. It will serve as a fundamental document for the future of constitutional amendments and process in this nation.

Mr. Berger: Mr. Speaker, I listened to the Member's remarks with great interest. I thank him for the solicitous manner in which he addressed the situation of Quebec in the Constitution. He said that it was important to reach this agreement because with Quebec outside, Ontario had a sole veto. The argument put to Canadians was that we had to do everything necessary to get Quebec to sign this agreement.

This ignores the fact that although the Quebec Government did not sign the agreement in 1981, Quebec was not outside the agreement. There were probably 70 Members of Parliament from Quebec who voted for the agreement. In order to get the agreement of the Quebec Government we did not have to agree to anything. Every single item in the Meech Lake Accord was not necessary to get the agreement of the present Government of Quebec.

I want to ask the Member about Senate reform. Does he think that Senate reform is realistic with the requirement of unanimity now that the provincial Premiers will be proposing lists from which Senators will be named?

The Member said that Albertans now have a veto on Senate reform. That was the proposition put to Israel Asper in the constitutional committee by the Member for York Centre (Mr. Kaplan). Mr. Asper said:

> Yes, that is true. Meech gives Manitoba a veto. It is a veto we do not want. We want an amending formula that is truly workable. Seven provinces representing 50 per cent of the population is—

—truly workable, he suggested. He went on to argue that we have years of history in this country which suggest that we will not get unanimity, that we are putting ourselves into a constitutional straitjacket, and that Senate reform will be a dead issue. Would the Member care to respond to these concerns?

Mr. Cooper: Mr. Speaker, I appreciate the Member's comments and questions. First, with regard to Quebec being involved in the Constitution at the moment, I was careful in my remarks to say that Quebec is legally and technically part of the Constitution of Canada right now. That is not disputed.

The problem, which I think is well accepted by Canadians, is that by the spirit of the Constitution Quebec has not considered itself a participant. The best example of that of which I know is the most recent round of constitutional negotiations on aboriginal rights. Quebec sat in on them but did not view itself as having a vote or being a participant. As a result of that Quebec has not been a participant in the spirit of the Constitution. I think that is what the Meech Lake Accord is trying to achieve. It wants not only the legal and technical participation of Quebec but wants to bring Quebec in, in a spiritual sense, which I think is much needed in Canada.

On the issue of Senate reform the Member asked whether Senate reform is realistic after the Meech Lake Accord. He asked whether it is possible to get a compromise and what kind of impact will result from the Premiers having the opportunity to name Senators.

I believe with all my heart that Senate reform is still a realistic option. Not only is it a realistic option, I think it is a necessary option for the maturing of our country and the healing of some of the wounds which exist between the

different regions in the nation. I think it is rightly placed as an item of high priority for the First Ministers.

Mr. Asper, when appearing before the committee, responded to the issue of a veto. As I said earlier, a number of witnesses appeared who had different perspectives on different things. The beauty of the veto which Alberta and Manitoba now have on issues such as Senate reform is that when every player at the table has a veto they also have a lever with which they can apply pressure for a compromise. That is a lever that Manitoba and Alberta never had before. I think that is essential and one of the things that gives us a better chance for Senate reform.

• (1520)

Mr. Berger: Mr. Speaker, I suggest to the Hon. Member that he is ignoring at least 50 years of constitutional history in this country, because it was felt for at least that period of time that we could not patriate our Constitution if we did not have the agreement of the provinces and the federal Government.

Certainly that was the assumption under which people were working for a long time, until the previous Government decided in 1980 to put forward a proposal, with the support of only two of the provinces. It was impossible to get the agreement of all the provinces on an amending formula and charter of rights. For years we struggled over the question of an amending formula.

I suggest that the Premiers at that time had that kind of practical veto. They could have compromised but did not, and 50 years went by when we were unable to make progress and get unanimous agreement on an amending formula.

It is fine for the Member to say that because of some perceived good will we will get unanimous agreement in the future, but is that the kind of situation we should leave for the future of this country and its Constitution? Is that the kind of straitjacket we should put on ourselves?

Let us face it, none of the provinces gave up anything in this agreement. There was no give and take between the provinces. All of the provinces received something and only the federal Government gave something up in this particular agreement. There was no power that was transferred to the federal Government from the provinces and there was no exchange of powers between the provinces.

In order to get an equal elected Senate, some of the provinces will have to give up something. I suggest to the Member that it is the height of irresponsibility to put a formula in our Constitution that will require unanimous agreement. Perhaps it could be nine out of ten provinces so that we can ensure that at least the country will proceed even if one province objects.

I respect the Hon. Member's opinion, but I think he is living in a dream world to suggest that we need the agreement of all 10 provinces when there will have to be give and take between the provinces.

Mr. Cooper: Mr. Speaker, the Member makes some rather strong assertions. He accuses me of ignoring 50 years of Canadian history. My response to him is that he is ignoring immediate history.

It was thought that it was impossible to bring about a Meech Lake Accord because we could not get the unanimous consent of the provinces on such a fundamental issue. The fact is that we have managed, through the work of the Prime Minister (Mr. Mulroney) and his efforts with the First Ministers, to bring about unanimous agreement. I think that speaks very well of the constitutional future of Canada.

We are in a new atmosphere which is not based on confrontation, as was the case under former Prime Minister Trudeau when, rather than compromise, negotiations and discussions with the provinces, there was confrontation and the heavy hand of the federal Government. No one felt it more than those who live in Alberta and the rest of western Canada. I believe the Meech Lake Accord is the very demonstration of the kind of attitude that can and should exist in a mature nation.

I believe this Accord speaks to the great steps Canada has made in the last few months toward maturity of a people who are united by a common vision and goal.

I know the Hon. Member's position on this issue. I think the unravelling of the Meech Lake Accord will be more destructive to Canada as we see it now and in the future than almost any other issue that exists for parliamentarians today.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I welcome this opportunity to take part in this very important debate on proposed changes to the Canadian Constitution, and to speak in support of New Democratic Party amendments which will be proposed to provide fairness to northern Canadians, open up the constitutional process for Canada's aboriginal peoples, and provide constitutional assurance that sexual equality will be protected under the new Accord.

It is easy to find a number of flaws in the Accord, but we do not want to do that. We believe that this Accord represents a very important step in Canadian constitutional history, so we have not been so much interested in looking at flaws as in looking at the important things that the Constitution does.

At the same time, the three areas I just mentioned are ones where we believe the Government can make changes without jeopardizing the Accord. We urge the Government to consider them, and we enter into this debate in good faith trusting that the Government will do so, in spite of some of the statements it has made in the past.

The Meech Lake Accord tackles the unfinished work from 1982 when we patriated the Canadian Constitution. Two major problems remained unsolved: first, bringing Quebec fully into the Constitution; second, adequately defining the rights of aboriginal people.

The question that we face today is how we say yes to Quebec without saying no to aboriginal people. I want to look at both of these issues separately.

First, let us consider the question of Quebec. It has been pointed out that legally, Quebec has been a member of the Canadian federation all along and that the 1982 Constitution included Quebec whether or not it signed. However, the report draws a distinction between legality and legitimacy.

Perhaps it is best stated by Mr. Yves Fortier, former President of the Canadian Bar Association, who said:

> From a strictly legal point of view, of course, the 1982 Constitution Act applies to Quebec. But in this area, as in many others, lawyers must show some modesty. The fact is that politically, and even morally, the 1982 Constitution Act does not apply to Quebec. Those who claim it does are guilty of constitutional heresy.

With the patriation process, many people within Quebec felt that the promises of a renewed federalism that had been made at the time of the referendum debate in Quebec had been betrayed. Perhaps no one stated that more eloquently than Solange Chaput-Rolland who testified before the committee. I want to read at length from her testimony. She said:

> I think none outside Quebec knew the reality of the referendum. I travelled throughout Canada, about a few months after. It was all over, eh? Good. It was not exactly all over. Families against families, towns against towns, father and mothers not speaking to their children.
>
> (During the Referendum) we spoke with thousands of Quebeckers. Women wanted to leave their children a country as big as the one they had received from their father. That was mainly the article that reached the heart, because you are right: in this country if we put a little more heart into what we are doing, maybe we would be aware of the hurt we inflict on others.
>
> And then we came home. We went back to the National Assembly, back to our villages, back to our houses, back to the friends that were no more friends; they were on the "yes", we were on the "no". It was not a picnic, it was not a social gathering, it was not a think-tank. It was a battle between brothers, a dangerous divisive battle, and we still feel it. It was not 100 years ago, it was seven years ago that we lived that referendum.
>
> English Canada could not care less one month after, and it stung me and it stung all of us who fought so hard to remain in Canada and to find ourselves outside of Canada.
>
> You know, it was a very dramatic gesture when Mr. Levesque put the flag of Quebec at half mast on the day you were all celebrating here. But our hearts were at half mast too that day, because we were out of a country we had chosen to remain.

• (1530)

It was that sense of betrayal that has kept Quebec out of the Constitution from that time until this. All the time that René Levesque was the Premier of Quebec, it was impossible to make any progress. When Robert Bourassa became Premier, he put out the five points he said were necessary as conditions for Quebec to come into Confederation; first, recognition of Quebec as a distinct society, second, a greater provincial role in immigration, third, a provincial role in appointments to the Supreme Court of Canada, fourth, limitations on the federal spending power and, fifth, a veto for Quebec on constitutional amendments.

These conditions were agreed to as agenda items by the Premiers at Edmonton in August of 1986. They formed the basis for the Meech Lake Accord. The demands of Quebec were well known and they formed the basis for debate by a number of organizations, including the New Democratic Party when it met at its convention in Montreal in March of this year.

Again, it is hard for Canadians from other parts of Canada to understand the joy that was felt by most of the people of Quebec when the Premier signed the Meech Lake Accord. I can remember the sense of elation that Members of Parliament from Quebec tried to share with the rest of us, both publicly and privately, on the day that Accord was signed. "Now I am a Canadian again", I remember one of them saying to me.

In 1945 when Hugh MacLellan wrote his classic novel about Quebec, he called it *Two Solitudes*. Since that time the phrase has become somewhat of a cliché when talking about Canadian-Quebec relations or relations within Quebec. MacLellan took his title from the words of Rilke who said:

> "Love consists in this,
>
> that two solitudes protect
>
> and touch and greet each other".

With Meech Lake it seems as though Quebec and the rest of Canada can protect and touch and greet each other in a new way. All Canadians should be able to rejoice in that fact.

Perhaps the most important idea in Rilke's statement is that the two solitudes would remain solitudes, the one would not seek to absorb or assimilate the other. Two solitudes protect and touch and greet each other, and is that not what we are attempting to do when we enshrine in our Constitution "the recognition that Quebec constitutes within Canada a distinct society"?

As so many witnesses testified before the joint committee, this is not creating a new situation but only recognizing a historical and sociological fact.

If MacLellan's *Two Solitudes* is an Anglophone account of English and French in Quebec, perhaps it should be looked at next to Felix-Antoine Savard's *Menaud: Maitre-draveur* which looks at the relationship from a strong Quebec nationalist perspective. Both novels are set in the context of a Quebec where English-speaking capital has moved in to exploit Quebec's resources and its people. Savard's novel begins with Menaud hearing and meditating on the words from Hemon's *Maria Chapdelaine*:

[*Translation*]

. . . *Maria Chapdelaine*:

> Nous sommes venus il y a trois cents ans
>
> et nous sommes restés . . .
>
> Nous avions apporté d'outre-mer nos prières et nos chansons;
>
> elles sont toujours les mêmes.

Nous avions apporté dans nos poitrines le coeur des hommes de notre pays, vaillant et vif, aussi prompt à la pitié qu'au rire, le coeur le plus humain de tous les coeurs humains:

il n'a pas changé.

Nous avons marqué un plan du continent nouveau, de Gaspé à Montréal, de Saint-Jean-d'Iverville à l'Ungava, en disant:

Ici toutes les choses que nous avons apportées avec nous, notre culte, notre langue, nos vertus et jusqu'à nos faiblesses deviennent de choses sacrées, intangibles et qui devront demeurer jusqu'à la fin.

[*English*]

Of course, some things have changed, but at the heart of Quebec is a people who know themselves to be distinct and, together with the English speaking minority in Quebec, they constitute a distinct society.

In the referendum of 1980, the majority indicated they wanted to remain within Canada but as the Leader of the Opposition (Mr. Turner) pointed out, the balance in favour of Canada was only achieved after the then Prime Minister, Pierre Elliott Trudeau, had promised a renewed federalism. A very high percentage, particularly of young francophones, voted for some form of sovereignty association. So we ignored the legitimate demands of the people and Government of Quebec at our country's peril.

Indeed, as the Hon. Member for New Westminster—Coquitlam (Ms. Jewett) pointed out to former Prime Minister Trudeau, this recognition of Quebec as a distinct society is not a sop the rest of Canada is giving to make Quebec feel good, it is something we have always known, a fact in which we have always taken pride.

It was something important to me when I was growing up in western Canada, even when I did not understand it, and, of course, I do not pretend to understand all of its ramifications even today. But Quebec is a distinct society, is an essential part of what makes Canada Canada, and not part of the United States. Rilke says "love consists in this, that two solitudes protect and touch and greet each other".

As Zebedee Nungak, co-chairman of the Inuit Committee on National Issues told the committee, there is a third solitude in Canada, the aboriginal solitude, and aboriginal peoples feel more isolated than ever before by the Meech Lake Accord. They do not feel protected. They do not feel touched by it nor do they feel greeted by it. They feel isolated. Zebedee Nungak said:

We know what it is to be on the outside looking in, so Quebec being made part of the Constitutional fabric of Canada was to us a necessity that was better dealt with sooner than later. However, in saying that, we object quite strongly to what we see as being shut out of any future process in constitutional discussions.

In their struggle to achieve even the most basic recognition in the Canadian Constitution, aboriginal people faced a very difficult time in 1980 and 1981 when we were patriating the Constitution. They appeared before the committee and made their case, pointing to the nature of their treaties, or pointing to unextinguished aboriginal rights in the case of those who had no treaties. They had support from church and solidarity groups. I remember the many questions that we as New Democrats asked the then Prime Minister, Mr. Trudeau, and the difficult bargaining the Hon. Member for Oshawa (Mr. Broadbent) went through to get aboriginal rights included in the Constitution.

I still remember the day, January 30, 1981, when the big breakthrough was made and Jean Chrétien, the Minister in charge at the time, said: "Lets do it". So wording was put in recognizing aboriginal and treaty rights and defining the aboriginal peoples as Indians, Métis and Inuit.

Even then an amending formula was proposed that would have meant that Parliament could have unilaterally changed those rights for aboriginal peoples living in the Yukon and the Northwest Territories, or that Parliament and the legislature of one province could affect the rights of aboriginal people in that province.

• (1540)

Then, on November 5, 1981, the nine provinces agreed on a constitutional package that left Quebec out. It also left out any reference to aboriginal rights or to the rights of women. Only after weeks of bitter struggle were sexual equality rights put back in, along with a very much weaker version of aboriginal rights. Aboriginal people were told not to worry about this weaker wording because they had the guarantee of a First Ministers' conference in which they would be invited to further define those rights.

A conference was held in 1983. But all that came out of it was a decision to hold three more conferences. These were also held with a great deal of rhetoric and fanfare in 1984, 1985, and the last one just this past spring.

What have the aboriginal people got out of all this work and all these conferences? A big fat nothing. These conferences have dominated their agenda for the past five years. They have absorbed the time and effort of the aboriginal leadership. After all the conferences are over, what do they have to show for them? Nothing, Mr. Speaker.

Poverty and powerlessness continue to characterize the lives of most aboriginal people. In all but one case land claims settlements have been stalled. As more aboriginal young people see the value of education and want to move on to university and college, the Government has capped the amount of money that is available for higher education. Only the prisons seem to be able to expand to meet the challenge.

Can we blame aboriginal people if they become bitter after all this struggle when they see the First Ministers reach a quick settlement with Quebec? They feel that the provinces lack the political will to deal with aboriginal rights. They feel that the Prime Minister has not given the kind of leadership and commitment to their cause that he did to getting Quebec back into the Constitution.

The aboriginal people are very worried that this new Accord promises further constitutional conferences on such items as

fisheries, which are absolutely essential to aboriginal people, but the aboriginal people and their leaders will not have a place at the table when fisheries are being dicussed. So they feel that this Accord leaves them further behind than ever.

The Special Joint Committee suggests that they do not need to worry about this. If I have one complaint with the report, and I have a few, this is perhaps the major one. It says that the joint committee takes the view that for these purposes aboriginal people, like other Canadians, are appropriately represented by the leaders of the federal and provincial Governments that aboriginal peoples helped to elect.

Aboriginal people have seen how their interests have been sold out. They were sold out on November 5, 1981, by the provinces and the federal Government when they wanted to cobble together a deal. They know how easy it is for their issues to be pushed to one side. This statement in this report is not something that aboriginal peoples can put any credence in whatsoever. How can we expect them to have any confidence in the federal and provincial Governments when they remember such days as November 5 when they were pushed aside? When push comes to shove in the fisheries, do any of us seriously believe that this Government will stand up for aboriginal rights if it were to jeopardize its relationships with the provinces?

The Prime Minister has continued to use rhetoric about his support for aboriginal self-government. But, last week when he was asked, he would not give a commitment to place aboriginal self-government on the agenda at this specific time. He would not give a commitment to restore constitutional funding so that aboriginal organizations could do the necessary preparation. This is in spite of the kind of recommendations that the committee made.

I would just like to read some of these items from the conclusion of the report. It affirmed the view that the First Ministers and representatives of aboriginal people must continue to work toward a satisfactory resolution of the constitutional issues brought forward by the aboriginal peoples, especially the issue of aboriginal self-government. It recommends that the federal Government restore funding to aboriginal organizations at an appropriate level to enable them to continue to participate in the preparatory work. It recommends that a timetable and serious work plan be established by the federal Government in consultation with the provinces and the aboriginal organizations to prepare for a further constitutional conference or conferences on aboriginal self-government. It recommends that consideration be given to holding these conferences in closed sessions, and that the first such conference take place no later than April 17, 1990.

In conclusion, Mr. Speaker, I welcome this Accord insofar as it enables Quebec to come back into Confederation, not only as a full partner but also with recognition of its distinct character. But I urge the Government to accept New Democratic Party amendments that would not damage the Accord but would prevent the Accord from doing an injustice to aboriginal people, prevent it from doing an injustice to the people of the Yukon and the Northwest Territories and that would assure the women of Canada that their rights are protected.

Mr. Deputy Speaker: Are there questions or comments?

Mr. Berger: I would like to compliment the Hon. Member on his contribution to this debate, although I take issue with his way of describing the reality of the Accord and the reality of what I believe is Quebec and Canadian society today. I would like to ask him this.

He referred to the quotation from Rilke, I believe, "two solitudes which protect and greet each other". I would like to ask him: Why not promote? Of course that was not in her quotation. She did not say "promote" the linguistic minorities around the country. If we are so caring about the French fact and the English fact, and if there is such goodwill, which he seems to believe there is, why would we not out of the goodness of our hearts, then, take the step of stating in our Constitution that we are prepared not only to preserve the *status quo*, to preserve the linguistic minorities wherever they may be in the country, but that we would be willing to promote these minorities? Is that not a very clear indication that the language of the Accord does not indicate the kind of goodwill which he seems to believe prevails?

Mr. Manly: Mr. Speaker, I thank the Hon. Member for his question. As I indicated, I think it is easy enough to see areas in which this Accord could be improved. Personally, I have no objection to seeing the word "promote" included. I think that might be a helpful inclusion.

What I am saying is that it is important for Canada at this particular stage of our history to say yes to Quebec. I weigh a number of factors about the Accord which I do not particularly care for, but I place those in the balance. I also place the question of saying yes to Quebec in the balance, and that weighs very heavily.

I also want to remind the Government that these other three issues which we have raised of justice to Canada's northern citizens, opening the door to constitutional participation by the aboriginal peoples of Canada, and giving an assurance to Canadian women that the Accord will not affect sexual equality in Canada, are weighing very heavily in the balance, not only for Members of Parliament but for the Canadian people. I urge the Government to take those issues very seriously.

• (1550)

Mr. Berger: Again, I wish to return to my question to the Hon. Member. He states that this agreement meets with the approval of the Government of Quebec. That is true. I would suggest to him that the Government of Quebec has the responsibility for its own prerogatives and concerns for the territory of the Province of Quebec, but I would suggest that the Hon. Member and his Party, and the Members of the House, have a responsibility to the entire country.

The Province of Quebec may feel that it is satisfactory to state that we will recognize the existence of minorities, which in a grudging fashion are described as being present but not necessarily a whole or integral part of Quebec society. It may very well suit the Governments of Alberta and Manitoba to say that minorities are only present in that part of the country, but again we have a responsibility for the national perspective.

The head of the *Fédération des Francophones Hors Québec* appeared before the constitutional committee and certainly was not happy with the *status quo*. Only last week the head of the Franco-Albertan Association stated that to them the Meech Lake Agreement meant assimilation. Is the Hon. Member happy to support an agreement which will probably mean the assimilation of the French minority outside Quebec, and God only knows what it means for the English minority in Quebec.

Mr. Manly: I have heard Members in the House who belong to francophone minorities outside Quebec state that they are concerned about the continuation of their language outside Quebec, and indicate to the House that they did not feel that this Accord threatened the continuation of the French language outside Quebec. I believe that they are much closer to the situation than I am, and even closer to the situation than the Hon. Member. On that basis, I am prepared to accept their assurance that the Accord does not threaten the continuation.

I note that the colleague of the Hon. Member, the Hon. Member for Notre-Dame-de Grâce—Lachine East who is an Anglophone from within Quebec, will support the Accord. I have some trust in his concern for the anglophone minority in Quebec, and some of the concerns raised by other Members from Quebec, even though the Hon. Member disagrees with his colleagues from Quebec.

In conclusion, I do not claim that I am an expert on the question of language within Quebec, or the rights of francophones outside Quebec. But at this time I am prepared to take the assurance of Members who represent those groups that they are protected, even though I recognize within the anglophone minority in Quebec there is some division on this question.

[*Translation*]

Mr. Malépart: Mr. Speaker, I would like to ask the Hon. Member who is not from Quebec whether he made his decision to support the Meech Lake Accord as a Canadian Member of this House, as a Member of the Parliament of Canada, to ensure that all the component parts of Canada are indeed a part of Canada? This is not strictly a Quebec decision. I think the decision is one to be made by all Canadian Members of Parliament who must ensure that Quebec is part of Confederation.

My next question is as follows. In 1982 we had an imperfect accord. If I remember correctly, the Hon. Member supported the 1982 Accord. He knew perfectly well that Quebec was not in Confederation, and despite warnings by prophets of doom and gloom, similar to what we have heard today, Quebec has now become a member of Confederation. Is the Honourable Member—I want to congratulate him on his decision—confident that the next generation, tomorrow's generation, will be as generous in dealing with the proposals and groups that have been left out as the people who were left out in 1982?

[*English*]

Mr. Manly: Certainly, if I was going to look at the Accord from the narrow point of view of a British Columbian, I would have a lot of trouble with it. For one thing, it does not deal with the Senate which, as a British Columbian, I feel very strongly about. With a population of 2.8 million, British Columbia has six members in the Senate, whereas Provinces such as Nova Scotia or New Brunswick have 10 Members in the Senate, so there is a great imbalance. If I was looking at this issue strictly from a parochial point of view, I would have a lot of difficulty with the Accord. I am not denying that I have some difficulty with it even so.

The question of including Quebec is absolutely crucial. Equally crucial is the question of providing justice to aboriginal people. The aboriginal people were the original inhabitants of Canada, and for us to ignore them and to continue ignoring them in our Constitution, is unconscionable. It is on that basis that I voted against the 1982 Constitution on the basis that it did not give adequate recognition to the rights of Canada's aboriginal peoples.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, many of us are in a catch-22 situation with respect to this important constitutional resolution.

In 1980 we in the Liberal Party fought hard and in great numbers against the sovereignty association proposal at the time of the Quebec referendum. That was a pseudo-separatist proposal that was put before us in Quebec. We fought hard and won; a majority of francophone Quebecers voted against that proposal, and a majority of anglophone Quebecers voted against that proposal.

At the time of the referendum, the people of Quebec stated that they wanted to be fully part of Canada, and they rejected any type of quasi-separation. Unfortunately, in the constitutional talks that followed in 1981 and 1982 when we patriated the Constitution and added an amending formula and a Charter of Rights, the Quebec Government of the day, which was the *Parti Québécois* separatist Government, did not agree to it. They voted against it. We may have expected them to do that because we know that the *Parti Québécois* had no great interest in the unity of Canada, in a new Constitution, or in an amending formula. We expected that from them, but I should remind the House that the Liberal Party in Quebec, which is a moderate federalist Party, also voted with the *Parti Québécois* in the National Assembly against the Constitutional Accord of 1982.

Since that time, Quebec has not been a full participant in constitutional discussions in Canada. Many of us regret that. We want Quebec fully participating in the Canadian constitutional process. We need Quebec, we love Quebec, and we want them with us 100 per cent.

In 1985 with the election of the Bourassa Liberals, this federalist Party made a new attempt to adhere to the Constitution of 1982, and to the full constitutional process.

Mr. Bourassa laid down five proposals for adherence to the Constitution: Quebec should be recognized as a distinct society; Quebec should have increased power in immigration; there should be a limitation of the federal spending power in areas of provincial jurisdiction; there should be a revision of the amending formula to recognize Quebec's long standing veto power; Quebec should be allowed to participate in the appointment of judges to the Supreme Court of Canada. Those were the five conditions or proposals that the Quebec Government laid down for rejoining the constitutional family in Canada. The federal Liberal Party was the first to respond in a positive manner to those five proposals.

• (1600)

In the summer of 1986, in an interview in *Le Devoir*, our Leader responded in a positive way to the five proposals. In November, 1986, the Liberal Party of Canada, at its national convention, passed a resolution which responded in a positive way to the five proposals. A little later the NDP passed similar resolutions which responded in a positive way to them.

Finally, on May 1, 1987, all the provinces and the federal Government agreed unanimously to the Meech Lake Accord which contained the five proposals. It was an historic moment, a moment of great national reconciliation. What was interesting was that we had nine provinces with a majority of anglophones saying "yes" to Quebec after Quebec had said "yes" to Canada in the 1980 referendum.

Among those nine provinces we had three with Liberal Governments, one with an NDP Government, one with a Social Credit Government, and five with Conservative Governments. Some of those provinces were rich. Some were poor. Some were large. Some were small. It was amazing that the 10 provinces and the federal Government should respond in a positive way to the overtures which Quebec had been making.

However, it was unfortunate in a way that not only did the Meech Lake Accord and the follow-up Langevin agreement respond to the five proposals laid down by Mr. Bourassa, but they went beyond that. They included other matters which were not originally raised by Mr. Bourassa. In addition, there were certain ambiguities and unclear parts. It was not sure whether or not, in agreeing to what Mr. Bourassa had requested, we were touching in a negative way on the rights of others in the Constitution.

As I said at the beginning of my remarks, some of us are in a bit of a dilemma. We want to say "yes" to Quebec. We want to say "yes" to this agreement. We think it is extremely important to do so. However, we do not want to do anything which would diminish already existing rights in the Constitution or to block the development of other rights in the Constitution. It is a bit of a dilemma.

We in the Liberal Party say—and the joint committee on the Constitution said it as well—that there are certain flaws in the agreement. Everybody recognizes that. However, the joint committee, having recognized that there were certain flaws, said that we should not try to amend it, that we should pass it as it is, and that in the next round we should try to correct the flaws. We say that that is not the way to go. There are certain flaws which can be corrected without denying, in any way, the five conditions laid down by Mr. Bourassa. We are not suggesting for a moment that we should introduce or pass any amendment which would fly in the face of the five original proposals of Mr. Bourassa.

We have formulated nine amendments to correct serious flaws which we think need to be corrected. We do not believe that correcting any one of the flaws by way of any one of our nine amendments will in any way take away from the five conditions of Mr. Bourassa.

One amendment is already before the House. It concerns the fact that the aboriginal peoples of Canada make up part of the fundamental characteristic of Canada and that the multicultural heritage and make-up of Canada must be considered. It is a misconception to think that the fundamental characteristic of Canada is simply a question of anglophone and francophone. That may have been the case in 1867, but if we look at Canada today, we see that it consists of anglophones, francophones, aboriginals, and a large number of people who have come from many other countries and cultures. In our amendment we wanted the interpretive clause which defines the fundamental characteristic of Canada reworded in that way.

Another amendment would have the federal Government and the provinces not only preserving minority language groups but also promoting minority language groups, such as francophones outside Quebec and anglophones in Quebec.

In a third amendment we want to extend the non-derogation provisions of Section 16 to the whole Charter, not simply to the questions of aboriginal rights and multicultural rights.

We have also proposed in a further amendment that when there are vacancies in the Senate they should be filled by an election in the province where the vacancy occurs, not by an appointment by the provincial Premier. We think that is a good interim measure on the way to a fully elected Senate.

In a further proposal we are suggesting that the territories should have a say in the nomination of candidates for judgeships to the Supreme Court of Canada. I do not know whether when the provinces sat down with the federal Government to

work this out they completely ignored that, but it is an oversight which should be corrected.

I do not know who would object to it. What province would object to it? Why would giving the right to the territories to nominate Senators and judges to be appointed by the federal Government take anything away from the proposals put forward by Quebec for adhering to the Constitution?

We also put forward a method for breaking a deadlock when nominees for the Supreme Court of Canada are made by the provinces and not agreed to by the federal Government. We suggested that on an interim basis the Chief Justice of the Court could break the deadlock by appointing someone from the Federal Court or Superior Court for one year.

In another amendment we clarified shared-cost programs in areas of provincial jurisdiction. Also, in another amendment we provided that the entry of new provinces or the creation of new provinces out of the territories should not be a question of unanimous agreement by all provinces, but that it should be a question between the federal Government and the territory, as it always was in the past without any difficulty.

When the Provinces of Saskatchewan and Alberta were formed in 1905 out of the Northwest Territories, it was a question between the federal Government and the territories. When Newfoundland came into Confederation, it was a question between Newfoundland and the federal Government. It was not a question of unanimous agreement by all provinces.

The amendments which the Liberal Party is putting forward are based upon a consensus that came out of the intensive hearings during this past summer. There is a broad consensus supporting these amendments. It is not only that; they are right in principle. As I said before, none of them strike at the five conditions or proposals laid down by Mr. Bourassa after he was elected and when he sought a method of adhering to the constitutional process.

If that is the case, why is the Government opposite responding in such a negative way? Why is it saying to us and to Canadians that we must either take the whole package as it is or nothing at all? The Government is suggesting that the whole thing will unravel if we make a little amendment here or a little amendment there. That is an arrogant approach.

In 1981-82, when the repatriation legislation was before the House with the amending formula and the Charter of Rights and Freedoms, the Liberal Government of the day accepted amendments. They were put before the House on individual clauses and they were voted upon. Some were accepted. Some were turned down. In committee changes were made. Even after certain things were taken out in respect of aboriginal peoples and women, they were put back in later because of lobbying and large demonstrations on Parliament Hill.

It can be done and still be successful. It is nonsense to suggest that if we accept any kind of amendment, no matter how good it is or to correct how bad a flaw, the whole thing will fall apart. We amend legislation in this House all the time, especially legislation that sometimes comes from federal-provincial agreements.

• (1610)

I want to say a few words about the procedure. It is completely unacceptable that we should deal with a resolution to change the Constitution of Canada in a manner which gives us less right to put amendments and speak than we have on an ordinary Bill. In that case we have first reading, second reading, the Bill goes to committee, comes back, we have report stage where any Member can table amendments, and then third reading. Here we are dealing with the Constitution of this country and we cannot do that. Our House Leader proposed that we be allowed to do so and was turned down by the Government House Leader. The Government wants us to put all our amendments in a package and vote on them all at one time. That was agreed to this morning because we have no other alternative. We would not accept that on any other Bill, even a minor Bill like amendments to the Freshwater Fish Marketing Act. I suggest that is a bad precedent. There will be yearly constitutional conferences under this Accord and many amendments will come to this House. If we deal with them in what I call summary fashion, we will not be giving them the attention they deserve. I would like everyone to reconsider this procedure. It is not a good way of doing it.

It is particularly hard to understand because the Conservatives, when they were in opposition, insisted that we divide Bills. We had the famous bell-ringing episode over that which went on for days. They would not accept voting for or against a certain Bill because they said there was too much in it. They wanted to divide it so they could vote against different parts. That was all right when they were in opposition, but today they want us to vote for this package without having the right to deal with each part individually.

I now want to deal with what is perhaps the most controversial provision in the Accord, the distinct society clause. Let me say that I do not believe there is anything really new in recognizing Quebec as a distinct society. There have been distinct provisions dealing with Quebec in constitutional documents going back to 1774. In the Quebec Act the British Government, because we were still a colony, recognized that Quebec should have the right to the French language. That was an exception for British-ruled territories and colonies. Quebec should have the right to the Catholic religion. That again was an exception considering the law in force in Britain at that time. By the way, no such exception was made for the Irish. The British also gave Quebec the right to French civil law.

That was repeated to a certain extent in the Constitutional Act of 1791, although it was withdrawn in the Act of Union in 1840. As a matter of fact, in 1791 the British divided Canada into Upper and Lower Canada so that they could recognize the distinctiveness of Quebec. Again in 1867 there were specific provisions for Quebec in recognition of its distinctiveness. Therefore this distinct society clause is not new, except in its expression.

Some people feel this part could be used to remove existing language rights. It has been suggested in my own province that in some way or other, by recognizing the distinctiveness of Quebec society and giving the Government the right to promote that distinctiveness, it could remove the rights of the Anglophone minority. I see nothing in the Accord that will do that. To the contrary. If you read the document, it very clearly states:

> —and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada—

It goes on to say:

> (2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

In other words, in signing this document Quebec pledged itself to preserve the English-speaking fact in Quebec, and there is nothing in the document anywhere which takes away any of the other entrenched rights which are found in our constitutional documents, Section 133 of the BNA in 1867, or Section 23 of the Constitution Act, 1982. Nothing. I challenge those people who say there is a derogation of anglophone rights in Quebec to show me the clauses that will do that.

What they are doing in many cases is drawing a scenario and exaggerating it in the extreme. It is mainly speculation. We have had attacks on anglophone rights in Quebec for a long time, especially under the *Parti Québécois*. There was no Meech Lake Accord then. Whether we have one or not, there will be individuals and political Parties in Quebec who want to attack minority rights. I agree with this Accord but I must remind Mr. Bourassa that he made a promise to anglophones in Quebec to amend the sign legislation to bring about justice with respect to bilingual signs. We expect him to deliver on that promise.

As I say, there is nothing in this Accord that will derogate from the rights of minorities in Canada. To the contrary, I think there is a small but meaningful contribution to the entrenchment of minority language rights. My colleague from Saint Henri—Westmount was in the Cabinet in 1982. So was my colleague from Davenport. My colleague sitting behind me from Laurier was in the caucus. It was at that time I voted against that document because there was a reduction of anglophone rights in Quebec. I must remind Canadians of that fact. I voted against that document because there was a very specific reduction in Section 59, and my colleagues agreed to it. I do not know where the great spirit they have shown today in defending minority rights was at that time. They were in the Cabinet but they did not resign in protest, that is for sure.

You are giving me the sign that my time is up, Mr. Speaker. Yet there is so much in the document to discuss. Let me say that if anyone can point out to me one clause in this document that leads to the reduction of minority language rights, I will vote against it. I challenge them to show me one clause that does that. They cannot.

On balance, despite its flaws which I would like the Government to correct by accepting some of these amendments, it is an historic document of reconciliation. After nine provinces have said yes to Quebec, it is very difficult for us in this House to say no to the reconciliation which brings all Canadians and all provinces together.

Mr. Deputy Speaker: Questions and comments.

Mr. Berger: Mr. Speaker, I would like to humbly try and respond to the Hon. Member's challenge. He is very well aware of the distinct society provision in the clause and I suggest that if any clause could affect the rights of Quebecers and minorities in Quebec, it certainly would be that clause. I suppose by his reasoning he believes that clause has no legal significance. Is that his conclusion, that it means nothing? I suppose if that is the case, we are talking about nothing. Yet it clearly has to mean something, or it must mean nothing. I put it to him that it does mean something.

He is a lawyer. I also had a bit of legal training. I think one of the first things we learn in law school is that the—

[*Translation*]

The legislator never speaks to say nothing.

• (1620)

[*English*]

Therefore, I would suggest to him that the clause must have some significance. I would refer him to the comments of the Premier of Quebec, Mr. Bourassa.

[*Translation*]

—who had this to say to the National Assembly last June 18: "Henceforth the Constitution of the country will have to be interpreted in accordance with this recognition". He was referring to the recognition of Quebec as a distinct society. He said, and I quote: "It must be emphasized that the whole Constitution, including the Charter, will be interpreted and applied in light of this distinct society section. This relates to the exercise of legislative powers and will enable us to consolidate acquired rights and make progress."

So I respectfully suggest to the Hon. Member that Mr. Bourassa should know what he is talking about, and that the words of this provision should normally mean something.

Does he believe that Mr. Bourassa is right or wrong, and that in the end this does not mean anything?

[*English*]

Mr. Allmand: Mr. Speaker, I never suggested for one minute that this clause means nothing. The Hon. Member should not put words in my mouth. Of course it means something. It is an interpretive clause. It starts off by saying that the Constitution of Canada shall be interpreted in a manner consistent with the fundamental characteristic of Canada and the recognition that Quebec constitutes within Canada a distinct society.

Of course the clause means something. It is similar to Section 27 of the Constitutional Act of 1982 which says that the Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians. The opening words of the distinct society clause are almost exactly the same as those of Section 27.

What does it mean to recognize Quebec as a distinct society within Canada and that Quebec has the right to promote that? I think it means exactly what the Quebec Court of Appeal ruled in the signs case. In the signs case, the Quebec Court of Appeal, in a unanimous decision, ruled that Bill 101 was unconstitutional when it said other languages could not be used on signs. It ruled that it was unconstitutional to forbid other languages but it said that if Quebec wanted to pass a law requiring the use of French on signs, that was its right.

What was proposed by Mr. Bourassa in the election was a new option whereby Quebec would require French on all commercial signs but not forbid the use of any other language, whether it be English, Polish, Chinese, Italian or whatever. There they are promoting the distinct society but not taking away rights from others, because in my opinion, they cannot do that.

The previous clause says there is an English fact in Quebec and it says it is the role of the Government of Canada, the Parliament of Canada and the provincial Legislatures to preserve that fundamental characteristic. Quebec has committed itself to preserving the anglophone minority in Quebec, not just in 133 or in Section 23 but also by virtue of the Meech Accord.

Sure the clause means something. When I promote my own distinctiveness, my own career or my own family, I do not need to do it at the expense of others. I do it to further my own causes. I think that is what that clause is saying. Unfortunately, some people in Quebec and across Canada think that in order to promote one's own causes, one must take away from others. That is not the case.

I can build and improve my own home without stealing lumber and bricks from my neighbour next door. I can make it the best home on the block, but I do not have to detract from anybody else. Promoting one's distinctiveness does not take anything away from anybody else, including the minorities in Quebec.

Mr. Caldwell: Mr. Speaker, I appreciate the comments of my colleague across the floor. I think I personally as an Ontario anglophone have a better understanding of what the distinct society means to a person who lives in Quebec, such as the Hon. Member.

Going back into history and bringing us up to date, it would seem Quebec has always been a distinct society, but that has only been recognized at this particular time. The Hon. Member did not discuss, though I know he has some familiarity with it, immigration and how it affects Quebec. My understanding is that Quebec has always had a say in immigration. There will be some changes under the Accord regarding immigration. Does he have any trouble with that particular clause?

Mr. Allmand: Mr. Speaker, as Hon. Members know, the responsibility for immigration under our Constitution has been a joint federal-provincial responsibility since 1867, although the provinces did not exercise any legislative power under that right for many, many years. I think Quebec was probably the first province to want to exercise that power.

It is a joint power. Unlike some other powers, it gives both the provinces and the federal Government the right to pass legislation with respect to immigration. However, it also says that the federal power will prevail over the provincial power. By the way, so does this document.

Clause 3(2) says about immigration that an agreement that has the force of law under this subsection shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives. The Province of Quebec and other provinces can pass legislation in the area of immigration as long as it is not repugnant to the federal legislation. It has been that way in more general terms since 1867 but never spelled out this way.

When the Liberals were in power, we made an agreement with Quebec which has been followed since that time, and it has not caused any great harm. As a matter of fact, I think it has helped Quebec and Canada in selecting immigrants for that province. To put it in the Constitution would not cause any great harm. Not only would it not cause any great harm, if it settles old wars, all the better.

[*Translation*]

Mr. Malépart: First, Mr. Speaker, I should like to commend the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) for his remarks. From a legal standpoint I think he showed clearly that the question of distinct character in facts has always existed, but that at last Canada agrees to put that in the Constitution and protect the future.

Those who are opposed to the distinct character provision of the Meech Lake Accord accuse others who endorse it to be provincially oriented Members, narrow-minded people who stand up only for the interests of Quebec. The Hon. Member has been in this House for a good many years—and I share all his views concerning the amendments, I can blame the federal Government and all provincial administrations for failing to add other things—he is not afraid to stand up and, as an anglophone, he agrees with the distinct character provision. That being the case, does he feel like a provincially oriented Member here in the House of Commons, or does he feel he is on the same wavelength as all other Members because he

agrees with that, because he is a Member who stands up for the rights of all Canadians?

[*English*]

Mr. Allmand: Mr. Speaker, I defend that provision because I think it serves the unity of all Canada. It is good for all of Canada. As I said, Quebec said yes to Canada in the referendum of 1980, but we had to wait until this Accord with the nine other provinces of many political backgrounds and the federal Government saying yes to Quebec. To me, that was a great act of national reconciliation because we need and want Quebec at the constitutional table. Something was missing without Quebec, and it is fantastic to have it back.

I think it is for the good of all the country. When I support this, it is not because I am from Quebec or because I am a provincialist. If the Hon. Member supports it or somebody on the other side supports it, I think it is because they are very concerned with the unity of Canada and the *épanouissement* of Canada. It is for the good of all of Canada that this be done.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly)—External Affairs—Nicaragua—Funding of Contra forces by United States—Minister's position; the Hon. Member for Hamilton Mountain (Ms. Dewar)—Public Service—Recognition of principle of wage parity—Adjustment mechanism; the Hon. Member for Capilano (Mrs. Collins)—Immigration—Arrival of Hondurans at Vancouver International Airport.

• (1630)

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

Constitution Amendment, 1987

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Mr. Thomas Suluk (Nunatsiaq): Mr. Speaker, I am particularly happy to take part in this debate today, not because of the simple fact that I am a native and come from one of the Territories but because I was elected largely on a constitutional platform.

In my area, the Inuit homeland of the Northwest Territories which we call Nunavut for the time being, constitutional rights such as land claims, regional councils, regional boards of all kinds, et cetera, et cetera, dominate our discussions. Our people have always searched for a way in which our territory can become part of Canada and enjoy the full rights of the Constitution.

I wish to make it very clear that while we are seeking our own constitutional goals we do not deny others their rights. The Meech Lake Accord was a remarkable achievement by governments among which any agreement is usually remarkable. It provides protections which have enabled the population of Quebec to re-enter the national life. I can only applaud that and I can only hope that all northerners will also applaud that.

We are in a very dangerous situation in Canada if the victory of one group becomes the envy and resentment of others. Sharing is perhaps the most sacred value in Inuit society. Our people wish to achieve certain things and that does not mean we begrudge the good fortune of others. On the other hand, the achievement of this Meech Lake agreement shows the way. It provides a demonstration of how agreements can be reached when there is political will. In the North we need a lot of political will now. Part of that agreement is to hold further conferences, which I support.

In those fora we cannot doubt that items of concern to northerners will be discussed. I have no fears about us being left out as some people in the North have been saying recently.

The report of the special joint committee makes some specific recommendations. On aboriginal rights the report recommends a process and funds for work which I support. The following chapter on the impact of Meech Lake on the northern Territories highlights the question which must concern us all—how the aboriginal homelands of northern Canada and the Métis, Indian and Inuit people who live in them can be reconciled with provincial-type structures. I will have more to say about that, too.

The Meech Lake Accord is a piece of nation building. There are other pieces of our nation which must be completed. In the Northwest Territories and the Yukon we have 40 per cent of the land area of Canada but not the political and economic rights taken for granted in the south. For example, northerners have no control over their lands and resources. Northerners have no control over what goes on in our inland seas even though Canada's Inuit provide the national argument our lawyers take to world bodies to claim those ocean waters.

Inuit use of the seas and sea ice are the basis of that claim. I noticed that before the Venice Economic Summit President Reagan spoke of our unique Inuit claim. He said that he thought it could provide a basis for agreement between Canada and the United States about those waters.

Of course the North is larger than just the Territories. Northern Quebec and Labrador have vast Arctic areas inhabited by Inuit. Five other provinces also have large sub-Arctic areas. Outside of a few boom-towns like Tuktoyaktuk on the Beaufort Sea or Iqaluit on South Baffin Island, the permanent residents are aboriginal in nature.

There are two approaches to constitutional development in the North today. Members of this House have heard submissions by Governments of the Northwest Territories and the Yukon which, by the way, I sympathize with. The problem, as they see it, is a conventional one. For example, by being promised provincehood in the future they say they can deal with the social and political problems. As a Member representing a predominantly native riding, specifically an Inuit riding, this is where I part company with the political views of my fellow territorial residents in the Mackenzie area. That is, of course, with all due respect to the views of my colleague, the Hon. Member for Western Arctic (Mr. Nickerson). As a result, I have been accused of not supporting the position of the Territories by both the Government of the Northwest Territories and by the media in the North.

The Inuit approach to our social and political problems has always been a complete overhaul of the political system in the North. Specifically, one has been the settlement of aboriginal claims to the land and resources and the right to govern ourselves by the modification of a territorial form of government, the creation of a Nunavut territory out of the existing one. Unfortunately, this view is opposed by our present colonial masters, the settlers of Canada residing in the Northwest Territories.

Consequently, and in view of the situation in the North, I can only envy the two so-called founding nations—the English and francophone nations, who have resolved their co-existence through the Meech Lake Accord. As a result I will support this Accord because it paves the way for other peoples of Canada with different political and social goals to one day resolve their own differences.

I do not know a great deal of constitutional law, but I was working on constitutional matters for many years before my election. Constitutions are social documents written in legal fora by lawyers. However, first, a constitution must express a social truth.

I headed the Nunavut land claims project at one time. For those people who do not yet understand, land claims is really the aboriginal peoples' constitutional approach. Our people know that the land and waters which provide our life are the basis of everything so it is natural for us to identify ourselves with them. We build our ideas of society up from there. We have ways of life carefully suited to the land we live in. That land, the Arctic, is a very special place. I am glad that many southern people have the chance, through television and photography books, to learn about it now. However, ultimately, we Inuit believe that we have a special responsibility for our land. We wish to exercise that responsibility through management systems and self-government.

Therefore, we continue to negotiate land claims and at the same time we work to create a Nunavut government. Ottawa, in its wisdom, long ago decided that these two processes must be separate, although to Inuit they are one. Therefore, we have two sets of offices and two sets of staff, but they work closely together. Sometimes we think that the southern negotiators like the two processes so that they can play one off against the other. However, we Inuit are very clear about what we want.

If I have a criticism of the Special Joint Committee report it is that the northern chapter thinks strictly in terms of provincial status. It is very conventional. Gordon Robertson, among other experts on northern policy, has written a book about the fact that more flexible arrangements would be more workable. He, like we, wants arrangements which do not force Inuit into a southern mould. Nunavut is our answer.

I do not understand why the special joint committee does not mention Nunavut. Perhaps they did not listen to the Inuit. Certainly they did not understand us. Indian groups also have ideas for self-government but the special joint committee has not spoken for native northerners; the Métis, Indian, and Inuit people who are the permanent residents of the North, when it discusses the future purely in terms of the provincial path.

That section is too conventional, too rigid. It totally ignores the fact, for instance, that in the Northwest Territories two constitutional fora have been working for the past five years and in fact reached an accord last winter. This northern accord has yet to be put to a referendum.

• (1640)

Those forums, the western constitutional forum and the Nunavut constitutional forum are bringing aboriginal and white legislative members and aboriginal association leaders to a social and political census on new governments. Nunavut is the Inuit proposal.

I must raise this subject because there is some evidence that people in Ottawa and in the south generally do not understand the issue. The modern history of the Northwest Territories is not a happy one. The feelings among the regions and peoples have not always been friendly. If federal policy ignores the

regional reality, the cultural reality, and the long stated demands of Inuit through land claims, through talks on a Nunavut Government, through the national constitutional talks, then there can be no progress. The northern chapter of the report briskly assumes northerners can be quickly marched into a southern parade. I would suggest that policy-makers not be quite so certain of that.

Just as I support the spirit of commitment and creativity which led to the Meech Lake Accord, so I look forward to another such process to deal with Inuit and other northern and aboriginal issues.

If almost half of Canada—the North—is in limbo as some people have said, that is serious. We need a more active commitment in Ottawa to assisting northern people sort out the remaining problems in creating new territorial governments. Nunavut is an opportunity for Canada. It is the best answer to anyone in the world who thinks that Canadians treat aboriginal people like South Africans treat blacks.

I want to take this opportunity to elaborate on the concerns raised by the two territorial Governments relating to provincial status. If the two Territories are so concerned about this issue of provincehood, there is a practical way to resolve it even though it would involve a major constitutional conference involving all the First Ministers of this country, with the two Territories involved this time.

Given that both the non-native and aboriginal residents are similar in political and cultural persuasion, why not merge the territory of the Yukon and the western part of Northwest Territories to make one territory and, consequently, an eleventh province? They would then have the appropriate political maturity, including the raw numbers to warrant it. We could then have only one Territory left in the Canadian Confederation, a native territory which could then become Canada's showcase to the world.

I urge all Hon. Members, as well as the First Ministers, to study this alternative as a viable way of satisfying everyone's political aspirations, including the two territorial Governments which have felt left out so far.

The reason there has been a move for the creation of two territories is that there are two almost equally divided groups of people. One group wants to work toward provincial status while the other wishes to safeguard its culture, its land and its people through the creation of their own territory. This is where I said I have parted company with the views expressed by the Government of the Northwest Territories.

The northern political constitutional question is not a provincial question. It is largely an aboriginal question. Inuit have always made clear that our proposals for Nunavut welcome the white people who live among us. We have no desire to discriminate against anyone.

While Ottawa is turning over powers and budgets to the Yellowknife Government, territorial officials, including the politicians in Yellowknife, are delighted but will not admit it. They believe that this will kill Nunavut, but it will not. Nunavut will not go away because it is the way we Inuit think of our land. Nunavut means "our land". We will not be happy living in a Yellowknife-dominated territory.

This summer, Nick Sibbeston, the NWT government leader, said that having more power in Yellowknife means that Nunavut is no longer needed. That could not be farther from the truth. He certainly does not understand Inuit or the eastern half of the territory over which he is territorial premier.

Inuit need a government which speaks our own language. We need a government that takes on the hard issues of resource management and development, and which helps us restore peace and stability in some of our villages which have grown too fast. That government is Nunavut.

In conclusion, we can identify with the people of Quebec to full political participation in Canada through the Meech Lake Accord. We know what it feels like to be left out. It is these problems which aboriginal and northern people bring to Ottawa in the hope of justice. I call upon the House and Canadian people to complete the infrastructure of nationhood. I call on you all to work to make the North part of Canada.

Ms. McLaughlin: Mr. Speaker, first let me congratulate my hon. colleague from the North for stating a very important point that I believe was not made well during the discussions at Meech Lake. It concerns the diversity within Canada both of the traditional concepts of government and the aboriginal concept related to self-government, aboriginal rights and meeting the needs of those areas such as the one represented by my colleague, which is largely made up of aboriginal people. Those views are of great benefit to this discussion because I believe Canadians are not aware of them.

On the other hand, I disagree with some of the positions taken by my colleague. Originally I thought the boundary extension clause in the Constitution may have referred to the south, but then I was told that the States may not like that. I then had to assume that the boundary extension clause referred to the North, but now the Member says that it means east and west, with the Yukon becoming part of the Northwest Territories or vice versa.

It is an interesting concept and probably one of the best original thoughts we have heard in this debate. While the Member receives high points for originality, I do not believe that concept will be welcomed with great rejoicing in the Yukon.

The Hon. Member mentioned the aspirations of the Inuit. Those of us who live in the North, while not Inuit, hopefully understand some of the issues and empathize with those aspirations.

I am concerned about how the Member believes the Meech Lake Accord contributes to the advancement of Nunavut, for

instance. Upon review of the process to date, does the Hon. Member know if the Inuit were consulted before, during or after the First Ministers' conference that resulted in the Meech Lake Accord?

Mr. Suluk: Mr. Speaker, to be quite frank, the short answer would probably be no, considering that the two territorial Governments were not consulted.

On the other hand, I believe that we in the North, especially the Inuit and the Inuit Committee on National Issues, do not oppose the two major founding peoples, the francophones and anglophones, settling their differences first. Like it or not, the Inuit is a very small minority within those two systems, and to be quite frank, in order to be successful in our aspirations, we have to co-operate more with those nations than perhaps some of the other aboriginal peoples in Canada.

• (1650)

The short answer is that, as an aboriginal Member, I certainly was not consulted, but I think that is beside the point now. I had earlier mentioned that I was elected on the issue of resolving some major questions which affect all of us. I think the Meech Lake Agreement required something very strong, and that is the only answer I can provide at this time.

Ms. McLaughlin: I thank the Hon. Member for that answer. I think that has clarified some of my question. I very much agree that the concept of self-government for aboriginal people is absolutely essential to the development of this country, that there needs to be a much greater understanding of that concept within our society, that it will not undermine provincial status or territorial legislatures, that it is the right thing to do and that it is something that will work. We have to deal with what is being done here. How does my colleague see the Meech Lake Accord resolutions helping to further aboriginal self-government and the creation in the Eastern Arctic of Nunavut? How does he see the Accord facilitating that? My concern is that I see it detracting from that.

Mr. Suluk: Mr. Speaker, I will answer the question in two ways. First, according to the summary of the joint committee on the Senate and House of Commons, the Accord itself would require future First Ministers' conferences on constitutional change to deal with any other outstanding concerns, and I would have to rely on that. The other part of the answer would be that up until now the federal Government has allowed the NWT, in particular, to be able to resolve its political differences on its own at the very outset. We are getting very close to that.

I mentioned earlier that there is in fact a political accord which, unfortunately, has not yet been put to a plebiscite or referendum, but we expect that after next Monday's territorial elections, our representatives are going to make sure that this issue of resolving the boundary dispute will be put to a referendum. That is my second answer.

Mr. Berger: Mr. Speaker, the Hon. Member in his comments referred to the question of provincial status. He suggested that there may be a practical way to resolve this. I think he referred to a constitutional conference in which the Governments of the Territories would participate. I would like him, though, to perhaps add a word or two about the question of unanimity. How does he feel about this particular provision of the Meech Lake Agreement that will require the unanimous agreement of the provinces, and the federal Government, in order to create new provinces?

As the Hon. Member knows, the western provinces were created by an agreement between the Governments of those provinces, the Territories that were to become provinces, and the federal Government. There is probably something to say for giving the provinces a greater say in creating new provinces because it will affect the amending formula. So the two questions are certainly linked.

However, does the Hon. Member not feel that by requiring the unanimous agreement of the provinces it is really condemning the Territories to territorial status forever because it will be unlikely we will be able to obtain the agreement of all the provinces?

Mr. Suluk: I think, Mr. Speaker, there has to come a time when we stop talking in conjecture and speculation and really put some of the things to the test. Considering the fact that there has been a lot of criticism coming from the two Territorial Governments, and from the residents of the North, and that there has been a lot of sympathy from the press and so on, we have to see if in fact this will be really so. The only way to find out whether there would in fact be unanimity or whether one province might not agree, is to not wait and speculate but to go ahead and try it.

I think that many of the provincial premiers, perhaps even the federal Government, are now ready to take into consideration the concerns of the two Territories and the residents of the two Territories in general. So I would wish to have the First Ministers, including the federal Government, look very seriously into what I have suggested, and that is to merge the two, one half of the other territory and the Yukon together. I think that is a very novel thing. I cannot think of why any of the First Ministers would really wish to stop the aspirations of the rest of the population of Canada. If they do, then I would say they deserve all the criticism that has been heaped upon them.

Mr. Deputy Speaker: The period for questions and comments is over. May I call it five o'clock?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS—PUBLIC BILLS

[*English*]

FRESHWATER FISH MARKETING ACT

MEASURE TO AMEND

Mr. Dave Nickerson (Western Arctic) moved that Bill C-211, an Act to amend the Freshwater Fish Marketing Act, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, the objective of Bill C-211 is very simple, it is to remove the monopoly presently enjoyed by the Crown corporation, the Freshwater Fish Marketing Corporation, and allow it to act as a normal fish marketing company would, without the benefit, if that is the right word, of the monopoly. This is not a new idea. It is something I have been pursuing for 15 years, both in the Legislative Assembly of the Northwest Territories and in the House of Commons. Other people were pursuing it long before that, in fact, ever since the Freshwater Fish Marketing Corporation was set up by statute in Canada in 1969.

The last time this Bill came before Parliament, it was numbered Bill C-235. It was dealt with in June or July, 1985, at which time it was referred to the Standing Committee on Fisheries and Oceans and apparently died on the Order Paper of that committee when that session of Parliament came to a close.

• (1700)

In order to understand what we are trying to do here, one has to know a little bit about the Freshwater Fish Marketing Corporation, how it came into being, where its operations are, and how it conducts its business. It is a federal Crown corporation and operates within the prairie provinces, within the Northwest Territories, and within a small part of Ontario just west of Thunder Bay. It has a head office and principal plant in Transcona, which is just outside the City of Winnipeg.

In 1986, there were total landings of about 45 million pounds of fish, which in general is not a great deal of fish when compared with the East Coast or the West Coast of Canada. The value of that catch, the sales of the corporation in that year, were some $48 million. This information puts it in a kind of context.

When the corporation was established in 1969 it fitted in with the ideology of the day. Shortly after the election of Pierre Elliott Trudeau as Prime Minister of Canada—in the days of the so-called just society—the idea behing it, I guess, was good. It wanted to give the fishermen a better deal. The idea was that instead of having a number of small fish companies trying to sell their fish to American buyers in Chicago and New York, which at that time, and even today, were some of the biggest principal markets for freshwater fish, there would be one organization that would set the terms of trade. However, it did not really work out. The commercial clout that was supposed to have been given to FFMC never really materialized in fact. Things have gone from bad to worse in the freshwater fish marketing business.

The industry, unfortunately in western Canada, continues to decline, although, and I will get to this later in my presentation, in Ontario where there is a private marketing system, the industry is on the up-and-up. Before FFMC came into existence there were a number of relatively small firms in the business, or relatively small, privately-owned firms. There were fishermen, co-operatives, and generally speaking there had been an increase in the amount of fish produced and sold over a number of years until FFMC came into business.

The industry today is hardly what you would call self-sufficient. A number of people describe it as a social industry. I know in the area that I represent, were it not for something like a 10 cent or 15 cent a pound subsidy given by the territorial Government the industry would virtually collapse. That ought not be the case. I am sure it can be a viable industry. It does not have to be looked at as a form of social welfare. It can be a thriving industry that can stand on its own feet.

We have a series of plant closings. That was not suppressed to happen with FFMC, but it does. Over the last few years, on an almost annual or biannual, there are amendments to the FFMC Act which come before Parliament asking for authority to borrow yet more money from the Government of Canada. So it is not really a financially viable operation.

The problem is with sales. The fishermen know how to catch fish, but what we apparently do not have is somebody who knows how to sell the fish. FFMC has been unable to fulfil its mandate of selling fish. It just does not seem to be able to do it. The last annual report of the company refers to continuing high inventories and the inability to place that fish on the markets. It has resorted to all kinds of techniques to get rid of this supply that is overhanging the market. Sometimes it sells it off at cut-rate prices. It even enters into what I quite frankly think are unlawful agreements to cut down on the supply.

In return for the monopoly the FFMC is supposed to undertake to buy all the fish delivered to it by the fishermen. That was tit for tat. But it is not working out that way. It is putting pressure on fishermen to sign agreements, which I do not think would stand up in a court of law, to restrict the amount of fish to be delivered to the Corporation. Or it can reduce the prices to such a low level that it is just not worthwhile fishing. Or it can close down receiving stations, as it did with the Wool Bay receiving station in my area this summer. There is no place for the fishermen to take their fish, so it can get around the responsabilities that were put onto it by virtue of the Act.

Because of the trouble in the industry a number of studies have been undertaken. I do not know if anybody has any good ideas as to how to make FFMC as it stands work. I do not think they have.

The best study, and one of the most recent, on the marketing of freshwater fish in Canada, was the one done by the Standing Senate Committee on Fisheries under the chairmanship of the Hon. Jack Marshall. I would highly recommend it to anyone who wants to know anything about the freshwater fish industry, particularly the marketing aspects thereof, in Canada. It is an excellent document. It makes some good but timorous recommendations. It will not go all the way that is really necessary.

It did recommend, however, a certain degree of private initiative being allowed in the market. Recommendation 13B, which is a rather lengthy one, and I will not read it all into the record, suggest that certain private buyers be licensed and allowed to operate in competition with the Freshwater Fish Marketing Corporation. That is a good recommendation, one that ought to be put into effect immediately. But in my opinion it does not solve the whole problem. It does not go far enough.

It is interesting to note, Sir, that there is a duplicate freshwater fish marketing system in Canada. We have in the West, including the North, a Crown corporation holding a monopoly where the industry is in decline. On the other hand, in Ontario, which is the other major freshwater fish producing area, we have private enterprise. Anyone is allowed to get into the business of buying and selling fish. There is a free market. This situation would make a wonderful study for professors of economics because here there are two areas in one country. On the one hand there is a socialist system of marketing. On the other hand is a free enterprise system. It is like night and day between them.

In Ontario, the fish business is booming. It cannot keep up with the demand for it. The problem in Ontario is that they are up against the total allowable catch in all these different areas. They cannot get that stuff to market quick enough and in big enough quantities, whereas in the west there are a great number of fish. We never take out the total allowable catch on Great Slave Lake but the problem is that no one can move that fish. They cannot sell it. So it is a wonderful demonstration before our very eyes of the two marketing systems. What I want to do is not to get rid of the FFMC but to revoke that monopoly so that some of those good things that are happening on the Great Lakes of Ontario can also take place in western and northern Canada.

In my opinion, if this Bill is passed into law we will liberate the market, and liberate marketing initiative. FFMC, as I have said before, will continue to exist. But it will have to be competitive. It will have to go out and sell that fish. Fishermen will no longer be at the beck and call of this Crown corporation. They will be able to look around and see if there is somebody else who is willing to pay them a higher price for their product. I do not see that there is anything wrong with that. The fishermen ought to be able to sell the fish that they catch to the people who are prepared to give them the highest price for it.

• (1710)

Although it is not proposed in my Bill, it is quite possible that at some time the Freshwater Fish Marketing Corporation will be a candidate for privatization. It is bad enough having a Crown corporation with a monopoly. But it is absolutely unthinkable that a private corporation should have a monopoly. If it is to be privatized in the same manner as Pêcheries Canada Incorporated and Fishery Products International Ltd., then the passage of this Bill and the revocation of a monopoly is a required first step.

What type of people are likely to get into the marketing of fish and into competition with FFMC if the business is opened up? Initially, it will not mean direct competition with FFMC. We will see people who are interested in specialty products. One that comes to mind is burbot. That fish is excellent and it makes the best fish and chips that anyone could possibly want to eat. FFMC cannot handle that fish because of Jewish dietary law. If a plant is processing whitefish for the Jewish market, it cannot process burbot, which is a scaleless species, in the same plant. Each year, thousands of pounds of burbot are thrown overboard because FFMC are unable to process that fish. If that market was opened up, private entrepreneurs would be able to handle that particular species in a specialized market.

In my constituency there are certain areas, for example, Great Slave Lake, which produces a high quality product that previously was sold for premium prices, and now it is rolled in with all the other product from Lake Winnipeg and other prairie lakes that FFMC deal with. If the product from Great Slave Lake was dealt with on its own and marketed separately, quite properly a higher price would be received for that particular type of high quality fish. People would initially enter into specialities in species and products, and specialities in areas.

It is likely that fishermen's co-operatives would be revived. They existed in the past, but no longer do. I know a number of fishermen have thought it would be a good idea to get together and form co-operatives to sell their fish. Certain large retailers would also like to be able to buy directly. Lapointe Fish Ltd., a company that has been in Ottawa for many decades, and is a highly reputable fish dealer, would like to be able to buy char directly from fishermen and get it into the stores in Ottawa. Those retailers could pay the fishermen a better price than they are presently receiving from FFMC. In law they are prohibited from doing that. That fish has to go from Baffin Island, to be sold to FFMC in Winnipeg, return to Ottawa, and bear that extra expense. Of course, then the product cannot be sold in Ottawa for a reasonable price. Those are a few of the areas where new people would enter the business.

Efficiency and effectiveness of marketing operations would definitely be increased. There would be much greater over-all marketing effort. As a result, we would end up with larger over-all markets. The Senate study points to vast untapped markets for freshwater fish, particularly in the United States. Markets exist that are much more than we could ever fill. But because of the very limited marketing effort, we are not able to take advantage of that. So there are huge untapped markets out there. With this new marketing effort we could take advantage of them.

In my opinion, the end result is that both the Freshwater Fish Marketing Corporation and the new private or co-operative entrepreneurs would both do better. In that manner, the people who work for FFMC in the plant in Transcona would not be put out of business. There will be an increase in the over-all business and everybody will benefit from that.

In the final analysis, the fishermen, the people that we are worried about, would benefit from higher prices and better returns for their effort.

My final point is why should Canadian citizens be forbidden by law to engage in the honourable profession of fish merchant? Why is that the case? By what right does the Government of Canada prevent anyone from offering a fisherman $2 a pound for his product instead of forcing him to sell it to a government Crown corporation for 20 cents a pound?

I urge all Members to support this Bill, and thereby do justice to the hard-working fishermen of Canada's west and north.

Mr. George Henderson (Egmont): Mr. Speaker, it is always a pleasure for me to speak on fisheries issues. It is a pleasure that I have had almost yearly during my seven and a half years as a Member of Parliament to speak on the Freshwater Fish Marketing Corporation.

The Bill that is presented in the name of the Hon. Member for Western Arctic (Mr. Nickerson), Bill C-211, could be entitled "an act to really gut the Freshwater Fish Marketing Corporation". This is the second time that the Hon. Member for Western Arctic has raised this specific item in Parliament. I refer to his former Bill, Bill C-235, which was debated in the House on June 7, 1985. As the Hon. Member mentioned, it was then referred to the Standing Committee on Fisheries and Oceans. The present Bill is no different. The Hon. Member is once again seeking to remove the monopoly provision of the Freshwater Fish Marketing Corporation.

I must say that I give the Hon. Member much credit for consistency. He has been consistent with his position on this issue since I became a Member of Parliament in 1980. Of course, I cannot say that for all Members of Parliament of the Conservative Party. Certainly, when they became the government that consistency failed.

I am tempted to recall a debate in the House on Private Members' Motions once again on the Freshwater Fish Marketing Corporation as reported in *Hansard* on July 10, 1980 at page 2762. I wish to quote from the debate of an Hon. Member who was then in the Opposition and is now on the government side. He stated:

> That original concept was recommended by the McIvor commission in the late sixties and advocated by the Conservative Government of Duff Roblin in the Province of Manitoba. What that concept of a marketing board has become is, as I said a moment ago, a monopolistic, vertically integrated Crown corporation, like so many of our Crown corporations, which handles the product from the lakeside all the way to the consumer, whether the consumer be in the fish buying markets of New York State or Poland.

• (1720)

He went on to say:

> I suggest what we have now is a system of monopolistic dominance in the fish marketing industry, in the prairie provinces in particular, which is a far cry from what I understand to be the principle of democratic socialism where free enterprise and the private sector can operate in competition with one another. What we have is virtual communism in all of its forms in the example and illustration of the Freshwater Fish Marketing Corporation.

Perhaps some Hon. Members will remember who made those comments and may realize what position that particular Member now holds in the House. He now happens to be the Minister of Fisheries and Oceans (Mr. Siddon), so he has all the powers today to do something about it.

I never forgot the debate which occurred in the House on July 10, 1980, because I participated in it. I had never heard such nonsense or such ideological stupidity from a Member of Parliament. I wonder what the Minister has done to reconcile his past convictions with his current responsibility for the corporation.

As I said earlier, the Hon. Member for Western Arctic has been consistent in past debates. I certainly give him credit for that. In a few years from now I suppose writers will be calling the "Mulroney" Government the gang who could not shoot straight. Although the Hon. Member may be a good shot himself, I believe he is shooting at the wrong target today. Very little has happened in the last two years since the Hon. Member spoke on a Bill which, in my opinion, would justify gutting the corporation.

The Hon. Member suggested that the removal of the export monopoly could inject some competition in the prices paid to freshwater fishermen. I am sure all Hon. Members support higher prices for our primary products, but history tells us that the Hon. Member's proposal could do more harm than good.

I certainly support private enterprise in every way possible. In my own riding there is a number of co-operatives which operate very effectively and efficiently. They are owned by the producers and are subject to good management, but when the market is in a downturn, co-operatives suffer as does any other corporation.

I want to comment on the statement of the Hon. Member when he said that there were different species and specialty products for private enterprise. On the surface that is very true, but I would like to refer to what happened when some of my co-operatives were in competition with small private fish buyers in tough times. If we take lobster as an example, it could be shipped in frozen or raw form to a special market in Toronto, Winnipeg, Vancouver, Montreal, or the United States. They were able to pay fishermen a higher price because they did not have the overhead. However, when fishermen tried to sell smelts, mackerel, or some other species, the co-operative could not pay anywhere near the price and of course did not have the facilities to process the product.

The Hon. Member is absolutely correct that certain private enterprises can win on a particular specie or product by having a special market for a special quantity and obtaining a higher price. However, larger co-operatives or companies must sell all fish, all species, or all products produced by fishermen and, therefore, it is an averaging situation.

In the past we have seen, in my province for instance, where some of the fishermen went for the higher price, only to be caught at the end of the day with a specie which they could not sell. Over all they were not better off.

Once again I praise the Hon. Member for his consistency in bringing the matter forward, but he did not comment upon the Senate report on marketing freshwater fish in Canada. It is an excellent report with which I agree.

It is not an easy problem. I know there are isolated areas of the Hon. Member's riding in which some very small plants are located, and that it is very difficult to get fish to the major processing plant and then on to major markets. However, we must average over all for the good of all.

I would ask the Hon. Member to think very seriously about those situations. I know what he wants to do and I appreciate that his will is good. However, I ask him to think seriously before proceeding much further with this Bill, before doing more harm to fishermen than good.

We in the Official Opposition cannot support the Bill in its present form for those reasons.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I am pleased to have the opportunity to make a few remarks about Bill C-211. The Hon. Member for Western Arctic (Mr. Nickerson), who is sponsoring this piece of legislation, has a number of fishermen in his riding who must deal with the Freshwater Fish Marketing Corporation.

A minority of the freshwater fishermen in the Northwest Territories, specifically those who are fishing for whitefish, northern pike, and lake trout on Great Slave Lake, are very unhappy about the way in which the corporation operates and markets its fish.

However, we must remember that fishermen in Manitoba, particularly those in northern Manitoba, as well as those in Ontario, Saskatchewan, and Alberta, see the need for the existence of the corporation even though they are not completely satisfied with the way in which it operates at all times. The explanatory note to the Bill indicates that its purpose is to revoke the monopoly which the Freshwater Fish Marketing Corporation presently has in respect of interprovincial and international sales of such fish. In effect this would eliminate the main function of the corporation. I hope that the Bill was not introduced solely from some ideological desire to dismantle the Freshwater Fish Marketing Corporation in favour of some form of private enterprise. The Hon. Member said that that was not his intention, but that certainly seems to be the total effect of the Bill.

We need to remember the reason the corporation was established in the first place. It was established because of the failure of private enterprise to sell the catch of freshwater fishermen and because some of these fishermen were in fact being ripped off by some private buyers. These workers needed the support of a marketing agency which was able to expand into alternative markets and to ensure orderly marketing.

The corporation was established in 1969 by the Freshwater Fish Marketing Act for the purpose of marketing and trading in fish and fish products. In the Northwest Territories today more than 300,000 pounds of fish are produced. The corporation has licensed fishermen to sell within the Territories to local businesses, but obviously the market is too small and there is a need to bring the product to outside markets, whether they are provincial ones in Canada or international ones.

• (1730)

Alberta and Saskatchewan have changed their legislation to allow fishermen to sell to other than the final consumer. There is no doubt but that the work of the corporation could be and should be improved. However, most provincial Governments support the concept of a single selling desk operation and would be very leery of any changes which would harm the future incomes of fishermen.

These are some of the changes which need to be looked at. There is a need for more processing to take place in the home community. Fishermen themselves should be given the opportunity to play a more active role and have more control in the running of the corporation. This could be accomplished by having a board of directors with fishermen in the majority. The Senate committee interim report on the freshwater fishery made a number of recommendations for improvements to the marketing board and I would like to highlight some of them.

First, recommendation number five. Because of the high cost of storage, when a surge of fish comes in at a particular time the committee recommends variable pricing be implemented on a large scale to control surges in delivery as well as quality levels. That is already being practised to a limited extent. The fishermen affected should be fully informed of the pricing changes as well as the reason for implementing them.

Recommendation number seven says that a permanent interprovincial freshwater fishery committee composed of provincial and territorial government representatives, corporation representatives, fishermen's elected representatives, and DFO personnel be formed for the purpose of co-ordinating interprovincial fishery policies, sharing information on matters of provincial domain, and taking the responsibility for matters of common concern and common potential benefits. In other words, let us have more territorial and provincial involvement in the operation and a little more co-ordination.

Recommendation 13(b), which I think perhaps begins to meet some of the desires of the Hon. Member opposite, suggests that the territorial Government, in co-operation with the federal Government, license a few carefully selected individuals or groups to purchase species from the territorial harvest to be sold in international markets. This would be a pilot project designed to assess whether private enterprise is capable of participating actively in revitalizing the declining fishery of the Territories. The participants must be prepared to market all of their catch. Recommendation 15 is that the corporation and provincial and territorial Governments jointly pursue concerted efforts to stimulate the expansion of the domestic market for freshwater fish.

We recognize that some individuals may not be satisfied with the activities of the corporation. We recognize that some changes are needed. However, what concrete change does this legislation suggest? I am not convinced that the corporation should be stripped of its powers before other mechanisms are put in place. The best interests of all freshwater fishermen must be served, not just a select few of his constituents, so we are unable to give our support to this Bill.

Mr. Felix Holtmann (Selkirk—Interlake): Mr. Speaker, I would like to express a point of view as a Member from Manitoba. This Bill brought forward by my colleague from Western Arctic once again highlights freshwater fishing activities in Canada and some of the problems the corporation has faced from its inception. There is no better forum than this to discuss his proposals and the importance of the industry to Canada. I would like to add my comments to the discussion and perhaps express some difference of opinion.

First, a good portion of the freshwater fish caught on the Prairies is caught in my riding. As much as 60 per cent of all the freshwater fish going to the Transcona plant is caught in Manitoba lakes. In fact, you might say the fishing capital of the west is Gimli, Manitoba, to which Icelandic settlers brought their fishing trade. They adapted very well. In fact, they made substantial economic gains for themselves, their families and their communities because of the tremendous quantities of whitefish in Lake Winnipeg.

At the time the federal Government looked at this situation of freshwater fish marketing, because a lot of the lakes involved were Crown property, there was quite a mishmash of selling agencies involved. That might be argued by some, yet the Government in its wisdom decided to put together a Freshwater Fish Marketing Board. It may sound somewhat strange but I am not a great follower of marketing boards. I have had a lot of experience with them in agriculture. We all know we have a Wheat Board which has been fairly successful, but despite that you will always find some people opposed to boards in general, as well as others with other ideas.

With respect to this board and the idea of opening up processing and sales to other areas as suggested by my colleague, I would suggest that before I support this Bill I would go back to my 1,400 commercial fishermen and ask them what they think of this idea. This will affect them. My colleague suggested it will affect them for the better. He says it will be more efficient and prices will go higher. We have heard these wonderful stories about how prices will go higher. We have heard how Members of this House can do wonderful things with different Bills. Yet we are not necessarily the experts. It is only an idea and it would have to be tested before I can support it.

If the Hon. Member looks at the statistics for the last five years, prices have risen. Fishermen tell me they are getting quite a good run for their product and I think the facts bear that out.

Mr. Nickerson: Maybe in Manitoba.

Mr. Holtmann: All the fish sold through Manitoba. The question I would like to put to the Member is if someone in the Yukon or the Northwest Territories started processing fish and bypassed the marketing board, I suppose he would go to the same customer that the board has in Chicago. I suppose a good portion of his catch would be whitefish, although it might be some others. What would he do? Offer it at a price higher than the board does? I suppose he would get sales at a higher price. However, that kind of idea requires second thought because if I was the fish buyer, I would go to the lowest price.

It is a big market down there and it needs a continuity of supply as well as continuity in quality. Certainly if someone else entered that market they might have to cut the price just to get their foot in the door. Is that going to bring higher prices? I think the logic needs to be re-examined.

A new slaughterhouse in Manitoba thought it could enter the market at a higher price. In fact, it undercut everyone to get into the market. Consequently, it has almost gone bankrupt. If one looks at the problem very deeply, it might not be the answer.

• (1740)

I would also like to add that I think the Freshwater Fish Marketing Board does need to be examined and that new ways ought to be found to assist those production sectors my colleague represents. Maybe we should give them mandates to process, but we should find totally new markets for that product, without going into competition with a large corporation that represents a good number of fishermen in Manitoba, Saskatchewan and northern Alberta. One must really examine that potential.

The Hon. Member made a statement with which I tend to agree. He said that the Freshwater Fish Marketing Corporation, possibly because it has had a monopoly, is not the most aggressive sales agency in the world. It does not necessarily have to be when it has the entire production at its fingertips. Perhaps we should allow it or make it become more accountable or take a portion of that sale activity and let somebody broker that product out on behalf of the fishermen.

To suggest that now we can allow a co-operative to be established in the Northwest Territories and possibly bypass all the activities of the Freshwater Fish Marketing Corporation and end up with a higher price is something about which I have reservations. Would such activity in fact generate the kinds of dividends and revenues the Hon. Member suggests? I would like him to show me the statistics that show that this would in fact happen. I think we also ought to consider the expansion of processing rough fish. In my area, all of it gets discarded at the source, which does not help the polluting of the lake and further expansion of the fish stock. Hundreds of tonnes of this could be processed. I think we as a Government ought to support some of those initiatives because in fact a good amount of this material is being brought into the Prairies as animal feed from other areas. One would wonder why we would not make a real concerted effort to do further processing of rough fish product. I support that and I am sure the Hon. Member for Western Arctic (Mr. Nickerson) would support it.

I do not at this time fully support my colleague's way of handling a problem which I will admit exists. I have to first consider what impact this might have on the people I represent. Certainly, before I make a decision, I will have to visit with my constituents who are quite large in number and great contributors to the freshwater fish industry, and they do complain.

The former Hon. Member for Cowichan—Malahat—The Islands indicated we ought to put more fishermen representatives on the—

Mr. Manly: I rise on a point of order, Mr. Speaker. I think the Hon. Member is speaking about the present Member for Cowichan—Malahat—The Islands, not the former Member.

Mr. Holtmann: Mr. Speaker, I know that I am a bit of a soothsayer and can predict what might happen in the future, but I do apologize.

If the Hon. Member would check with the annual report on the advisory committee, the likes of Ed Isfeld, Helge Jones and William Cordel and people like this are in fact all fishermen and have had a great history of fishing on the Prairies. Just to correct his concern, we do have people who have some experience in the area on the board. Maybe we should add more, and I think that is a very good point.

I am still out on this one. I would certainly like the Hon. Member, after my time is is up, to show me how he can get a far greater return bypassing the board and in fact increasing the price of fish on the board. If he does, perhaps I could support this motion.

[*Translation*]

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, I too am interested in speaking to Bill C-221 introduced by my colleague from Western Arctic (Mr. Nickerson). However I should like to address the House in the context of the new federal-provincial co-operation era which now prevails in Canada and praise the positive commitment and the spirit of initiative of the provinces and the Northwest Territories, in co-operation with the federal Government, with respect to the establishment of the Freshwater Fish Marketing Office.

I would express the view that the current market success of the office can be traced back to the federal, provincial and territorial association which led to its establishment.

It has to be a unique association in the history of freshwater fish and, in my estimation, it simply cannot be ignored. I will discuss this historic association in my speech. I intend to support my comments on the unique and dynamic character of this form of co-operation between the federal Government and the provinces with references to an interim report of the Standing Senate Committee on Fisheries, tabled in September 1986.

One of the report's conclusions was that one should not support the centralized marketing system that is the very foundation of the Corporation. The Corporation cannot be considered as an organization that merely carries out the initiatives and objectives of the federal Government. In fact, the history of the Corporation has shown that we have here a model of consultation, co-operation, co-ordination among the six Governments that have an interest in our fresh water fisheries.

As a result of a decision unprecedented in the history of Canada's fisheries, the provincial Governments and the Government of the Northwest Territories decided to concentrate on the problems that were making life terribly difficult for the individual fisherman, and in a show of unity and co-operation, they passed additional legislation to provide for the subsequent establishing of a centralized marketing corporation.

Obviously, unilateral action at a time that has seen significant progress in federal-provincial relations would not only run counter to the very clear signs of co-operation that we are seeing across this country but might also seriously debilitate the fisheries and jeopardize the well-being of our fishermen.

When we say that the Corporation is the result of co-operation by four provinces, the Northwest Territories and the federal Government, it should be added that even before the five Governments passed legislation recognizing that fisheries constitute a specific area that required specific measures, the Government of Manitoba, in a presentation made at a national fisheries conference, stressed that fishermen received only a meager share of constantly fluctuating prices, and that processing and packaging facilities were notorious for poor equipment and poor quality control.

The Manitoba Government added at the time that it knew of no better solution than to create a regional marketing corporation to solve the marketing problems of the industry.

It is thanks to such creative leadership on the part of the Governments involved that the Corporation was created. Such an attitude reflects the spirit of federal-provincial co-operation which resulted in a new level of profitability for the freshwater fishing industry and an unprecedented income for the fishermen.

I also wish to underline, Mr. Speaker, that many of the problems, the solving of which was one of the major objectives in setting up the Board and many of which had been identified by the provinces or in the course of the exhaustive study carried out jointly by the provinces and the federal Government, were to a very large extent solved because of the centralized marketing system used by the Corporation.

The problems which had been mentioned by various Members of this House and which had also been the subject of an exhaustive study by the provinces were described after extended consultation with the provinces by Mr. George McIver in his 1965 report.

He summarized the situation of Canadian fishermen in these terms: They are neither happy nor satisfied, they are very discouraged.

The situation has changed for the better, Mr. Speaker. This remarkable co-operation between the provinces and the federal Government, which is probably still not perfect, has enabled the fishermen to have more influence and to make a profit on the market. The Corporation is a financial success. This success is due partly to the links between six Governments which are at the very source of the sustained and unprecedented record of profitability of the Corporation and the increased income of the fishermen themselves.

The Corporation also succeeded in solving the problems in the industry which had been identified by the provinces. The Corporation has a very good record of taking action to meet the concerns of the provinces and the federal Government. I also believe, Mr. Speaker, that we are fortunate to have such a Corporation at this time and that it will be able to meet the new challenges of the future. Especially since these new and complex challenges were defined by the provinces and more accurately and specifically described by the Standing Senate Committee on Fisheries in September 1986, in its interim report on fresh water fisheries.

These issues are in addition to those concerning pricing and proper marketing procedures previously described by the six Governments.

The very existence of these issues which were dealt with in considerable detail in the report is further proof of the need to continue and refine the work done by the Corporation.

The new situation is self-explanatory, Mr. Speaker. The Corporation is now a financial success and appears to remain so, bringing prosperity to communities where the fresh water fisheries are a way of life.

The Corporation has just finished the best year it ever had. Last year, total payments to fishermen increased from $28.1 million to $36.6 million, and in an industry that has always been seasonal, it has been possible to maintain sustained growth over the last five years. The provisional report on freshwater fisheries, tabled in September, 1986, by the Senate Standing Committee, despite the apparent success of the Corporation in stabilizing the marketing of Canadian freshwater fish, raises a series of shortcomings that threaten the future of freshwater fisheries. Those dangers relate partly to the forthcoming advent of high techonology in the area of fisheries. Those challenges are just as real as those of an inordinate marketing and the unduly weak share of profits going to fishermen, whose existence has been acknowledged through federal-provincial co-operation.

The new challenges to say the least are more complex than the former ones. They relate to the arrival of capital-intensive technologies and the economic aggravations of product replacement by consumers, as well as the availability of proteinated substitutes on the international market.

I do not believe fishermen should be the only ones to take up those challenges. That view is shared by the authors of the interim report. They deal especially with the problems, concerns and opportunities in the area of freshwater fisheries, and conclude that it would be more valuable to improve the present system than to replace it outright.

That conclusion is clear. Canadian freshwater fishermen should not be deprived of a protector that has proved to be effective on rapidly changing markets.

In conclusion, I believe that with our provincial counterparts we have forged new ties and written a new page in the history of freshwater fisheries in Canada. Our approach, involving six Governments, and the courage shown by Canadian fishermen have meant success for us on the markets. Therefore, the time is ill-chosen to change the ties that bind us together and to perhaps threaten that co-operation and success in exchange for the uncertain future of a weakened corporation.

Mr. Deputy Speaker: The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 36(2), the Order is dropped to the bottom of the order of precedence on the Order Paper.

• (1750)

[*English*]

May I call it six o'clock?

Some Hon. Members: Agreed.

Adjournment Debate

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

EXTERNAL AFFAIRS—NICARAGUA—FUNDING OF CONTRA FORCES BY UNITED STATES/MINISTER'S POSITION

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, on September 17 I asked the Hon. Secretary of State for External Affairs (Mr. Clark) if he would speak up on behalf of Canada clearly and explicitly and indicate Canadian opposition to any further funding by the United States of America of Contra forces in Nicaragua.

In the past Canada, including the Prime Minister (Mr. Mulroney), has indicated general opposition to foreign intervention in that area and to military funding and so on. However, we have not been specific, we have not specified that the major culprit in that area is the United States which has funded its so-called freedom fighters in Nicaragua who, in fact, are waging a war on development.

When the Prime Minister spoke to a gathering of newspaper people in Vancouver a year ago and indicated this, it received almost no attention in the United States. We spoke too softly. Teddy Roosevelt used to say that America had to speak softly and carry a big stick. Canada does not have a big stick so we should speak up a little more loudly.

That is particularly important at the present time when the five nations of Central America are desperately trying to achieve peace. On August 7 the five nations met in Guatemala and reached a peace accord which calls for such things as an amnesty, a cease fire, the removal of all foreign troops, and the cessation of foreign funding for guerilla movements. When I, along with other people from Canada, including the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), visited Nicaragua in the early part of September as part of the Mission for Peace, we met with a wide variety of people, from Campasinos and co-operatives, up to Vice-President Sergio Ramirez.

• (1800)

Everywhere we went we found that people were tremendously concerned. They wanted peace and were concerned that Nicaragua should meet the conditions of the Guatemala accord. For example, they have appointed the reconciliation commission, at the head of which they placed Cardinal Obando y Bravo who has been one of the most outspoken opponents of the Nicaraguan Government, the Sandinistas. This indicates a real desire to try to bring together the different elements within Nicaragua and meet the peace conditions.

Everywhere we went, people were discussing the question of amnesty for Contras. For example, people in co-operatives were engaged in this debate. We also talked to a group of mothers who had lost their children in the war. One of them said: "As Christians and as revolutionaries we believe that it is necessary for us to forgive these people and welcome them back into our communities". We heard the same kind of answer at all levels in society.

We saw the re-opening of *La Prensa*, the newspaper, even at great cost to national security, in accordance with the idea of freedom of the press. Canada would never accept the idea of printing material that could endanger the country's Armed Forces if we were at war.

The major obstacle to achieving peace in Central America is very clear, and has been made clear by everyone to whom we talked. It is the continued funding of the Contras by the United States. We are dealing with an obsession on the part of President Ronald Reagan. He is carrying on a vendetta against the people of Nicaragua and is doing it by funding a group of mercenaries who are not interested in any kind of military encounter with the Army of Nicaragua but in attacking co-operatives, health centres and educational facilities. A school that was built by a group of Canadian volunteers was burned down. A farm funded by "Farmers For Peace" from Alberta was destroyed by these Contras who were funded by the United States. It is time that Canada speak up along with other countries and indicate that no decent country in the world approves of what President Ronald Reagan is doing and that he is completely isolated in world opinion.

Canada has indicated that it is willing to support the peace process by verification support and perhaps by some help in terms of finances. The Secretary of State for External Affairs has indicated today that he will be going to Central America. That is good and we welcome that kind of initiative. Most important, Canada must speak up and make very clear that the fundamental obstacle to peace in Central America is continued funding of the Contras by the United States and the Reagan administration.

I urge the Government to find the courage to stand up and state that clearly and explicitly.

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, I am pleased to respond to the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) on behalf of the Secretary of State for External Affairs (Mr. Clark). I know that the Minister shares many of the concerns that have been raised by the Hon. Member and his colleagues, as well as members of the Official Opposition.

When this matter was dealt with in Question Period, the Minister said that he genuinely welcomed the active initiative taken by the Hon. Member, his colleague, and others and this is the reason why he is trying to do whatever will turn out to be practical.

The Hon. Member suggested that the Government of Canada take strong action in this area. I can assure the Hon. Member, through the Secretary of State for External Affairs,

that the Government in fact has been doing just that. The Canadian Government's position on Central America has been made very clear on innumerable occasions in the House, in public statements and speeches, to the media and to the various governments involved in the Central American conflicts. We oppose third-party intervention in the region no matter what the source. That includes support for the Contras in Nicaragua.

• (1805)

I would like to point out that the Secretary of State for External Affairs made the Canadian position very clear in his address to the forty-second session of the United Nations General Assembly on September 22. He said:

> Canadian aid to the region has been steadily increasing, as has our funding and acceptance of refugees. We have expressed our view that the root problem in Central America is poverty, not ideology; that the real need is development assistance, not military activity; and that intervention by outside powers will only aggravate the tensions. We have supported the Contadora process, and have made available to Contadora the expertise Canadians have acquired in the techniques of peacekeeping.

He went on to say:

> Canada supports the initiatives of the Central American Presidents. We are prepared to provide our expertise mechanisms which, once peace is possible, can help it endure.
>
> The disputes must be resolved by those actually involved in the conflict, but Canada is prepared to contribute to that process in any direct and practical way open to us.

The Government of Canada shares the kinds of concerns the Hon. Member has, has taken a strong position on this issue and, I can assure the Hon. Member, will continue to do so.

IMMIGRATION—ARRIVAL OF HONDURANS AT VANCOUVER INTERNATIONAL AIRPORT

Mrs. Mary Collins (Capilano): Mr. Speaker, I am pleased to have the opportunity to make some further comments on the question I raised in the House on September 1. At that time I asked the Minister of Employment and Immigration (Mr. Bouchard) if he would consider imposing visa requirements on Hondurans. I was very pleased that in his response he indicated the Government would be prepared to look at this issue and, indeed, on September 18, when I asked if he had a chance to review this matter and had made a decision, he was then able to announce that as of September 18, visa requirements would be in place for Hondurans coming to Canada.

I wanted the chance to make a couple of comments about the story behind this. There has been some misunderstanding about it. Over the past number of months there have been about 1,000 Hondurans come to Canada, the majority of whom have claimed refugee status. Prior to September 18 there had been an increasing number coming to Vancouver on a flight pattern that brought them from Honduras to Mexico City and from Mexico City to Vancouver. Each Thursday a group of approximately 22 Hondurans arrived at Vancouver Airport and indicated they wished to claim refugee status.

It appears that possibly there was a bit of an organized arrangement involved in all this and that a travel agency in the Honduras had been either aiding or suggesting to people that this would be a way in which they could come to Canada and perhaps gain certain benefits such as being able to work here and resettle here merely by arriving and claiming refugee status. Indeed, it may have been the case that some of these people paid an amount of money to agents to enable them to come to Canada in this manner.

I think it is important, first, that there is no reflection at all on the Hondurans involved. I am sure they are hard working, genuine people who were seeking a better way of life and improved economic conditions. However, it comes back to the basic issue, can we allow our laws to be abused? We are now, fortunately, finally putting in place new laws dealing with refugees to address this kind of situation.

• (1810)

Certainly in my mind and in the mind of my constituents—in fact, in the minds of all Canadians—what we have heard is that they do not want to deny the opportunity to genuine refugees who are fleeing persecution to come to Canada. But they get very angry when they feel that the system is being abused, people are coming here using the guise of the refugee system to gain entry to the country when they should be properly using the regular immigration stream. There are many people who wish to come to Canada. They have to apply, meet the criteria and qualifications. They have to wait in line for that opportunity. So it is not fair that people are using a different way, commonly known as queue-jumping, to get ahead of the line.

I am pleased that the Minister has responded by imposing visa requirements. We all know that visas are not a long-term answer to dealing with this problem. We recognize that they do impose some difficulties for genuine business travellers and tourists who have to go through the extra time and, perhaps, expense of getting a visa before being able to come to Canada. Often that leads to the imposition of visas on Canadians travelling back to the country in question.

Given that Bill C-84 and Bill C-55 have not been completed and given, indeed, the frustration that I think we are all still feeling that Bill C-84, which has been dealt with appropriately in this place, is now going at a very slow pace through the Senate, those tough, new, fair laws are not yet in place. We needed a measure—hopefully only an interim measure—to control the flow of persons from Honduras coming into Canada in an inappropriate manner.

In this respect I am very pleased that the question I asked on September 1 was responded to favourably. The Government took action to address this problem, not only in the specific case of the Hondurans, but it is taking action to address the larger problem of illegal refugees who are trying to come to this country. When we see Bill C-84 and Bill C-55 receive Royal Assent and proclaimed into law, I think many of us will

feel easier, more comfortable. At that point we will be able to get back to addressing the larger and vital issues of immigration policy for Canada, for now and in the future.

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, I am pleased to respond to the Hon. Member for Capilano (Mrs. Collins) on behalf of the Minister of Employment and Immigration (Mr. Bouchard). When the Hon. Member raised the question a short while ago in Question Period she pointed out, as she has again today, that these Hondurans should be applying through the regular immigration process. Of course, the Minister responded at that time by saying that he was seriously considering imposing a visa requirement in the near future. He went on to say that if the number of arrivals does not decline he will certainly consider the possibility of imposing visa requirements on Hondurans.

The Hon. Member has recognized in her remarks that the Minister has already taken direct action to deal with the concerns which she has raised on behalf of her constituents and on behalf of many, many Canadians. I can only confirm and report the action the Minister has taken. In fact, following consultations with the Department of External Affairs, a visitor visa requirement was imposed on citizens of Honduras effective September 18, 1987.

I would like to emphasize, too, that neither this requirement nor visa requirements in general are implemented for the purpose of preventing genuine refugees from coming to Canada but, rather, to provide the Immigration Commission with the means of deterring bogus refugee claimants from reaching Canadians ports of entry. Of course, this matter of queue-jumping is something which the Government has said it wants to alleviate so that those who go through the regular channels and follow the regular process will have a fair determination, in turn, following their initial application.

• (1815)

The present refugee determination system permits anyone coming to Canada to make a refugee claim. In fact, we saw that between January 1 and August 30, 1987, 973 Hondurans were reported at Canadian ports of entry as being inadmissible to Canada. As their cases proceed through the immigration system, these persons are likely to make refugee claims.

The inability of the system to quickly distinguish between persons with a potentially valid refugee claim and dispose of those who are in reality economic migrants, coupled with universal access provided by law, has caused our system to be overwhelmed. Increasing numbers of people have recognized that coming to Canada and making a refugee claim can result in an indefinite stay in Canada.

While the number of countries whose citizens require visitor and transit visas has increased, additional problem groups have emerged. Therefore, it has become necessary to impose additional visitor and transit visa requirements in order to prevent the development of a further large backlog of refugee claimants.

In conclusion, I am pleased to report and to confirm that the Minister has taken action, as he indicated to the House he would, in response to the Hon. Member. I am sure that the imposing of visas will accomplish the objective intended by the Minister and the Government.

Mr. Deputy Speaker: It being 6.17 p.m., the House stands adjourned until tomorrow morning at 10 a.m. pursuant to Standing Order 3(1).

The House adjourned at 6.17 p.m.

HOUSE OF COMMONS

Friday, October 2, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTIONAL AMENDMENT, 1987

The House resumed from Thursday, October 1, 1987, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"Part VI

Constitutional Conferences

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

Mr. Speaker: Pursuant to order made Thursday, October 1, 1987, the following amendment is deemed to have been moved by Mr. Turner (Vancouver Quadra):

That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

Mr. Speaker: Pursuant to order made Thursday, October 1, 1987, the following amendment is deemed to have been moved by Mr. Broadbent:

That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution".—Mr. Broadbent.

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, I am pleased this morning to have the opportunity to share some thoughts with my colleagues in the House on the resolution before us, which is commonly known as the Meech Lake Accord, and on the amendments thereto.

I had the privilege during the past two months to attend about 90 per cent of the hearings of the joint committee on the Accord. Participating in those hearings was an educational process without parallel.

I was startled at times during the hearings at the enormous contrast in the appreciation of the Accord by different Canadians.

Perhaps I could summarize the hearings as follows: witnesses almost universally welcomed Quebec into the constitutional Canadian family. Second, witnesses generally endorsed the Accord but some were partisan to a particular view as to how the Accord affected them or their view of the shape of Canada's social and political make-up.

When learning that an Accord had been agreed on by the First Ministers in the evening of April 30, I recall being overwhelmed by a flood of emotion and pride that a pathway had been found to allow Quebec willingly to take its place in our constitutional confederation. It was a precious moment, long to be cherished and long to be remembered.

June 2 and June 3, 1987, were equally dramatic but to some extent anticlimactic. Looking back, I was never troubled by the distinct society clause in the Accord. I always felt that Quebec was a distinct society and that view was reinforced by Jack Pickersgill when he related to the committee some of the history of the evolution of the Quebec society in North America, pointing out to us that certain things were granted to the French community in Canada back in 1760s, 1770s and through the 1790s, that related to their ability to practice the Catholic religion and other things relating to their language and civil law.

• (1010)

I could accept as well those procedures in the Accord which related to appointments of Senators and Supreme Court judges. If I had concerns after the Accord was signed, they related to the spending powers that were identified there and, to some extent, about the amending formula. I will return to the spending powers formula in a few moments, but before doing so, I would like to comment on some of the broader issues.

In a nutshell, the constitutional Accord, properly known as the Meech Lake agreement, is a three-prong consensus by Canada's First Ministers, to bring about Quebec's full and active participation in Canada's constitutional evolution, to foster greater harmony among Governments through new arrangements, and to hold annual constitutional conferences. In reviewing its finding and conclusions, the joint committee emphasized the nearly unanimous view of witnesses before it that Quebec rejoining the Canadian constitutional family is an important and desirable goal.

The question at hand, then, is whether the reform package negotiated by the First Ministers ultimately contributes to an improved Confederation for all Canadians. In passing judgment on the advisability of the agreement, the joint committee drew upon the wisdom of one of its testifying constitutional experts who argued that, given the importance of the success of the Accord as a package of constitutional reforms, any deficiencies it may contain must be seen to be serious and likely. While conceding that the Accord is a compromise, the joint committee's report asserts:

> Nothing has been said to lead us to believe that the basic principles of the Canadian Federation would be compromised.

That is, by the terms of the Accord. At the same time, the joint committee indicated that it heard a great body of opinion relating to matters which largely addressed constitutional problems outside the immediate confines of the Meech Lake agreement. In this vein, concerns with the operational issues of the Charter of Rights such as unsettled aboriginal matters and a lack of an institutional framework for constitutional discussions by First Ministers, figure prominently as problems which future constitutional conferences will have to, and must, address and resolve.

Allow me, Mr. Speaker, to return to my earlier concern about the spending power clause and how my thoughts and analysis evolved during the hearings. However, before doing so I would like to back up to the period of May and June of this

year. I was concerned, perhaps, that the spending powers would have some effect in balkanizing this tremendous Confederation of which we are privileged to be part. I recall the importance, going back to Confederation and the Confederation forefathers who put so much thought into our Confederation, of a strong central government. As we look at the report, the committee reminds us that innovation by provinces has historically been an important source of advances in social policy. Medicare is perhaps the most notable example. It became a national goal only after Saskatchewan showed that it could be done.

I do not, nor did the committee, discount the dangers of checkerboarding that goes beyond details and reaches fundamental objectives of social programs. If Canadians could not count on public services everywhere, it would inhibit provincial mobility and sap our sense of belonging to one nation, to one country and to one federation. I believe these concerns are nothing but phantoms. The Accord includes its own bulwarks against checkerboarding. One is clearly written into Section 106(a), so that it need not detain me long. It is the proviso that reasonable compensation is available only when provincial programs and initiatives are compatible with national objectives. I repeat "national objectives". It is this House that will always set the national objectives for Canada.

No compatibility, no money from the federal Treasury. That alone powerfully incites provinces to ensure compatibility if they do opt out of shared-cost programs. Nothing in that Constitutional Accord takes away from the power of this House to define its programs and to decide when it wants to spend money on matters of national importance.

A second bulwark, one that works in favour of co-operation, is the Accord's guarantee of First Ministers' conferences on the economy and other matters once a year. This provision has not attracted much attention during public and parliamentary discussion of the Accord. Perhaps we have become too blasé and too easily take for granted the co-ordinating work done by First Ministers and the Prime Minister. The First Ministers' conference is a forum where the provinces can make their special concerns known so that federal programs are framed in ways that work for all Canadians wherever they live and whatever their social and economic setting. There is nothing in the Accord that compromises the authority of the federal Government to establish new national joint programs.

The Accord is intended to civilize the use of the spending power, and clarify that it cannot be used to oblige the provinces to take action in areas of exclusive provincial jurisdiction. The Accord also recognizes that it is constitutionally acceptable for Parliament to establish new shared-cost programs in areas of exclusive provincial jurisdiction, and provides that reasonable compensation will be granted to provincial Governments which establish a program or programs of initiative that are compatible with the national objective.

As I understand it, the reason the Accord addressed the federal spending power and the establishment of national programs was to improve the bargaining relationship that results from the virtually unlimited federal spending power on the one hand and, on the other hand, the fact that its use in areas of exclusive provincial jurisdiction has sometimes led to federal provincial disagreements.

This question did not suddenly spring up in 1987. I would point out that the spending power was thoroughly examined by Governments in two previous exercises over the past many years, in 1968-1971, in the mid-1970s, and again in the period 1978-1979. I felt at times rebuffed by the intrusion of former Prime Minister Trudeau into the debate. However, in looking back, I found it was helpful because it did cause Canadians to focus in on some of the more important issues confronting us. But there was some dichotomy in what Mr. Trudeau said, not only in the public press but before the joint committee. It was a Government led by him in 1977 that gave up more constitutional power of spending in the block granting process to the provinces for health care and education than any Government in the history of this country since Confederation.

Where spending takes place over which this central Government has no control, at this point in our history and evolution, we have no guarantee, and have never had any, that funds that were to be directed for post-secondary education across this country would be spent for just that purpose.

The spending power clause found in the Accord is much simpler and more conducive to the establishment of new national social programs than the proposals the federal Government supported during those earlier exercises. It contains no consent mechanism, nor does it provide for unconditional compensation. Rather, it will encourage a healthier bargaining process between the two orders of Government and recognition that it is legitimate for Parliament to pursue joint economic and social programs on behalf of all Canadians.

Creative federalism was an idea that came up more than once at the committee's hearings. The group of 12 scholars, including Professors William Lederman, Peter Leslie, Richard Simeon and Donald Smiley, who submitted a joint brief, described the spending power provision as "the clearest embodiment of our view of creative federalism in the Accord". May I repeat that—the clearest embodiment of our view of creative federalism in the Accord.

• (1020)

We heard something very similar from J. W. Pickersgill, a veteran practitioner of government and a long-time Member of this House, when he met with the committee. Most Canadians want creative co-operation, Mr. Pickersgill said, and the acceptance of the Meech Lake Accord will make that possible. "I regard the Meech Lake Accord as the gate to greater unity and harmony in Canada," said Mr. Pickersgill. I agree with him. Negotiation is inseparable from federalism and creativity. It is essential to the harmonization of federal and provincial activity in a way that will translate into better policies for all.

So I agree with Mr. Pickersgill when he said, "Let us not shut the gate".

There were many touching moments during the presentations by the witnesses before the joint committee. I recall that very clever and enormously sharp advice that the committee received from many constitutional experts, some of whom had been involved with constitutional reform since the late 1930s and who brought an enormous amount of skill and advice—and good advice—to the committee about the value of the Accord.

I recall as well the very touching testimony by Madame Solange Chaput-Rolland, who appeared before the committee and who reviewed in considerable detail her historical perspective about the role the citizens of Quebec played in Confederation over the last 15 or 20 years. She spoke about the enormous emotion that was involved in the debate in 1979 and in 1980 as to whether or not Quebecers should stay within the constitutional framework of Canada. She spoke about the dichotomy between father and son, between mother and daughter, between neighbours, between communities. It was heart-wrenching. At those moments she had the committee in the palm of her hand, or at least she had me and I think most of my colleagues in the palm of her hand.

She spoke about the enormously gratifying feeling when Quebecers voted, not by an overwhelming but by a substantive majority, to stay within Confederation. She spoke as well with sincerity about the promises that were made to Quebecers by those who sat in this federal institution at that time, the promise that they would be brought into the greater Canadian constitutional family.

Then, she went on to review the process of 1980 and 1981, when a formula was put together to amend our Constitution and to bring it home, as it were, and to develop a framework, that the people from the Province of Quebec, Canadians with a great deal of generosity, talent and skill, were unable to support, that no political Party in the Province of Quebec was able to support. We heard her again say how enormously disappointed she was that she and her fellow citizens still had to sit outside, albeit morally, the Canadian Constitution. She reminded us, with tremendous emotion, of how she felt when the First Ministers came to an agreement about the Meech Lake Accord and its enormous importance to Canadians.

The joint committee not only gave its recommendation for adoption but it also stated, "It is neither necessary nor wise to recommend changes to the Accord at this time". As an alternate member of the joint committee, on September 9 I had the privilege of signing the report.

Mr. Deputy Speaker: Are there questions or comments? The Hon. Member for Ottawa West (Mr. Daubney).

Mr. Daubney: Mr. Speaker, I would like simply to congratulate my colleague on his excellent speech and on his important contribution to the work of the committee.

It was my pleasure to work with him just about every day during those long, hot days of August when we had the honour of reviewing the testimony and listening to the evidence that came before us from Canadians from all parts of this great country. I think the Hon. Member's survey of that evidence was very well done today. In fact, I think it has been one of the better contributions to this debate so far this week. It was an excellent, fair-minded survey, but also a very heartfelt one. I felt it expressed adequately the emotion he felt, the emotion we all felt, about the work that we were about.

I think it also served to underline a disappointment that we shared as members of the committee in hearing this excellent testimony, this positive testimony for the most part, from the constitutional experts and others from whom we heard, from right across Canada. He pointed out how badly we were served, I think quite frankly, by journalism in this country in the inadequate and, in some cases, distorted representation of that evidence in the press.

My friend from Nepean—Carleton dealt at some length, and very well, with the spending power. But I want him perhaps to comment, if he wishes, on some of the other evidence we had from people such as Gordon Robertson, who I believe he referred to in his remarks, the former Clerk of the Privy Council who, since the early 1950s, was the key constitutional adviser to federal Governments in this country. In fact the Trudeau Government was prepared to go much further than the Meech Lake Accord did, and in fact, as Mr. Robertson pointed out, there was no transfer of powers in this constitutional Accord of 1987, but the previous Liberal Government was prepared on several occasions to transfer federal power to the provinces.

I believe my hon. friend from Nepean—Carleton was sitting next to me when we had Mr. Trudeau before us that memorable night last August. When I asked Mr. Trudeau that question, I do not think he responded to it at all. But the record is clear, historically, that he was prepared, in fact, to transfer powers from the federal authority to the provincial authorities, something that is not done despite the misleading and shallow criticism which has been made about the Meech Lake constitutional Accord that is before the House at the present time. I would be glad if he would be prepared to comment on that.

• (1030)

Mr. Tupper: I am very pleased to do so. By coincidence, I am happy that my colleague from Ottawa West (Mr. Daubney) actually focused in on the comments and advice of Gordon Robertson. I do so on that account with particular pleasure. For a long time Mr. Gordon Robertson was indirectly my boss in the sense that for a number of years he served as Chancellor of Carleton University where I had the privilege to be a professor.

One of the interesting things about Mr. Robertson's testimony was that he reminded the committee of his long

experience in constitutional matters wherein at times he had been the Government's chief adviser on constitutional reform, and at other times he had served as a consultant. As he reviewed the process of constitutional reform, particularly over the last 12 or 14 years, he was quick to point out to the committee that most of the items and the points of principle that are incorporated in the Accord had earlier been offered to the provinces by the Trudeau administration. Interestingly, that has never been denied, as I recall.

As we review our history, we find that the fact that one is prepared to place so much politics on something that is so lasting and fundamental to the peoples of Canada as its Constitution adds to the terrible dichotomy. We must work on the Constitution collectively to develop, refine and, in the course of time, make it more compatible to the needs of the great Confederation of which we are part.

In his presentation, Gordon Robertson clearly indicated to the committee that there was nothing in the Accord, as he saw it, that took away from the spending power of the central Government.

Let me say in closing, it is interesting to note that Mr. Robertson gave the joint committee the very strong advice that the Accord was indeed a dramatic and historic achievement that perhaps no other Government could have had the capability of putting together. It was his advice that the committee and Parliament endorse it.

Mr. Gustafson: Mr. Speaker, I also wish to compliment the Hon. Member for Nepean—Carleton (Mr. Tupper) on the excellent speech that he delivered today on the Constitution and the steps forward that have been taken in terms of the Meech Lake Accord.

I represent one of the western regions, a different part of the country than those mentioned in the discussions that have been going on here this morning. One of the difficulties that we have always faced in the West was that we felt alienated. The process itself seemed to be somewhat alienating going back in the history of the constitutional talks and former leadership.

The very positive aspect that has taken place under the leadership of the Prime Minister (Mr. Mulroney) is the change in terms of looking at the region. I was very pleased this morning to hear that in many ways I shared the thoughts of the Hon. Member for Ottawa West (Mr. Daubney) and the Hon. Member for Nepean—Carleton in terms of the uniting of this country. We feel in the region I represent that we have been alienated for years, and my own personal opinion is that this alienation has not been good for the uniting of Canada. Real steps have been taken under the leadership of the Prime Minister in bringing this country together, which is an absolutely outstanding achievement. I would like to hear the Member's comments from a central Canada point of view, as opposed to the region I represent in the West.

Mr. Tupper: It is a treat for me to respond to my colleague from the Province of Saskatchewan. It is not often that I want to give out a bouquet, or feel the need to do so to a colleague who may sit in the seats immediately to my right. For some time I felt that I wanted to compliment publicly the Hon. Member for Yorkton—Melville (Mr. Nystrom). During the time that he sat on the joint committee he showed an enormous amount of good judgment and a perspective on Canadian politics and Canadian problems, as well as practicality when attempting to point out to witnesses the strengths and weaknesses of the arguments that they were making at the particular point in time. This morning I wish to reinforce that compliment and say to the Hon. Member that I thought westerners were well represented in that dialogue.

Many Members in the House will know that my heritage is in Atlantic Canada. The Ottawa Valley has been my adopted home now for over a quarter of a century. I am one of those who historically has his roots in what one may refer to as Lower Canada. In fact my family was indirectly involved during 1863, 1864, and 1865 when my home province and Atlantic Canada struggled with the enormous debate on the pros and cons of Nova Scotia and New Brunswick joining Confederation with the Upper Canada provinces. In those days Nova Scotia was an enormously prosperous community. As time has moved forward economic disparities and political differences have developed. When one thinks about the tremendous nation we have in Atlantic Canada, Quebec and Ontario and the richness in so many ways of western Canada, there is absolutely no way that we can progress economically, socially, or constitutionally unless we are content with the way we will govern ourselves.

In this mechanism of 1987 we have taken a dramatic step forward in the construction of a truly Canadian family.

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, it is my privilege to rise today and address the Meech Lake Accord, the constitutional agreement of 1987. I believe that there are few processes which highlight or better illustrate the difficulty of constitutional negotiations, and the difficulty of integrating negotiations of this nature between related parties into a democratic or quasi-democratic process of public approval.

Those of us who have participated in negotiations, be they commercial or labour-management, know that behind each negotiator lies a constituency. In many cases, the constituency does not approve or does not want the specific heads of negotiation that the negotiator may in time be impelled to accept. Indeed, there are times when negotiators accept things that they know will be unpopular in the cause of reaching an agreement which it is believed will hold wider implications for the good of the parties to the agreement.

• (1040)

It is also said somewhat tritely that a camel is a horse designed by a committee. Thus we see the shortcomings of the committee process. I believe that most of us in Canada are somewhat individualistic and are somewhat committed to

pursuing our own goals to a degree which sometimes impacts negatively on society but which nevertheless is a reflection of today's contemporary Canadian reality.

The flaws of the Meech Lake process unfortunately reflect not only the individualist orientation of our society but also the tendency within parliamentary government to invest full powers in the Government of the day, with only very limited consideration given to the views of an opposition at any level. Those flaws have been evidenced by some of the difficulties which the process of the Meech Lake Accord has encountered.

There was not the organized forum or public consultation before the signing of the agreement. We have, on the Prime Minister's authority in his televised speech announcing the Accord, the length, detail, and gravity of the constitutional consultations which preceded it. Nevertheless, I think it is fair to say that the Accord represents an agreement framed by, marketed to, and approved by the elected leadership of the country and the provinces, rather than something which arises from a nation-wide surge of public feeling and sentiment.

In the framing of the Meech Lake Accord there has obviously been difficulty and incompleteness in the identification of the potential problems, just as in 1982 the framers of that constitutional agreement failed to recognize the difficulties which the freedom of association clauses would cause for the organized labour movement, difficulties which must be resolved and which I believe strike by the exercise of one freedom against the exercise of another freedom in society.

The failure to identify the problems is not in any way a criticism of the work of the special joint committee. I should like to add briefly my thanks to that special joint committee for the excellent and indeed very hard work it put into its report. I think it is a document of considerable merit which illuminates the Meech Lake Accord for the benefit of all Canadians.

As has been said by many other speakers, the Constitution, after all, is a fundamental law. It underpins and bears up all other laws, yet it must be more than something chiselled in stone and exercised without exception or deviation. A successful Constitution can only be a living document or a living spirit, indeed, and in order to be successful it must be a people's document which is accessible and understandable by the people and which commands their broad loyalty and support.

As I said in the debate on June 11, it must be a document that reflects the inspirations from which our society springs and that reflects the aspirations of the people of our society. It is in this regard that written Constitutions encounter some difficulties. The complexity of the terminology of the Constitution is something that I would certainly recommend to the attention of future Governments, and, I suspect sadly, future generations.

The written Constitution is something that has been somewhat in vogue since the Constitution of the Haudenosanee of the 17th century in the country. Indeed it is something of an irony that Great Britain, having itself no written constitution, imposed through the British North America Act a written Constitution on the Dominion of Canada.

There is much to be said in favour of the Meech Lake Accord; first and foremost, of course, the adhesion of the Province of Quebec.

[*Translation*]

So, Mr. Speaker, when I arrived in Canada as an immigrant I spent my first two years in Montreal, in the Province of Quebec, where I believe I was able to appreciate to some extent the constitutional, spiritual and emotional situation in which the people of Quebec found themselves. At the time certain Quebecers were motivated by a strong separatist leaning. There were obvious signs of tension within Quebec's society, as evidenced by acts of violence and the public debate which was carried on with an enthusiasm and a dedication the likes of which I never saw either before or after.

Mr. Speaker, to those who are against the Meech Lake Accord I can only say that perhaps they did not fully appreciate the nature of the very struggle of all segments of Quebec's society which went on during recent decades.

[*English*]

I would commend to those who have spoken against the Accord a profound study of the recent constitutional history of the Province of Quebec, because I think it is essential to an understanding of the importance of the agreement at which we are looking today.

The entrenchment of the Supreme Court in the Constitution is appropriate. The constitutionalization of the federal spending powers in areas of exclusive provincial jurisdiction is a necessary recognition in order to resolve a situation that has seen considerable tensions over the past few decades in which the federal Government has spent in areas in which the provinces, frankly, were not satisfied to see the federal Government intervening.

We have a minor reduction in the powers of the Senate concerning its ability to obstruct certain amendments for only 180 days, though there is much to be said against it so far as the Senate is concerned.

We have the freedom—and I believe it is not a threat to any part of the Canadian society—for provinces to make immigration agreements with the federal Government, not on a compulsory basis, not saying that agreements must be reached, but providing that opportunity. We have—and I think it was said by earlier speakers but bears repeating—the significance of an agreement among the 11 Premiers. I think the Hon. Member for Nunatsiaq (Mr. Suluk) characterized it as an agreement between those who have not established a reputation for agreeing on very much, and I think he was perfectly right. The agreement itself represents a telling argument for the Accord, yet I must acknowledge that I also find fault with many aspects of the Meech Lake agreement.

I see the terminology or the framing of the agreement as a tragic and profound insult to the constitutional aspirations of our native people. It was not mentioned in the Meech Lake Accord that the talks on aboriginal self-government would be revived. There is no specific commitment to restarting those talks. Aboriginal peoples' legitimate and seriously held constitutional concerns were reduced to the level of other matters. I feel that that was a demeaning way in which to acknowledge the existence of those concerns.

Turning to the accolade of the distinct society, while I understand very well the necessity for stating that concept explictly with regard to the Province of Quebec, it was not conferred upon the equally and obviously distinct societies of our aboriginal nations. However, we must bear in mind and we must acknowledge that the entrenchment of self-government rights was not possible at Meech Lake because the participation of the aboriginal people was not invited and not foreseen in that type of discussion. While the aboriginal people of Canada have seen their sensibilities trampled on by the Meech Lake agreement, I believe they have not had any doors closed to them in their constitutional evolution. I will return later to the ways in which it can be clearly demonstrated that those doors remain open.

I should mention with pride the entrenchment of the aboriginal rights amendment in the 1982 agreement and my Party's pride in having participated in that.

• (1050)

Another obvious objection of mine to the Meech Lake Accord is the way in which it entrenches the role of the Senate. We first started on this slippery slide of giving constitutional legitimacy to a non-democratic, indeed an anti-democratic, institution in 1982. It has since been pointed out by learned constitutional scholars, including at least one in the Senate itself, that essentially the advent of the written Constitution by the 1982 Constitution Act gave the Senate powers that had not been envisaged as pertaining to that institution for a century or more. That was the gravest mistake of 1982.

Any agreement that envisages this non-democratic institution continuing to play a part within the democratic institutions of the Parliament and Government of Canada has got to have a great deal going for it before I can be persuaded to swallow the indignity of allowing 100 appointed Party faithful reaping their political reward to have a say in the legislation of this country.

With regard to the creation of provinces, I believe that the objections which my hon. colleague, the Member for Yukon (Ms. McLaughlin), has brought to this argument are very valid and well founded. Let us not forget that in 1905, Saskatchewan was inducted into the Confederation on the authority of the federal Government. The same happened in Newfoundland in 1949. However, from now on it will require an absolute majority of the provinces for any change in the structure to be made.

I beseech Hon. Members to think of the implications that that might bring with the change in demography of this country. Our country supports approximately 26 million people, but has the economic capacity to support 400 million to 700 million in the fullness of time. Yet we will, by this agreement, be binding ourselves to an arrangement which will enable the smallest province, whatever that might be 100 years from now, to unalterably obstruct the redivision, subdivision, or amalgamation of provinces which might seem appropriate to future generations.

It is also not clear under the Meech Lake agreement who controls the constitutional agenda. I believe the annual constitutional conference written into the Constitution itself is a serious mistake and almost a contradiction in terms because it implies that there will forever be constitutional business to regulate.

I wish to address the danger of alienating the excluded. We know very well the dangers that this country was placed in with the exclusion of the people of Quebec from full participation in the Constitution. Yet we must forever be vigilant against the possibility, indeed the probability, of excluding other groups by the operation of future constitutional amendments, including this Meech Lake Accord. There is very legitimate and deeply felt uncertainty as to the status of women's rights and the ability of native band Governments to deliver federal programs under the operation of the Meech Lake Accord. I have every confidence that they will be favourably resolved by the courts, but that, after all, is only one person's prediction.

The confusion and difficulty which the distinct identity clause has caused is also something which we must bear in mind in considering the Accord. There are other objections which have been brought by some which I do not believe have great force and effect but are worth mentioning.

I believe that the right of the provincial Governments to nominate to the Senate and the Supreme Court is not something which undermines federal institutions. In fact, it shows the confusion which exists in some minds with regard to what are national institutions and what are institutions of the Canadian federation. Let us not, after all, forget the paymaster factor. Let us not downgrade the intelligence, integrity or judgment of those who accept Supreme Court or even Senate appointments. Let us not accuse them of an inability to expand their presumed provincial perspective to the Canadian and national perspective.

One of the most telling factors in my assessment of the Meech Lake Accord has been the nature of the arguments put forward by those who oppose it. I must, with regret, say that I find them generally to be very deficient and in some cases deriving from an inspiration which I believe is not appropriate for the consideration of constitutional business in this country. Doubts have been raised about immigration. It has been said that there will be a general balkanization of the country. I do not see this happening. I endorse what the Leader of the

Official Opposition has said. "I do not fear confrontation with the provinces. That is the inevitable nature of things in a federation."

Let us also note that, despite the imprecations of the former Prime Minister in what I can only consider to be a disgusting display of personalization of issues before the committee, the constitutional Accord is not simply addressing Quebec's asideness from the Constitution up until now. It is also addressing the phenomenon of western alienation, which has existed in this country and is addressed by the Meech Lake Accord.

It is not a question of there being a strong federal Government and a weak provincial Government, as Mr. Trudeau would have it. It is not a question, as critics would say, of there being strong provincial Governments and a weak federal Government under the Meech Lake Accord. We must remember that the adversarial model that this presupposes has never held sway in Canadian society. This shows a lack of appreciation of the degree of willingness and, frankly, the degree of skill at fashioning and implementing compromises, which I believe is inherent in the Canadian character.

The opposition to the Meech Lake Accord shows an imperfect understanding of the constitutional and historical perspective. None has effectively refuted the most telling evidence of Madam Chaput-Rolland. Until I hear that evidence refuted I cannot believe that a case has been made for the rejection of the Accord.

Those of us who came to this country as immigrants have experienced on a daily basis the generosity and openness of Canadian society to those whose origins are outside the country. We do not need a constitutional amendment to recognize that. We have that ongoing affirmation on a daily basis as do the aboriginal people of the country.

I believe that I may have a couple of minutes left when debate resumes. In deference to Question Period I thank you, Mr. Speaker, and all my colleagues for your consideration.

* * *

WAYS AND MEANS

TABLING OF NOTICE OF MOTION

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I ask for unanimous consent to move a Ways and Means motion.

Mr. Deputy Speaker: Is there unanimous consent to allow the Minister to move his motion?

Some Hon. Members: Agreed.

Mr. Hockin: Pursuant to the provisions of Standing Order 84(1), I have the honour to lay upon the Table copies of a Ways and Means motion to amend the customs tariff to implement the harmonized commodity description and coding system. Pursuant to the provisions of Standing Order 84(2), I ask that an order of the day be designated for the consideration of the said motion.

This motion is based on multilateral agreements with our trading partners. All our major trading partners have either passed legislation or are in the process of doing so. A host of other countries are also implementing the harmonized tariff system.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

SOCIAL AFFAIRS

EFFECTS OF CHILD POVERTY

Mr. Neil Young (Beaches): Mr. Speaker, the extent of child poverty, its destructiveness to the families involved, and the subsequent cost to society are not generally recognized in Canada. Nearly 30 per cent of Canadians living in poverty are under 16 years of age.

Members of Parliament have been invited to meet with a number of support groups next Tuesday to discuss the pressing problem of child poverty.

• (1100)

Approximately one in five children lives in poverty; many are homeless and are forced to go to food banks. In recent years there has been a tremendous increase in single-parent families, a very high percentage of whom live in poverty.

The effects of poverty have been well documented by organizations concerned with its destructiveness on the lives of the poor. The stresses of poverty perpetuate more misery and contribute to the waste of human potential. Federal budgets since 1984 and proposals in the White Paper on Tax Reform, if implemented, will see child benefits reduced by $1.5 billion by 1991.

I call upon the Government to recognize the issue of child poverty now as changes are being contemplated to the tax and social security system, and to correct this socially unacceptable crisis which the Government has helped to create.

* * *

INDUSTRY

FUTURE OF FIRESTONE PLANT IN HAMILTON

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the witching hour is upon us. It is about time the federal Government did something to bring the two parties together to facilitate the sale of Firestone to Cooper Tire. The Minister should know, though he probably will not because he has done

absolutely nothing on the dossier, that the two parties are only $5 million apart, but the word is if they do not come together very shortly, Firestone may pick up its machinery and equipment and silently steal off into the United States.

I call upon the Minister, again, as I have done in the past, as I have called upon the Prime Minister (Mr. Mulroney), to show some leadership, to save those 1,400 jobs in the riding of Hamilton East, by going to Firestone in Akron, Ohio, directly. He knows that is where the decisions are being made.

Do not send civil servants. Show some political leadership, go to Akron and help save those jobs. Make Firestone realize that for $2 million we cannot afford to sacrifice 1,400 workers in Hamilton East.

* * *

[*Translation*]

SENIOR CITIZENS

APPOINTMENT OF MINISTER OF STATE FOR SENIOR CITIZENS

Mr. Marcel R. Tremblay (Québec-East): Mr. Speaker, last August 27 the Prime Minister once again showed leadership by appointing the Minister of State (Seniors) (Mr. Hees), an appointment which was warmly welcomed, as evidenced by the applause and ovation given the Minister by all Parties in the House.

Quebec senior citizens were also very enthusiastic about the appointment. Among others, the *Fédération des aînés dynamiques du Québec* issued a press release commending the Prime Minister for this historic initiative. They consider the Minister of State (Seniors) as, and I quote: An excellent choice as a Minister with whom we are quite prepared to co-operate.

Besides reacting enthusiastically to this appointment, the *Fédération des aînés dynamiques du Québec* has expressed the hope that the provinces will draw inspiration from the Prime Minister's leadership and create similar ministries at the provincial level.

Mr. Speaker, that is yet another telling example of the importance this Government gives senior citizens, people who have generously contributed to the progress of our society. Our Government is aware that demographic evolution will translate into an ever aging population, and this is why we are moving with firmness and determination to give older Canadians the priority which they deserve.

Mr. Speaker, I am confident that under the leadership of the Minister of State (Seniors) older Canadians will be served with respect and understanding.

S. O. 21

[*English*]

HORTICULTURE

INCREASE IN INSPECTION FEES

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, the federal Government has added another notch to its plan to recover costs for most of its services at the expense of farmers and ultimately of consumers. We have seen this new user-pay philosophy put into place with farm improvement loans and small business loans. Now it is being extended to horticultural produce.

Previously, growers paid $5 per inspection to ensure that any fruits or vegetables shipped interprovincially met the designated grades so that consumers knew what they were buying and that they were getting good produce. Now the charge is being upped to three cents per hundredweight. The plan is to double it before next harvest and ultimately to quintuple it by 1990.

Potato producers in Prince Edward Island and New Brunswick receiving a meagre six cents a pound now for their produce are particularly affected by this massive increase because they ship most of their spuds to other Canadian provinces. I call upon the Government to reconsider this new fee proposal.

* * *

[*Translation*]

CANADIAN FAMILY NATIONAL WEEK

ALLEGED NEGLIGENCE OF GOVERNMENT

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, next week will be Canadian Family National Week. Unfortunately, in the last three years, families have been the group most neglected by the Conservative Government.

Everyone will recall the deindexing of family allowances. Everyone will recall the lowering of the maximum amount for the child tax credit. Everyone will recall the promise made by the Prime Minister (Mr. Mulroney), a hand over his heart, swearing that there would be a child-care system for families, which are the corner stone of Canadian society. We have nothing yet.

Yesterday, we learned that the tax system is harder on large families. I invite all Canadian families to remember the three years of neglect of this Conservative Government and to do what it takes to defeat all Conservative Members of Parliament in Canada. These are the people who have neglected them.

S. O. 21

LIBERAL PARTY

PRESENT STATUS

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, in an article in yesterday's *Le Devoir*, we learned from the eloquent pen of Michel Vastel that the Leader of the Official Opposition (Mr. Turner) had mounted a campaign to attract some of the provincial Liberals to federal politics, and we can now see why.

Mr. Speaker, I was astounded to read that article. The Liberals, with only 40 Members in this House, cannot agree on a single issue. Everything becomes a source of dissension among the Liberals. And what about their Leader, whose leadership is constantly being threatened? I believe that he should learn to lead his present followers before adding to his problems.

Mr. Speaker, the Liberals got Canadians used to confusion and incoherence, but they are now overdoing themselves and their leader is at the bottom of it.

* * *

[*English*]

HOUSING

SHORTAGE OF HOUSES IN NORTHWEST TERRITORIES

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, there is presently a shortage of 2,400 houses in the Northwest Territories. Each year the need increases by approximately 150 houses just due to population growth.

According to a recent study, the population of the Northwest Territories grew by 14 per cent between 1981 and 1986 compared to 4 per cent for the entire country. At this rate of population growth, the housing shortage in the Northwest Territories will not be alleviated for at least 16 years.

The lack of funding for the application of Bill C-31, the legislation to reintegrate the native population to the Indian reserves, has amplified the problem of housing in the North. Sixty thousand claims for returns to the reserve, are still waiting to be processed.

The situation in the North will get worse. I urge the Government to increase immediately the number of units constructed through CMHC programs.

MINES AND MINING

NEW TIMMINS GOLD MINE—FINANCING RAISED BY FLOW-THROUGH SHARES

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, I had the pleasure on Wednesday to attend the opening of a new gold mine north of Timmins, Ontario. That mine, known as the Bell Creek Mine, owned by Canamex, is by world standards not a big mine. It will employ about 100 people, but 100 new jobs in Timmins are dramatically important.

In reality, those 100 jobs will translate into perhaps 300 or 400 jobs. Indeed, it was a proud moment for my colleague from Timmins—Chapleau.

A most significant highlight of this mine is that it was the first one in Canada to be discovered, developed and brought into production by financing raised by flow-through shares.

Normally at mine openings, the president of the company or the chairman of the board is praising the financiers for their help in bringing a new unit into production, but the situation was much different in Bell Creek on Wednesday. The president was praising the federal Government for its responsible and creative fiscal and tax policies that allowed the creation of this particular new wealth.

In the next year, this same company, Canamex, will be bringing three additional mines into production, all financed and created by this particular financing mechanism. It is a demonstration of what good fiscal policy can do.

* * *

• (1110)

BUSINESS EXCELLENCE AWARDS

AWARD WON BY EMPLOYEE-OWNED COMPANY

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, on September 22, Lamford Forest Products of Sooke, British Columbia, was presented with a Canada Award for Business Excellence in the labour/management category. The award is well deserved and highlights what can be accomplished through co-operative effort. In this instance, however, labour/management relations were simplified because at Lamford labour is management.

Two years ago Sooke Forest Products closed its lumber operation because the company was unable to operate financially. Rather than accept the end of their livelihood, the 270 I.W.A. members in Sooke established the employee-owned Lamford Forest Products. Today that operation is one of the most efficient high-recovery mills in North America, employing 275 shareholders.

Rather than succumb to the corporate doomsayers, the employees took a chance with their collective future and, with

last week's award, have proven to themselves and all of Canada that co-operation beats confrontation hands down.

* * *

TRADE

SUPPORT FOR CANADA-UNITED STATES NEGOTIATIONS

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, the export sale of commodities such as wheat, lumber, coal, uranium and potash is the backbone of the western Canadian economy. This reality is brought home each time a foreign Government adopts protectionist measures which inhibit the flow of Canadian goods.

Most recently, short-sighted American duties paralyzed the Saskatchewan potash industry. This is but one example of the damage that can be inflicted on our economy when there is no effective trade dispute settlement mechanism in place. If there exists the possibility of Canada and the United States agreeing to establish such a mechanism, if there is a way to ensure that Canadians will no longer be subject to the protectionist whims of the U.S. Congress, then the pursuit of such an agreement is worthy of a determined and committed effort on behalf of all Canadians.

I congratulate the Prime Minister (Mr. Mulroney) on his initiative and encourage him in pursuing every possible avenue to conclude a trade agreement with the U.S. that is both free and fair.

* * *

AIRPORTS

CRITICISM OF SECURITY MEASURES

Mr. John Nunziata (York South—Weston): Mr. Speaker, over the last three years the Conservative Government has shown a reckless disregard for the security and safety of Canadian air travellers.

On June 25, 1985, two days after the Air-India tragedy, the then Minister of Transport, now the Deputy Prime Minister (Mr. Mazankowski), said: "Since these tragedies occurred the Government has moved quickly to ensure the security of Canadian air travellers." This week we learned from a Southam news story that airport guards missed 25 per cent of fake weapons carried through airport screening checks by federal Transport inspectors during a 15-month period. In effect this means our airports are only 75 per cent secure.

In April, 1986, again the Conservative Government of Canada announced plans to make our airports more secure. Notwithstanding those promises we find today that our airports are still not secure. Security is substandard. The Government's credibility on this issue is in tatters. Indeed, it appears as though it does not know who is responsible for airport security.

On June 25, 1985, the Minister of Transport said: "Ultimate responsibility for flight security rests with the carriers." A document prepared for the Prime Minister (Mr. Mulroney) dated September, 1985, says: "Airport and airline security in Canada is the responsibility of the Minister of Transport and is governed by regulations issued under the Aeronautics Act." That says that the Government does not understand who is responsible for airport security. Is it any wonder that Canadians feel so insecure when they travel on airlines in Canada?

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EXTERNAL AFFAIRS

ARCTIC PEACE ZONE—SOVIET LEADER'S APPEAL

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, yesterday's call by Soviet Leader Mikhail Gorbachev for an Arctic zone of peace has much to recommend it and ought to be responded to by Canada. However, it is somewhat ironic that the appeal was made from Murmansk in the Kola Peninsula, one of the most heavily militarized areas in the world. This is the home base for the Delta IV and Typhoon Class Soviet submarines carrying SSN 20 and SSN 23 intercontinental nuclear missiles. These bases are of course heavily protected by naval and air defences.

If Gorbachev is really serious he could start the process by stopping the flights of AS 15 nuclear warhead-equipped Cruise missile-carrying Bear H strategic bombers over the Canadian Arctic. Canada can hardly be blamed for taking defensive measures against this blatant Soviet threat.

* * *

AUDITOR GENERAL

INTERMITTENT REPORTING PROCESS ADVOCATED

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, every Standing Committee on Public Accounts of which I have been a member for the last eight years has recommended or supported intermittent reporting by the Auditor General as well as the single annual report presently required by law. Such a change in the Auditor General Act would allow much more current reporting to Parliament and increase the accountability of government, something we all desire.

Even as we have had all-Party agreement on the proposed change, the Government has consistently refused to allow Private Members' Bills on the subject to pass. Since that channel seems blocked, I call upon the Government to achieve the desired accountability by taking action itself on this important issue.

[*Translation*]

CONSTITUTION AMENDMENT, 1987

QUEBEC AS DISTINCT SOCIETY—POSITION OF LIBERAL PARTY

Mr. Jean-Guy Guilbault (Drummond): Mr. Speaker, Canada as a country is unique because of its bilingualism and its multiculturalism. Canadians take great pride in the fact that this tremendous diversity does not prevent them from seeing themselves, first of all and above all, as profoundly Canadian.

However, refusing to admit that Quebec constitutes a distinct society, different from the rest of Canada, shows a complete lack of historical knowledge and a lack of respect for the Francophone population of Quebec. Unfortunately, that is what seems to be happening today the Liberal Caucus, where, according to one Caucus member, some fellow members are anti-Quebec.

Mr. Speaker, I am very disappointed in the narrow-minded attitude of those members of the Liberal Caucus who refuse to recognize the fact that Quebec is a distinct society. I am sad to hear that anti-Quebec forces are at work in the Liberal Party and in the Liberal Caucus in this House, forces that are casting doubts on the specific character of Quebec society.

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THIRTIETH ANNIVERSARY OF PATRO D'OTTAWA

TRIBUTE TO ALL WHO PARTICIPATED IN DEVELOPMENT

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, Ottawa's Patro, one of Lowertown's most important Francophone institutions, will be celebrating its thirtieth anniversary tomorrow. As one of seven centres of this kind that exist in Eastern Canada, the Patro has, over the years, opened its doors to many children, teenagers and senior citizens, providing them with a place to play, to talk to friends or to go swimming. Throughout its history the Patro has made an admirable contribution to community development and it continues to do so today. Several times its very survival was in jeopardy. However, with the help of the people in the community, the leaders of Patro managed to meet the challenges facing them.

Thanks to the hard work and perseverance of members who have had to cope with all kinds of financial and other problems, tomorrow Patro will be celebrating its thirtieth anniversary. Those who take part in this great celebration will remember happy times spent in the pool, at fairs, festivals, day camps and summer camps, and the plays and many other activities that have been a source of entertainment for Ottawa's Lowertown, in my riding.

Today I wish to pay tribute to all those who, with Father David Lachance, the founder of the Saint-Vincent-Patro in Ottawa, have made this institution prosper. To all those who worked so hard, sincere thanks!

[*English*]

TRADE

SUPPORT FOR CANADA-UNITED STATES NEGOTIATIONS

Mr. Jim Caldwell (Essex—Kent): Mr. Speaker, the news that the bilateral trade negotiations may be back on the rails is good news for Canadians. It is time those who have opposed this historic negotiation got onside. The time for political rhetoric is over.

For the sake of Canada and the future of our young people and the new jobs a new deal would bring, opposition Members should stop trying to undermine the negotiations. Those opposite would have had us pull out months ago and subject us to further protectionist policies by our neighbour to the south. They have no solution to the problem, only selfish political posturing.

In the final hours it is time to end the scare tactics which have made some Canadians uneasy over the last several months, despite assurances from the Government that our social programs, the Auto Pact, agricultural marketing boards, and our cultural industries are not and have not been part of the bilateral negotiations. Those opposed have used these tactics to make cheap political gains.

As the talks enter the final stage let us pull together, and not give the U.S. the advantage of being divided. The Prime Minister (Mr. Mulroney) has repeated from the beginning that if it is not in the interest of Canada there will be no deal. That is good enough for me and I am sure it is good enough for all Canadians.

ORAL QUESTION PERIOD

[*Translation*]

TRADE

FREE TRADE WITH UNITED STATES—REQUEST THAT GOVERNMENT ADHERE TO CONDITIONS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Deputy Prime Minister. During the discussions on free trade held during the past week, in this House, two crucial points for Canada have been raised. First, Canada's need for a binding and universal dispute settlement mechanism, a mechanism which would allow Canada to be exempted from American trade duties. And, second, protection for the Canadian cultural industry and Canada's right to grant regional industrial development subsidies. Will the Deputy Prime Minister assure us today that those requirements will not be set aside during the current negotiations in Washington?

The Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there has been no basic change in the Canadian position, and we do not intend changing it.

• (1120)

[*English*]

REGIONAL DEVELOPMENT AND CULTURAL PROGRAMS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, yesterday in the House the Secretary of State for External Affairs said that while there was some movement on the question of a tribunal, there has been no agreement on rules that would guide such a tribunal. These are rules that would apply to regional development, cultural industries and a number of other very essential ingredients to the Canadian domestic political and social fabric.

Does this mean that there has now been a fundamental change in the American position and they have abandoned any demands that Canada limit its ability to provide regional development programs, and limit its right to determine for itself its cultural programs? Has there been a total abandonment of that position?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I just indicated in French that there has been no change in the fundamental positions Canada has put forward for some time.

Mr. Axworthy: The American position.

Mr. Clark (Yellowhead): No fundamental change in the position we have put forward for some time. I think that is all that is appropriate for me to discuss at this stage.

However, I want to bring the House up to date with what happened since Question Period yesterday until today. During a meeting to consider the discussions that had been held yesterday in Washington, a telephone call was received from Secretary Baker, who is the Chairman of the U.S. Cabinet Committee directing their side of the discussions. On the basis of that telephone conversation, it became evident to us that we had reason to resume the negotiations. For that reason, the Minister of Finance and the Minister for International Trade, Ambassador Reisman and other of our technical experts are in Washington today.

The House will understand that I cannot go into details of the matters under discussion in Washington today. We have to see if they yield a positive result.

UNITED STATES DEADLINE FOR NEGOTIATIONS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my supplementary question is based upon that telephone conversation. As the Minister well understands, the deadline for the decision by the United States is Sunday night. We are now entering into negotiations in a two and one-half day period, for one of the most complex, difficult agreements ever arrived at between two countries.

Is it the position of both the Canadian and American Governments that in the two and one-half days they will have fully negotiated that agreement, or will the President of the United States announce on Sunday night simply some kind of vague agreement in principle which will, in effect, require Canada to make an agreement to a blank cheque without having had the opportunity to review its contents or whether in fact we agree with it?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I have three observations that I hope will be germane. First, we have no intention of signing, accepting, or being party to a blank cheque. Second, I cannot predict what will happen with these negotiations. They are in a more hopeful phase today then they have been at other times this week.

Third, with regard to the very valid point the Hon. Member makes about the complexity of the negotiations, he should bear in mind that precisely these issues have been under detailed consideration by the expert negotiators on both sides for a long number of months. We are not starting as though there were no past. There has been extensive preparation on the detail of these matters.

We will see if it will be possible, before the American deadline expires, to get the kinds of agreements on principle and on detail that would be necessary to serve Canada's interests. If we do, we will bring forward an agreement. If they do not serve Canada's interests, there will be no agreement.

* * *

[*Translation*]

CANADA POST CORPORATION

STRIKE BY INSIDE WORKERS—OPPORTUNITY TO APPOINT MEDIATOR

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Labour.

Negotiations at Canada Post have come to a deadlock. Tempers are starting to boil on the picket lines, and Canada Post admits that mail delivery is disorganized.

Moreover, this morning, Canada Post decided to issue a lock-out order aimed at five Canadian Post Offices, including Ottawa, which can hardly result in getting the parties any closer together.

In order to prevent the worst, does the Minister not believe he should immediately appoint a mediator with a very specific mandate, in order to end that dispute?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as I indicated yesterday, a mediator is to be appointed when the parties are ready to reach an agreement, and if Mr. Parrot is to be believed, the parties are not.

INQUIRY WHY GOVERNMENT DOES NOT APPOINT MEDIATOR

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, the people of Canada are fed up with this Minister's answers.

Is he waiting—as he did in the letter carrier dispute—for violence to increase on the picket lines and for the people to stir him up before he will appoint a mediator to solve the dispute? He knows he made a goof, a gigantic mistake the last time, why does he want to goof again? Is it because this Tory Government wants to resort to violence to solve disputes, rather than having him assume his responsibility as Minister of Labour and appoint a mediator to prevent disputes?

Hon. Pierre Cadieux (Minister of Labour): Mr. Speaker, in the article from which I quoted a few sentences yesterday, Mr. Parrot felt that this was not the time to appoint a mediator. And I will quote him once more, in case the Hon. Member was not here yesterday.

"The presence of a mediator is useful when both parties involved seriously want to come to an agreement". And it is not my opinion at this point, Mr. Speaker, that the parties "seriously want to come to an agreement"!

* * *

TRADE

REGIONAL ECONOMIC DEVELOPMENT PROGRAMS—AMERICANS' INTENTIONS—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr Speaker, my question is for the Secretary of State for External Affairs.

According to reports in the United States, the Americans want to reduce the powers of the Canadian Government to establish, as a sovereign country, regulations for regional development programs here, in Canada.

Will the Minister assure Canadians that the Canadian Government will not accept such conditions?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I read a similar statement several weeks ago, and I am sure that the Leader of the New Democratic Party will recall the statement of the negotiator, Ambassador Reisman, to the effect that Canada had to break off negotiations and that Canada found some of the proposals as concerns regional development and other issues unacceptable. That was the Canadian position and it still is.

[*English*]

AMERICAN PROPOSAL

Hon. Edward Broadbent (Oshawa): Mr. Speaker, we take that assurance in a positive way. I hope the Government stands by that.

My supplementary question concerns the timetabling of the American proposal. According to news reports confirmed by the Minister today, it was very late last night that, what has been described by a spokesperson for the Prime Minister as a significant proposal, was made by the Americans, literally at the last hour before the termination date this weekend. Does the Minister not believe that the Americans really have us boxed in an interesting corner? They have waited until the very last moment to make a significant proposal and we are now forced to meet their deadline on their terms, in their capital. Is this any way to conduct negotiations that will lead to a good settlement for the people of Canada?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there would have been no good settlement for the people of Canada if we had walked away from the negotiations and simply let Canada stand exposed to the protectionist pressures that have already taken their toll in Canada and could take a much more serious toll. I am sure all Members of the House are genuine and serious in wanting to have some system that protects the security of existing Canadian jobs and might lead us to a substantial expansion of jobs, opportunities, and markets in this country.

• (1130)

My interpretation of events is the exact opposite of that of the Leader of the New Democratic Party. I suppose that is because I have been closely privy to the negotiations. He could have been, had he accepted our offer for a confidential briefing—

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): —but he declined that offer.

Mr. Nystrom: After the election he will be, Joe.

CANADIAN POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, considering that I asked the Prime Minister a week ago, following all the concessions Canada has made in the last 18 months, if he could name a single concession the Americans had made—and he could not at that time—I want to ask the Secretary of State for External Affairs today if he does not think the Americans have done it again. The very clever bargainers they are, they have forced Canada to meet their deadline, on their turf, in their capital, during the last 48 hours, and we are saying: "Oh, gee! Wasn't it great? At the last minute they finally made perhaps one concession". Is that a way to get a good deal for Canada?

Right Hon. Joe Clark (Secretary of State for External Affairs): No, Mr. Speaker, that would not be a good way to get a good deal for Canada, and that is not what happened. Look. We know the Americans are tough negotiators. We have known that from the beginning. The question we had to decide was whether or not Canada was going to be afraid of the

Americans and run away from a deal that might be good for Canada.

The New Democratic Party is either afraid of the Americans or it does not like them, one or the other.

Some Hon. Members: Both.

Mr. Clark (Yellowhead): Or both. Their policy on this trade negotiation, as it was their policy on the Auto Pact, has been to run away from a deal. I believe that history will prove them as wrong with regard to this arrangement as it has proved them wrong with regard to the Auto Pact. They did not like the Auto Pact. We think the Auto Pact was good for Canada.

UNITED STATES DEADLINE FOR NEGOTIATIONS

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. The Minister just told the House of Commons that there can be no good deal for Canada if we walk away from the negotiating table and leave Canada exposed. That would lead one to the conclusion that the Minister and the Government are determined now that they are going to have a deal. We are interested in the timetable that is now in place.

The fact is that the U.S. President is required by U.S. law to give notice no later than Sunday of the intention to present a deal to both Houses of the U.S. Congress, signed between Canada and the United States. Is the Minister telling Canadians that in the next two and one-half days, a complicated trade arrangement is going to be initialled with all the t's crossed and i's dotted? Or is he telling us that the President will merely give notice on Sunday of the intention to present a deal to Congress at a later date and that in fact these negotiations may continue beyond Sunday, in effect on Congress's time?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, just so the record is clear on part of the preamble, this Government will sign a trade deal if it is a good deal for Canada, and we will not sign a trade deal if it is not a good deal for Canada. That has been the case consistently and that remains the case.

The United States deadlines are the affair of the United States. We expect that we will have the proposal brought forward on the so-called fast-track basis. What the Americans might say, what the Americans might sign, how the Americans might authoritatively interpret their system, is in their hands. So far as we are concerned, there has been a development that makes us believe that it is worth while resuming negotiations and we are doing that. We hope that might yield a good result. If the negotiations turn out not to be fruitful, there will be no deal.

UNITED STATES TIMETABLE

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, let me repeat my question—

Some Hon. Members: No, no.

An Hon. Member: Spare us.

Mr. Speaker: The Hon. Member, of course, can repeat the question. The Chair cannot guarantee there will be any different answer, but the Hon. Member has the floor.

Mr. McCurdy: Slowly this time.

Mr. Tobin: Yes, he may understand if I speak slower. What I am asking the Secretary of State, to be perfectly clear, is this: Can he assure us that any notice given by the President of the United States on Sunday will be notice of a deal completed versus merely notice by the U.S. President to present a deal within a week, two weeks, or three weeks?

What we want to know is whether or not Canada is going to participate in a process where in effect 585 Members of Congress are looking over the negotiators' shoulders as we commit ourselves to a deal in the absence of having completed the negotiations. If that is the case, our position will be dramatically weakened by a Government that obviously appears to want to have a deal at any cost.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Hon. Member has repeated his question, so let me repeat my answer.

Mr. Tobin: No answer, in other words.

FREEDOM OF INVESTMENT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the same Minister. In the first two years of what Canada has already given the United States in new investment freedom, Investment Canada allowed 1,192 takeovers of Canadian firms. Will the Minister confirm what Mr. Yeutter told U.S. Congressmen in his briefing yesterday morning, that Canada is willing to give even more investment freedom to the United States? Is it giveaways like this that have really started these talks up again?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we really are going over a lot of old ground, but let me very quickly make two points which are well known to the House. As I said before, the positions of Canada that are known are the same positions we are carrying into the negotiations today, and we intend to respect Canadian interests. The second point, and I know there is an ideological obstacle to foreign investment on the part of the New Democratic Party, one of the reasons this Government has been so remarkably successful in job creation, creating over 900,000 new jobs since our election—

Mr. Tobin: Tell that to Peckford now.

Mr. Broadbent: Tell that to Getty.

Mr. Clark (Yellowhead): —is because we have changed the rules regarding investment. We have changed that old hostile

anti-foreign attitude that has become such an unhappy characteristic of the New Democratic Party.

Mr. Crosbie: Right on!

Mr. Langdon: Of course those were takeovers I was talking about which do not lead to new jobs but often to shutdowns and loss of jobs.

Mr. McCurdy: We can tell you about that in Windsor.

POSITION OF UNITED STATES CONGRESS

Mr. Steven W. Langdon (Essex—Windsor): Given the almost completely negative comments which have come from U.S. Senators and representatives yesterday and today, why does the Government think, even if it gets a deal with Mr. Baker and the administration, even in those circumstances, why does it think that Congress is likely to approve anything that comes out of that?

Mr. Crosbie: Nothing ventured, nothing gained.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, my colleague, the Minister of Transport has as usual put his finger on it precisely. Nothing ventured, nothing gained.

Mr. Broadbent: He has put his finger in it very often.

Mr. Clark (Yellowhead): Now, wait—

An Hon. Member: That's an original thought.

An Hon. Member: At least we try.

Mr. Clark (Yellowhead): Someone suggests it is an original thought. It is not a thought that has guided the policies of either the Liberals or the New Democratic Party on this issue. In both cases they have looked at the toughness of the Americans or they have looked at the complexity of the American system and they have said: "That is too much for poor little us". That is not what Canada is saying.

Mr. Broadbent: Poor little you, that's right.

Mr. Clark (Yellowhead): What Canada is saying, and what this Government is saying, is that this country was built by people who were prepared to take bold measures, who were prepared to take on tough challenges.

Mr. Broadbent: See what Sir John A. had to say about that.

Mr. Clark (Yellowhead): It was not built by people who run out of NATO, who run out of NORAD, who run away from the trade negotiations.

Some Hon. Members: Oh, Oh!

Mr. Clark (Yellowhead): You don't get anywhere that way, Mr. Speaker.

Mr. Broadbent: This is a recorded announcement.

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CAPE BRETON DEVELOPMENT CORPORATION

STOCKPILING OF COAL—MINISTERIAL DIRECTIVE

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion. On Wednesday the Minister said he had given a directive to the Cape Breton Development Corporation to stop the stockpiling of coal in the Whitney Pier area of Sydney. Yet the President of the corporation, Mr. Derek Rance, says the stockpiling is going to go ahead, and if he has to stop the stockpiling, he may have to close some mines. The Government appointed Mr. Rance as Chairman, and he is now ignoring the directives of the Government.

• (1140)

Is the Minister going to allow Mr. Rance to continue to ignore these directives? Or can he assure us, and the people of Cape Breton, that the stockpiling will be stopped until proper pollution controls are put in place that are agreeable to the people of the area?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, as my hon. colleague knows, I have been following the developments of Devco very closely. I had to take a step which I guess no Minister ever really enjoys taking, that is, a ministerial directive to the Board of Directors to stop immediately the stockpiling of coal at Whitney Pier. I also asked in that letter for the Board of Directors to report back to me on how that would be done and within what delays.

I also very clearly mentioned that all environmental concerns that were raised at both the federal and provincial levels would have to be dealt with before any further resumption, if that should be required, occurred.

REQUEST FOR REMOVAL OF PRESIDENT

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, I would like to thank the Minister for that reply. Yesterday the Premier of Nova Scotia mentioned that a letter had been sent by the Board of Directors to the Minister. I would like to ask the Minister this. Does that letter contain a request from the Board of Directors that he remove Mr. Rance from his position as President of the Cape Breton Development Corporation? If so, what action is he going to take on that request?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I have had a number of communications with Dr. MacNeil, the Chairman of the Board. I think that the content of those communications either in oral form or

in written form are best kept confidential for the moment. I will inform the House of whatever further action we intend to take on the Devco issue as soon as possible.

* * *

AGRICULTURE

ST. LAWRENCE SEAWAY LABOUR DISPUTES—EFFECT ON WHEAT EXPORTS

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, my question is for the Minister of Transport who will know that western grain farmers are watching anxiously the three labour disputes which have the potential to tie up the St. Lawrence Seaway and thereby disrupt the flow of grain from western Canada to export markets. My question for the Minister is this. Since Canada's reputation as a supplier of high quality wheat is again at stake, can the Minister advise the House as to whether the continued flow of that prairie wheat to export can be assured?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, with reference to the situation, there is a strike at the moment, as the Hon. Member knows. It is occurring between the Canadian Marine Officers' Union, which is the marine engineers, and the Canadian Great Lakes shipowners. I am assured that to date there has been no interruption at all in the delivery of grain through the system. That is the present position. We are watching it very closely. The Minister of Labour is watching the situation.

There are two other potential disputes, and both are in the conciliation process. As at the present time, grain is moving in the normal manner without disruption. However, if there are any serious disruptions, the Hon. Member can be assured that we will take action to protect the Canadian farmer.

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APARTHEID

SOUTH AFRICA—VISIT BY BRITISH TRADE MISSION

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is addressed to the Secretary of State for External Affairs. It was reported this morning that a British trade mission is on its way to South Africa with British government support. My question to the Secretary of State is this. What action does the Government intend to take in response to this act of utter contempt for the will of the Commonwealth and the already weak sanctions imposed by it, largely as a result of the involvement of the British in weakening its resolve? Does the Government intend to protest this action as it should be protested?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, no, I do not intend to protest the action because it is an action that is within the sovereign discretion of Great Britain. I have had extensive discussions, and the Hon. Member in his relations has had extensive discussions, with representatives of the British Parliament, and some members of the British Government. There is a different view on the effect of sanctions, and that difference is well known. They have a policy that differs from Canada's.

I guess what is most germane is how we can work together to ensure that the Commonwealth Conference, which opens in a couple of weeks in Vancouver, is a conference whose result will be to increase the pressures for change upon the Government of South Africa. That is what I am dedicated to doing.

Frankly, I do not think that we would advance our ability to do that by launching a condemnation of one of the principal members of the Commonwealth two weeks before the conference convenes.

REQUEST FOR COMMONWEALTH ACTION

Mr. Howard McCurdy (Windsor—Walkerville): My question to the Secretary of State is this. Is it not about time that we stopped kowtowing to the British inclination to collusion with South Africa and go to the Commonwealth, exercising leadership to get from the Commonwealth, even if without the British, the kind of action in response to that apartheid-type regime that that civilized country and a civilized Commonwealth ought to be providing?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, what is most important is for us to exert the maximum possible world pressure upon the South African regime to change the system of apartheid. That is what we have been doing consistently before the Nassau declaration, and with some effect.

The Hon. Member suggests that the Commonwealth should throw its weight absent Great Britain against South Africa. He knows that the Commonwealth economic weight absent Great Britain is absent a great deal. What would be most productive for us to do would be to find ways in which we can continue to work on the British to change their views about sanctions, but can also continue to work with them in areas where there is agreement to increase both the pressure for change on the South African Government and to increase the stability and security of the front-line states.

It is also, I think, possible for us to look at ways, with Britain and with other industrial countries that are not members of the Commonwealth, in which we can continue to add to pressures upon South Africa. That is the purpose of the policy of this Government.

AGRICULTURE

GRAIN FARMERS—DEFICIENCY PAYMENT

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is for the Minister of Agriculture. The Minister knows that farmers are facing the lowest grain prices in constant dollars since the 1930s and the Great Depression. In late August the Minister agreed in principle to a $3 billion deficiency payment to Canadian farmers. Can the Minister give a commitment today as to when that payment will be made? When will the cheques be sent out so that farmers facing great uncertainty with world prices will know that this Government is going to follow through on that commitment which he apparently made to Canadian grain farmers in late August in Winnipeg?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I appreciate the Hon. Member's question. Part of it is right and part is wrong. Of course the Hon. Member did not attend the farm leaders' meeting in Winnipeg on August 27.

Mr. Foster: I was not invited.

Mr. Wise: I am sure that if he checked with any of the 50 farm leaders who attended that meeting he would find that no commitment whatsoever was given with respect to the $3 billion.

Some Hon. Members: Oh, oh!

Mr. Wise: Mr. Speaker, it was the third meeting of series two with reference to Special Canadian Grains No. 2. What happened at that meeting, as I have reported in this House numerous times, was that farm leaders almost unanimously agreed on a method of distribution. What is happening now is that officials of my Department are putting the numbers to that particular distribution formula. In fact, they are consulting on a day-to-day basis with the farm leadership seeking additional information.

The commitment that I gave was that if it met the fairness and equity test, then it would form part of the submission that I would make to the Government. But there was no commitment. Indeed, a year ago at this time there was no commitment on the dollars attached to the Special Canadian Grains Program. Today, of course, there is no commitment to the dollars attached—

Some Hon. Members: Oh, oh!

Mr. Wise: Hon. Members want the information, and I am trying to be forthcoming. As of today there is no commitment as to a price-tag on the program.

• (1150)

CANADA-UNITED STATES TRADE TALKS

Mr. Maurice Foster (Algoma): Mr. Speaker, this is the same type of stonewalling that we heard last October—

Some Hon. Members: Hear, hear!

Mr. Foster: —until Premier Devine screamed for a political bail-out in the Saskatchewan election. There is no Saskatchewan election this year. Grain is at the lowest prices since the 1930s, the engineers on the Seaway are on strike, in the next week or so the lock-men on the Seaway will go on strike. Surely there is enough uncertainty that the Government can stop stonewalling—

Mr. Speaker: Order, please. As all Hon. Members know, this is an important matter. I would ask that the Hon. Member to put his question and I ask the Hon. Minister to answer it, succinctly.

Mr. Nystrom: Both of you.

Mr. Foster: Mr. Speaker, I was just getting to the question.

Is the hold-up because of the free trade negotiation that is going on with the United States? Is there uncertainty as to whether the agreement that is being hammered out in Washington, and in the Langevin Building today, whether or not this type of payment is permitted—

Mr. Speaker: I am sure that the Hon. Member can put his question.

Mr. Foster: Is the payment of $3 billion which the Minister promised to the farmers on the free trade negotiation table, and is there uncertainty as to whether or not that will be permitted by the American agreement with Canada? Will the Minister clarify if that is the hold-up?

Mr. Gauthier: Now goes the truth.

Hon. John Wise (Minister of Agriculture): The only stone wall must be between the Hon. Member's ears.

Some Hon. Members: Oh, oh!

Mr. Broadbent: Cheap shot.

Mr. Wise: There is no stonewalling on the part of this Government whatsoever. The design and the program to consult with the Canadian farmers have nothing to do with the bilateral trade arrangements between Canada and the United States.

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CANADA POST CORPORATION

STRIKE BY INSIDE WORKERS—FRANCHISING ISSUE

Mr. Rod Murphy (Churchill): Mr. Speaker, it is nice finally to have the opportunity to ask a question.

Earlier in Question Period in response to a question, the Minister of Labour said that it is not yet time to appoint a mediator. In view of the fact that the postal workers have offered to negotiate on the issue of franchising, and have made

an offer in this area, is it the Government's policy that Canada Post will negotiate on the issue of franchising? Where, when, and how will that occur?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, on behalf of the Minister responsible for the Post Office, I think that he made it fairly clear to the House yesterday as reported in *Hansard* at page 9550 where he stated, "Mr. Dunstan . . . " on behalf of Canada Post, "has made a commitment to negotiate, along the lines suggested by Mr. Foisey, . . . " the conciliator, "to ensure that no employees would be adversely affected by this decision, which is most properly a management decision".

Of course, the federal Government is hopeful that Canada Post and CUPW can return to the bargaining table to negotiate a settlement, and that is obviously the preferred course of action.

GOVERNMENT POLICY

Mr. Rod Murphy (Churchill): Why is it the position of the federal Government that we should take jobs which are basically filled by women who are earning a good salary, and make sure that those jobs go to women, probably on a part-time basis, who will be earning the minimum wage? Why is that a good policy for this country?

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Hon. Member's question is somewhat slanted.

An Hon. Member: Just a little bit.

Mr. Crosbie: As usual.

Mr. Mazankowski: There is a conciliator's report which we believe could form the basis for a negotiated settlement. Yesterday the Minister responsible for the Post Office indicated that the Post Office is ready and willing to sit down and work—

Mr. Murphy: How about women's salaries?

Mr. Mazankowski: —and negotiate a settlement. That is the preferred course of action.

[*Translation*]

STRIKE BY INSIDE WORKERS—GOVERNMENT POSITION

Mr. Jean-Guy Guilbault (Drummond): Mr. Speaker, my question is for the Minister of Labour.

I had the feeling during the interview shown yesterday evening on Canadian television with the heads of the Canada Post Corporation and the union that they were playing cat and mouse instead of trying to come to an agreement and settling the postal strike.

Can the Minister assure the Canadian population that the Government is doing everything in its power to settle this strike as quickly as possible to minimize the cost to the Canadian economy?

Hon. Pierre H. Cadieux (Minister of Labour): I believe that we all agree that the best collective agreement is one that is negotiated by both parties at the bargaining table. This is why I encourage both parties to return to the bargaining table.

Having said that, I can advise both parties that the Government will not tolerate a disruptive work stoppage at the Canada Post Corporation.

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[*English*]

NATIONAL PAROLE BOARD

SUPERVISION OF PAROLEES IN METROPOLITAN TORONTO

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Deputy Prime Minister. It concerns the serious and potentially explosive situation with parole supervision in Metropolitan Toronto.

In a memorandum from the senior board member of the National Parole Board to Mr. O. Ingstrup, the Chairman of the National Parole Board, he stated:

> It is becoming very apparent that major problems exist in the area of supervision in Toronto and vicinity. We continue—to see evidence of very shoddy work and to see signs of impending major problems.

Mr. Speaker, for more than a year the Solicitor General has been aware of this very serious problem. I would like to ask why the Conservative Government has not committed the necessary resources to ensure proper and adequate supervision for parolees in Metropolitan Toronto?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): On behalf of the Solicitor General, who is out of Ottawa today on official business, I am informed with respect to the allegations made by the Hon. Member that indeed there has been action taken with respect to improving the capacity of the Parole Board in the Toronto area. There has been a significant increase in the personnel operating out of the district of York in Toronto. The situation is well in hand.

The Solicitor General has responded quickly and effectively with respect to the workload that is facing the board in this part of the country.

REQUEST FOR REVIEW OF SITUATION

Mr. John Nunziata (York South—Weston): Well, Mr. Speaker, that does not appear to be the case. The senior member of the National Parole Board had some very serious concerns with regard to parole supervision.

The Solicitor General will know that it is a powder keg ready to explode. There are situations where dangerous inmates are not being properly supervised on the streets, and the public is at risk in Metropolitan Toronto.

The National Parole Board in Ontario has recommended a full review and audit to be made of the processes being followed, the staff problems, and reporting procedures.

I wish to ask the Government whether it is prepared to initiate that full review and audit, as recommended by the Senior Board Member of the National Parole Board in Ontario.

Ms. Copps: Good question.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I wish to take issue with the inflammatory language used by the Hon. Member. It does not serve the system well to make that type of categorical catastrophic allegation. All of us are interested in ensuring that the system operates effectively on behalf of those it serves, and on behalf of the Canadian public.

I have indicated that I am informed that the administration of the Parole Board in the Toronto area has been addressed by the Solicitor General when it has been brought to his attention. He is taking action to ensure that the best interests of our system of justice are addressed. I would simply counsel the Hon. Member not to make these statements, otherwise he will have his picture in the *Toronto Sun*.

Mr. Nystrom: Which page?

An Hon. Member: Page 3.

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HORTICULTURE

EXPORTS OF HONEY—SULFATHIAZOLE CERTIFICATE

Mr. Jack Scowen (Mackenzie): Mr. Speaker, my question is directed to the Minister of Agriculture. Would the Minister advise honey producers in Canada if a sulfathiazole certificate is necessary for shipments of honey to Japan and to European countries?

When will the Government certify more labs for testing honey?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I believe that I answered part of that question yesterday. My hon. colleague should realize that product cannot move interprovincially unless it carries an export certificate issued by Agriculture Canada, and meets the standards established by the Department of National Health and Welfare. The same holds true for export product from Canada to the United States, and more recently to Japan.

• (1200)

What we are attempting to do is to negotiate with these two receiving countries an agreement that this product would be acceptable, providing that it carries with it an export certificate.

In order for us to issue the export certificate, it must meet the standards established by Health and Welfare.

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MARINE SAFETY

DESTAFFING OF WEST COAST LIGHTHOUSES—POSITION OF B.C. CONSERVATIVE CAUCUS

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, my question is for the Minister of Transport. Have members of the B.C. Conservative caucus met with the Minister in order to request a moratorium on the destaffing of West Coast lighthouses?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, this is a matter which has been under way for some time. The Hon. Member will remember that the Government appointed, or that I appointed, a completely objective and independent evaluator of the proposals in connection with light stations in Canada.

He made a report and recommendations, and I believe he found that the course upon which we are embarked is a proper, sensible, and reasonable one.

Nevertheless, I am discussing these matters with members of the B.C. caucus who might not be as reasonable and rational in their judgment as the independent person we appointed to look into the matter.

Some Hon. Members: Oh, oh!

Mr. Axworthy: We certainly agree with that.

Mr. Crosbie: I am naturally going to heed what they have to say.

Mr. Skelly: I must say that I agree entirely with the Minister about the irrationality of his colleagues.

Mr. Speaker: If the Hon. Member would put the question, it would be helpful.

REQUEST FOR MORATORIUM ON DESTAFFING

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, is the Minister aware that B.C. Tory Members made a public commitment to urge the Government to abandon the plan to destaff the lighthouses?

Will he impose a moratorium on the Coast Guard while his consultation with his colleagues is going on?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I can only report to the hon. gentleman that I read the papers as well.

Some Hon. Members: Hear, hear!

Mr. Crosbie: Mr. Speaker, I am from a marine area myself. I hate to see the closure of lighthouses, but the world changes and the world moves on, and this is a program in effect in all parts of Canada. British Columbia is a province of particular sensibilities, and I am certainly going to be very sensitive to those sensibilities.

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EXTERNAL AFFAIRS

FIJI—REPRESENTATION AT COMMONWEALTH MEETING

Mrs. Mary Collins (Capilano): Mr. Speaker, my question is for the Secretary of State for External Affairs.

Given the confusing and unsettling situation in Fiji where a second coup took place this week, can the Minister advise the House who Canada now recognizes as the Head of Government in Fiji?

Given that the Commonwealth Conference in Vancouver is fast approaching, will Fiji still be considered as a participant in the meeting and, indeed, has the Minister received any representations that Fiji will be represented at the meeting?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I appreciate the question. Naturally it is of interest to British Columbia Members and to those across the country, and I know that the Hon. Member for Capilano has followed questions in the Pacific area with particular interest.

The Government recognizes the Governor General of Fiji as being the sole legitimate source of executive authority in that country. As Canada recognizes the Governor General as the Head of Government, the Governor General or his representative would be welcome at the Vancouver meeting of the Commonwealth Heads of Government.

As far as we are concerned, Fiji is and remains a full member of the Commonwealth.

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REFUGEES

GOVERNMENT POSITION ON LEGISLATION

Mr. Sergio Marchi (York West): Mr. Speaker, my question is for the Minister of State for Immigration. It concerns part of a secret and very disturbing cabinet document which I received that was approved by the Planning and Priorities Committee of Cabinet.

The document is entitled "Sweeteners" and suggests increasing future refugee levels simply, and I quote, "to improve the public perception of the Government's commitment to the refugee issue . . . which would neutralize criticism that this Government does not care about refugee protection".

How can the Minister justify such a cynical strategy which attempts to artificially sweeten refugee legislation which the Government recognizes is seriously flawed?

Rather than playing with the lives of refugees through its public relations gimmickry, why does the Government not implement legislation which is truly designed to stop human suffering and to protect human lives?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, this Government need not apologize for our refugee policy.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. Weiner: Our generosity has been demonstrated. We do more for the real refugees of the world on a per capita basis than any other nation. This year we will be bringing in almost 20,000 people under refugee and humanitarian programs. We are getting to those in the most desperate need.

In addition, we contribute tens of millions of dollars to international humanitarian agencies, to food aid, et cetera. Anybody who comes to our door and seeks protection, those in need of protection, will never be turned away. If a person does not have a safe haven, we will make sure that he is given a haven.

VISA REQUIREMENTS

Mr. Sergio Marchi (York West): Mr. Speaker, in the same "Sweeteners" document, Cabinet states that after Bill C-55 is law "visas would not be required to deter claimants from countries with no significant human rights problems", yet "visas will remain a necessity to control arrivals from countries where human rights problems do exist".

Therefore I would like to ask the Minister, particularly after his answer, how can the Government decide that people who are fleeing countries where serious human rights violations have been recognized by Canada, are to be systematically restricted by the use of visas?

Are they not the real victims who should be addressed by a true refugee policy? Why does the Government not put an end to this Machiavellian strategy which does nothing but bring dishonour to the country—

Mr. Speaker: I think the Hon. Member has put his question.

Tabling of Documents

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, we saw clearly the increasing abuse of our laws, of the integrity and credibility of those laws. This year, to date, over 21,000 people have come to make a refugee claim here. By the advice we are given, more than 70 per cent are not real refugees.

We have found a way to bring forward a process which is almost complete now. We are well advanced in that process to identify and determine the real refugees, to welcome them, and to make sure that they are provided a haven here. However, those who are abusers will be kept out. We are saying "no" to illegal aliens and "yes" to real refugees.

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REGIONAL DEVELOPMENT

NORTHERN ONTARIO—APPOINTMENT OF BOARD

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, my question is for the Deputy Prime Minister who will recall having been on his feet seven times between November and May to tell us that "soon" there would be an economic recovery program announced for northwestern Ontario.

He will also recall that on July 13 it was stated in the press release finally announcing the program that within four weeks to six weeks the program would be operational.

Since it is now 12 weeks later and the board has not even been appointed, will the Deputy Prime Minister tell the House and the people of northern Ontario what he intends to do to rectify this scandalous situation?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I would like to say that we are very much committed to the economic development of northern Ontario. We are working actively with the Minister who will be responsible for the initiative—between him and my officials and between the two of us—to finalize the plans.

The announcement should be made on the advisory committee on or about October 9. The official opening of the office in Sault Ste. Marie is scheduled for the very near future, before the end of October.

The acronym for the program will be FEDNOR, and the proposals are presently being compiled by interim staff.

[*Translation*]

COMPOSITION OF CONSULTATIVE COUNCIL

Mr. John Parry (Kenora—Rainy River): A supplementary, Mr. Speaker. The President of the Treasury Board must be aware of the fact that the applications have been submitted, that the composition of the consultative council will reflect the francophone reality, the aboriginal reality and the geographic diversity of Northern Ontario. Is he prepared to assure the House and Northern Ontario residents that the composition of this committee will reflect these realities?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Yes, Mr. Speaker, I am pleased to confirm to my colleague that the composition of the advisory committee will be representative of the local population. Having in mind the establishment of both the Atlantic Canada Opportunities Agency and the Western Economic Diversification Office, the aim of the Government in such initiatives, as in the Northern Ontario initiative, is precisely to forge a link between local forces and interest groups and Government programs. So this is in keeping with our projections: to have an advisory committee to represent local interests groups.

• (1210)

[*English*]

Mr. Speaker: I know some Hon. Members will be very disappointed that the Question Period has come to an end but I have been very generous. I know other Hon. Members will not be disappointed at all. In any event, we must move on.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petition No. 332-2982.

* * *

[*Translation*]

STRIKING COMMITTEE

CONCURRENCE IN THIRTY-SECOND REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I move, seconded by the Hon. Member for Lac-Saint-Jean (Mr. Côté), that the thirty-second report of the Striking Committee, presented to the House on Monday, September 28, 1987, be concurred in.

[*English*]

Mr. Speaker: Is that agreed?

Some Hon. Members: Agreed.

Motion agreed to.

CHANGE IN MEMBERSHIP OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, there have been discussions with my colleagues in the other Parties, one of whom had to catch an airplane. I think you will find unanimous consent for a motion to make a change of membership on the committee involving 10 members of our Party. I move that the membership of the Standing Committee be amended as follows:

1. Mr. McCain for Mr. Gass on the Standing Committee on Agriculture.

2. Mr. Blackburn (Jonquière) for Mr. Fontaine on the Standing Committee on Communications and Culture;

3. Mr. Gass for Mr. McCain on the Standing Committee on Fisheries and Oceans;

4. Mr. Fontaine for Mr. Daubney on the Standing Committee on Government Operations;

5. Mr. Attewell for Mr. Friesen on the Standing Committee on Human Rights;

6. Mr. Brisco for Mr. Blackburn (Jonquière) on the Standing Committee on Labour, Employment and Immigration;

7. Mr. Witer for Mr. Pietz on the Standing Committee on Multiculturalism;

8. Mr. Darling for Mr. Hicks on the Standing Committee on National Defence;

9. Mr. Tremblay (Québec-Est) for Mr. Hawkes on the Standing Committee on Public Accounts; and

10. Mr. Pennock for Mr. Gormley on the Standing Committee on Research, Science and Technology.

Mr. Speaker: Are there any other Hon. Members rising with regard to that statement? Is that agreed?

Some Hon. Members: Agreed.

Mr. Speaker: Does the Hon. Member have unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, Question No. 180 will be answered today.

[*Text*]

GRANTS AND/OR LOANS WITHIN METROPOLITAN TORONTO

Question No. 180—**Mr. Redway:**

Since September 4, 1984, did the Department of Fisheries and Oceans make grants and/or loans to persons or corporations, non-governmental organizations and government within Metropolitan Toronto and, if so, in each case, in what amount and for what purpose?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): The Department of Fisheries and Oceans has made grants to the non-governmental organizations listed below located within Metropolitan Toronto.

Period	Organization	Amount	Co-ordinator	Purpose
1984-85	University of Toronto	$ 8,500	D. Mackay	Modelling organic combustion
	University of Toronto	$ 9,000	C. Nalewajko	Gross estimates of Arctic Marine Bacteria
	University of Toronto	$ 5,000	R.C. Wyndham	Microbial adaptation to Carbon at sediment surfaces
1985-86	NIL			
1986-87	York University	$10,000	J.R. Miller	Algorithm developments for phytoplankton mapping using remote sensing
1987-88	York University	$ 5,000	J.B. Smith	"
		$ 8,200	J.R. Miller	"

S. O. 29

[*English*]

Mr. Speaker: The question enumerated by the Hon. Minister has been answered.

Mr. Lewis: Mr. Speaker, I ask that all remaining questions be allowed to stand.

Mr. Speaker: Shall all remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

[*Translation*]

MOTION TO ADJOURN UNDER S. O. 29

SUSPENSION OF FREE TRADE TALKS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I sent notice that I would ask the Chair to allow an emergency debate under the provisions of Standing Order 29. In fact, the Official Opposition has been asking for such a debate nearly every day for almost a week. We feel that Canadians should be informed about the trade talks and be correctly informed about what is happening between the U.S. and Canada with respect to free trade.

Mr. Speaker, you suggested several times that the Government could use another approach, such as an Opposition day or a motion. That has not been done. Your advice was ignored. We sincerely believe that a debate is necessary and that a debate on this matter is urgently needed since this is the last sitting day we will have to do so. Considering the importance of the subject and the timely and urgent aspect of the trade talks, I thought that today you would perhaps be willing to recognize the urgency of this matter and give permission for a special debate under Standing Order 29.

Mr. Speaker: I want to thank the Hon. Member for Ottawa—Vanier (Mr. Gauthier) for his comments. As I said on previous days, this is of course a very important subject but, considering the present circumstances, the Chair is reluctant to agree that a debate is urgently needed this afternoon.

I know the Hon. Member will understand that the Chair's decision does not in any way overlook the importance of the issue, but perhaps Monday or some other day, there will be another opportunity when a debate would be appropriate. Today, however, the Chair does not feel that is the case.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that

province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

Constitution Amendment, 1987

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

And the amendments of Mr. Turner (Vancouver Quadra) (p. 9585) and Mr. Broadbent (p. 9586).

Mr. Speaker: I understand we were on questions and comments on the speech of the Hon. Member for Kenora—Rainy River (Mr. Parry). Are there any questions or comments?

Mr. Harris: Mr. Speaker, at the close of debate before Question Period the Hon. Member for Kenora—Rainy River (Mr. Parry) was elucidating for the House some of the weaknesses of the arguments which have been presented against the adoption of the Meech Lake Accord, other than those contained in the amendment proposed by the New Democratic Party. I was quite interested in his comments. I wonder if he could expound a little further on them as I would be very interested in hearing further comment on that.

Mr. Parry: Mr. Speaker, I would like to thank the Hon. Member for St. John's East (Mr. Harris) for his question. I was indeed expanding on what I saw as the weaknesses of the arguments which have been presented against the Meech Lake Accord.

I believe that immigrants such as myself and the Hon. Member for Davenport (Mr. Caccia) do not require the inclusion of a distinct society clause such as is envisaged to address the needs of the Province of Quebec. I also believe that the prime identifier in constitutional terms for the aboriginal people is the existence of treaties and the existence of a process to resolve areas which are not yet under treaty such that the constitutional entrenchment is secondary to the existence of the treaties.

• (1220)

There is, after all, also the experience of the unfortunately unsuccessful discussions toward self-government. They were, however, constitutionally entrenched discussions, and similarly with multiculturalism. For those of us who come from other cultures, other than the mainstream ones,whether we were born in Canada or outside Canada, this is a daily affirmation. After all, we have not undergone the internal divisions, the rifts and the travails, that rent the Province of Quebec over this very question of membership within the Canadian Confederation.

[*Translation*]

So, Mr. Speaker, the words "distinct society" will be entrenched in the present Constitution to allay the deep and legitimate fears of Quebecers regarding their status in North America. On the North American continent inhabited by 250 million mostly English-speaking people, Quebecers have always been afraid, with reason, of being isolated or assimilated by the English world. While the English fact inside Quebec can be manipulated from outside the province in order to downgrade the French fact that is alive within the Province of Quebec and which we should all recognize in this debate, I stand in solidarity with Quebecers who need to have these words, "distinct society", included in the Constitution.

[*English*]

Other arguments have been equally weak. The Hon. Member for St. Henri—Westmount (Mr. Johnston) talked of the dream of a bilingual Canada. That dream has never been there. It is the dream of the availability of services in both languages across the country that has existed. Consequently, the destruction of that straw man was of course easy.

The perspective of my hon. colleague from Cochrane—Superior frankly seemed to eliminate any acknowledgment that he was a representative of a region of Canada as well as, of course, a Canadian and a federalist. It seemed to ignore the diversity of our own roots that are spread right across the country and indeed from outside the country but which lead to the diversity and differences that exist within Canada today and which we must not only recognize but indeed celebrate.

The bard of Scotland, Robert Burns, said: "Oh wad some power the giftie gie us, To see oursels as others see us!" Let us believe that many who oppose this Accord will be seen by

others as over-emphasizing their personal perspective to the detriment of their public responsibility. If we oppose, we can be seen legitimately as individualists, always wanting our own way.

It was the Austrian statesman Metternich who said that politics is the art of the possible. In voting on the Meech Lake Accord, we must set aside what seems to be the demonology of the view of provincial politicians. We have to remember that there are those at every other level of Government whose commitment to Canada is as strong as ours, whose faith in Canada is as strong as ours.

Obviously, I have a deep desire to see the amendments proposed by my Party or those by the Liberal Party largely incorporated in a changed and improved Meech Lake Accord. There does come a point however at which we have to look at what is before us. I will conclude then by saying that the process of discussion in this House must surely have raised in the minds, not only of the Government but of all other Governments in Canada, the need for some form of codicil or addendum to the Meech Lake Accord which will recognize the very serious and legitimate concerns that have been raised.

[*Translation*]

Mr. Gauthier: Mr. Speaker, I have a brief question to put to the Hon. Member. One of the amendments brought forward by the Liberal Party would require, in subsection 2.(2), that the federal Government not only preserve but promote the fundamental characteristic of the country, our two official languages, and that it do so actively. I wonder if the Hon. Member will support and vote for including the requirement, at least for the federal level, of not only preserving but particularly promoting the linguistic duality.

Mr. Parry: I should thank the Hon. Member for Ottawa—Vanier for his question. Mr. Speaker, if you read the amendments proposed by his Party you will note that they are more detailed than the ones proposed by my colleagues from Yorkton—Melville (Mr. Nystrom) and New Westminster—Coquitlam (Mrs. Jewett).

I think we recognize, Mr. Speaker, that the present Government cannot accept, word for word, an amendment proposed by the Liberal Party. I believe it would be more realistic for the opposition parties to propose amendments of a general nature which would allow the Government to incorporate their substance in its own document.

On the particular question, however, I agree, Mr. Speaker, that the federal Government has the responsibility not only to promote our two official languages, but also to support and promote the survival, continued existence, and use of native languages which were used on this continent before English and French.

[*English*]

Mr. O'Neil: Mr. Speaker, I would like to congratulate the Hon. Member for many of his comments on this historic document which offers Canada and all Canadians an opportunity to move into the 20th century as a country that is willingly united.

I would say by way of comment that unlike many Hon. Members who have spoken and those who will speak, I do not view the referendum of 1980 as a great success for Canadians. I believe that the results of the 1980 referendum indicate that we had failed as a country to deal with the legitimate aspirations of the people of Quebec.

In 1980, fully 40 per cent of the population of Quebec voted to leave Confederation, and about 50 per cent of the French-speaking people of Quebec voted to leave Canada as we know it. That was an alarming result; hardly a victory, simply a sad result.

We as a country gave a commitment during the referendum debate of 1980 to do something to make that 40 per cent of Quebecers more comfortable within Confederation. That is what the ensuing debate was about, and it was a great miscarriage of justice and a breach of promise when in 1982, the Government of Canada, in concert with the provinces, proceeded to effect major constitutional change without the consent of the very people it was supposed to benefit.

It was in an effort to right this wrong that in 1987, the First Ministers of Canada reached a constitutional Accord which brings Quebec willingly into our constitutional family. It is an imperfect document, of that there can be no doubt. But so have all constitutional documents been imperfect.

The 1982 constitutional agreement was grossly imperfect in that it excluded Quebec. It was grossly imperfect in the manner in which it put the Charter of Rights in the Constitution, permitting provinces to opt out of the protections of the Charter. The 1867 Act itself was imperfect. Every constitutional amendment, one could argue, has been imperfect in one way or another.

But what we must balance is the need to correct an historical wrong, a wrong that could form and probably would form the basis for a separatist movement in the future. The René Lévesque of 1995, in the absence of constitutional reconciliation, would have a far stronger case to make than the René Lévesque of 1976 and 1981.

• (1230)

I urge all Hon. Members to take the opportunity presented in this Accord to unite our country and make it stronger so we can face the challenges collectively and in a united fashion.

Mr. Parry: Mr. Speaker, I would like to thank my friend for his serious and scholarly contribution. I must say that I do not really share what I see as a pessimistic interpretation of the results of the Quebec referendum. I have to observe that the use of referendums to manipulate public opinion has seldom been better demonstrated than in the phrasing of the text of the question on which the people of Quebec were asked to vote. I believe it was phrased in order to catch the maximum

number of people who might have any doubt about the form of Quebec's association and involvement within Canada. It succeeded in doing so and the number of people voting for it came to about 40 per cent.

However, I take very much to heart his criticisms of the 1982 agreement, and I think his criticism of past agreements reflect my own concern about the way in which written constitutions can be used and misused by those with motive to do so.

I understand the Hon. Member perhaps does not share all the reservations and criticisms I have about the Meech Lake Accord. Perhaps the question of consideration of analyses from outside the milieu of those actively involved in the negotiations is one where he has more optimism than I. Yet I think we tend towards the same conclusion, that the Accord is a fully necessary response to the outreach of the Province of Quebec towards integration within our great Canadian Confederation.

[*Translation*]

Mr. Deputy Speaker: Resuming debate. The Hon. Member for Montreal—Sainte-Marie, who will be followed by the Minister of State (Youth) (Mr. Charest).

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I welcome this opportunity to take part in this historic debate and in a constitutional accord which, to my mind, is incomplete and imperfect. However, when we look at Canada's history, we realize that what we had in 1982 was an imperfect and incomplete constitutional accord. Since Canada was founded in 1867, and even under the Fathers of Confederation, we had an incomplete and imperfect accord. At the time, we are told, there were always pessimists telling the Fathers of Confederation that Canada would never be able to function without an amending formula, that it would be anarchy, that it was impossible and that we would never be able to patriate the Constitution. The impossible happened in 1982. Actually, between 1927 and 1982, fifteen constitutional conferences were held in an attempt to patriate the Constitution and agree on an amending formula, and every time everybody wanted a perfect constitution which, unfortunately, did not reflect reality and did not allow for change, and every time it fell through. In Victoria, we still had pessimists who were saying . . . I call them prophets of gloom and doom; in Victoria we came closest to a perfect accord. Unfortunately, it fell through. There would be no going back.

The pessimists who said that were wrong again. In 1982, we had an accord that once again was incomplete and imperfect. Quebec and our native people were left out of this Constitutional Accord. Today, we are discussing the Meech Lake Accord which is still imperfect and incomplete. It leaves out native people and multiculturalism is not sufficiently protected, but this time it is Quebec's turn to ratify the Canadian Constitution. Today, again, there are pessimists who say that because native people were left out, because of the unanimity rule and because of the distinct society aspect, the Accord is unacceptable and it will be impossible to change anything in Canada. Come on, you prophets of gloom and doom!

The history of Canada, although there is no amendment formula, although it was simply a legislative measure in London, there is the Supreme Court, the federal and provincial governments had co-operated to provide health insurance, hospital insurance, social programs, old age security pensions, pension plans. All that was done as a result of the good will of people in those days. The pessimists who claim such initiatives could not be taken after the Accord should know better. Your children will be as intelligent and as brilliant as those of earlier generations. If something does not work out in five or ten years they will not be any more stupid than people are today or were before. They will fix it. People who are against the Accord are insulting younger Canadians. These people think there is nothing after them. Prime Ministers and Hon. Members are all here for a finite time. Before Malépart, there was someone else in Sainte-Marie, and someone else before him. The prime Ministers have also changed. Whether we are speaking about Sir Wilfrid Laurier, Pierre Elliot Trudeau, Joe Clark, or anyone else, we are all here for a while to represent the population, and every one of us in his time has done a very good job of defending our own generation. I am convinced that the next generation will succeed even better than we have in protecting the interests of the population.

It is sad to see those who object to the distinct identity of Quebec. We do not find them only in the Liberal Party, but there is also one in the New Democratic Party who has just announced his position and a couple in the Conservative Party. It is sad to see that they still have the same old attitudes and do not understand Quebec. When I say that they are anti-Quebec, it is not because they are racists or because they object to the linguistic concept. Perhaps I am not using the right terms, but I simply want to show that these people do not understand today's Quebec. When they say that they want the *status quo* with the distinct identity, they are wrong. Those who do not want the distinct identity want to maintain the *status quo* of 30 years ago, when Quebec was dominated by the English-speaking minority. Francophones in East Montreal had to speak English when they shopped at Eaton's. The situation has changed today. French is increasingly present. However, something else has changed. Twenty years ago, when someone who spoke neither French nor English arrived in Quebec, he had to become assimilated with the anglophones. Then, the francophones took action to assimilate newcomers in their own community. We must congratulate the Parti Quebecois for that. I did not agree with their option, but today, it is different. We have Italians in Quebec, such as the Hon. Member for Bourassa (Mr. Rossi), who is a Quebecer like the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), but he is an Italian Quebecer while the Member for Montreal—Sainte-Marie is of French background.

• (1240)

The Italians, Greeks, Portuguese and Asians all have their own culture and do not want to be identified with either francophones or anglophones. They want to keep their independence. This is what makes Quebec different. What makes it different is the francophone majority which is increasingly asserting its position. It is not taking the place of anyone else, but assuming its own rightful place.

As for the Italian community, we can look at what is happening in Saint-Léonard. A Quebec television station has a program which shows how the francophone and Italian communities live in the same regions in harmony which keeping their own identity.

When I see my colleague from Saint-Henri—Westmount (Mr. Johnston) say that federal Members from Quebec will be less important, I tell him that in hockey when one realizes that the game gets too fast, it is time to hang one's skates, because development and progress are increasingly quicker. And whoever is unable to follow the pace should not try to stop the others but drop out and leave his place to someone younger. Such is evolution!

Mr. Speaker, I think that with this kind of Constitution . . . and when he wants us to believe that a Quebec Member, if ever the distinct society concept is accepted and Quebec is given jurisdiction over communications, will never be able to become Minister of Communications. If we draw up the Constitution to see what job we can have in Ottawa, we might as well not have a Constitution at all.

Once again his argument is at fault. As far as the Canada Pension Plan and the Quebec Pension Plan are concerned, Quebec has autonomy in its field. We have had Mrs. Monique Bégin as Minister of National Health and Welfare as well as Mr. Marc Lalonde, but even while Quebec was exclusively responsible for the Quebec Pension Board, the others were responsible for the Canada Pension Plan. Medicare and hospital insurance are administered by the provinces. We have had someone from Quebec. Let us assume that the Member for Saint-Henri—Westmount (Mr. Johnston) or the Member for Mount-Royal (Mrs. Finestone) are right, then the Quebec Members in Ottawa would have to do their best because their provincial colleagues would have some of the powers. This is all very well, then we will have better representatives in Ottawa and the French-speaking Members from Quebec have never been afraid of competition. We have never feared competition, because we always have had to fight and I know that my children will have to fight in that Parliament.

However, do not try to delude me. I congratulate all Canadians for having thought out the concept of the distinct society. The last election has clearly shown that people want to be rid of those who decide or want to undermine the French culture. In Ontario, they put Grossman out. People no longer want that kind of representatives.

I hope that those who are against the distinct society will change their mind; however, I respect the views of my other colleagues from all parties who would like to have protection for the native people. I understand them. However, I do not approve the Tory, NDP or Liberal Members who say that the concept of the distinct society would maintain the status quo. And they suggest we here in this House are adopting an incomplete agreement, well in 1982 it was just as incomplete. Even with Prime Minister Trudeau it was incomplete. He himself recognized the distinct nature when we had him include the so-called Canada clause with respect to the teaching language in Quebec. In the other provinces, it is the universal clause. That did not please the Prime Minister of Canada. As a constitutional amending formula, he preferred the Victoria formula but he yielded. Canada is a consensus, and such is the reality of the time. It is not the nature of a provincialist Member to support the Meech Lake Agreement, but of a federal Member, of a Member seeking the good of all Canadians. And it is my view that my colleagues, both in the NDP and the Conservative Party, who suggest that because we support the Meech Lake position that allows Quebec to concur in the Canadian Constitution we are taking a provincialist decision, are making a tremendous error, because as long as Quebec is left aside, the Canadian Federation is wobbly. It is like a four-wheel car that has lost a wheel. Quebec is an important wheel in the process.

Mr. Speaker, I support the amendments put forward by my Party, and I also blame the federal Government for not accepting a few improvements, for not showing the leadership needed to contact the other provincial Governments. That was done in 1982. Mrs. Judy Erola—unfortunately she is no longer here, but were she here—Concerning women who had the will to fight despite the fact that the nine provinces with the then Prime Minister had signed an agreement . . . Mrs. Erola, along with women groups from all across the country, forced the First Ministers and the House of Commons to bring in other amendments. Like the request by Mr. Claude Ryan, for Quebec once again—to meet Quebec's claims—like the Canada clause I referred to earlier concerning the teaching language. Here again the provincial Governments accepted.

To all those men and women who steadfastly want to add something, I say it can be done in my view. Is there one Canadian Prime Minister who can publicly tell his cultural communities: No, I cannot include you in that agreement? Is there one provincial Premier who can tell his cultural communities who call on him: No, I cannot include you? I am sure of that, and I strongly urge the Prime Minister to show leadership in that regard.

As far as the native people are concerned, I understand that the situation is much more difficult, but it is to be hoped that their turn will come too eventually.

But this time, Quebecers have accepted to adhere to the Constitution. They could have refused. I suggest we should commend Mr. Robert Bourassa, Quebec's Premier, for performing this miracle. It is Robert Bourassa who managed

to convince the other Premiers— The Minister of State (Youth)(Mr. Charest) would like me to believe that it is the Prime Minister of Canada who did it. Unfortunately, I must tell him that he is wrong again, and that it was Mr. Rémillard, the Minister of Cultural Affairs—because the Prime Minister of Canada did not have the guts to do it—who had to go and see each and every provincial Premier. Robert Bourassa met with them and convinced them to return to the table and deal with his five conditions. And it was the Prime Minister of Canada, as usual, who presided over this meeting.

On the other hand, where I can blame the Prime Minister of Canada for his weakness, it is concerning Senate reform. To have given up federal patronage in exchange for provincial patronage is not the discovery of the century. This is typical of what comes out of his little head. But notwithstanding his mistakes which, I am sure, will be corrected, tomorrow or the day after tomorrow there will be another Government which will make right his wrongs and correct his mistakes concerning Senate reform. I suggest the Prime Minister could have found for the Senate a formula or a scheme providing for half the Senators being appointed and half being elected, or even devise a system to limit the powers of the Senate. He had a once in a lifetime opportunity to do so. Unfortunately, he chose to let it pass. Yet, he could correct his mistakes, there is still time. If he could show leadership, the Prime Minister of Canada would be able to protect our cultural communities. As the Minister of State (Youth) said, the Prime Minister of Canada should prove to us that he was the one to do it. The Meech Lake Constitutional Accord and Quebec's distinct society are Robert Bourassa's achievements.

If the Prime Minister of Canada wants to be awarded a medal or a trophy for this Constitutional Accord, he should stand up and call up a meeting of Provincial Premiers. He is going to see them about the free trade negotiations. He could take ten minutes to tell them: Listen, we made a mistake when we forgot the cultural communities in Canada. There are cultural communities in each province, so it is important to add them to the text. Do you agree? That would be a fine opportunity to show leadership, and that would be normal. In 1982, even after having signed the Accord, the Provincial Premiers agreed to change four or five points to address women's and Quebec's concerns. It was not the Canada clause which had been agreed upon at first with regard to the language of teaching, it was the universal clause all across Canada. But it was as a result of the meetings of the provincial premiers and the agreement with the federal government, that those changes could be made. In that respect I call once again upon the Conservative Members to put pressure on their Prime Minister to show at least some leadership so that we can argue with credibility when congratulating the Prime Minister of Canada on the success of the Meech Lake Accord.

I very seldom feel inclined to congratulate this Prime Minister, but in this instance I believe he did well. Since I was waiting at the door that night, I know that as the meeting's chairman he did not do too bad. He may have been a little too generous in order to get his deal on the Senate. Even Robert Bourassa exclaimed: "That is more than I was hoping for!" So it does not look too good when you have to give in. This is my concern with the Americans.

• (1250)

But coming back to the distinct society issue and the Conservative Members, I would like to single them out by name, for there are two or three who are starting to break rank themselves. On the NDP side, there is the Hon. Member for Vancouver—Kingsway (Mr. Waddell) who declared himself against it because he too is afraid of that. On the Conservative side, there is the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) and the Hon. Member for Western Arctic (Mr. Nickerson), both anti-Quebecers who do not understand the nature of today's Quebec. They can be found everywhere, in the Conservative Party and in the New Democratic Party as well as in the Liberal Party. You have on the one hand two members who oppose the distinct society—

An Hon. Member: Two out of 200!

Mr. Malépart: I can understand the position of the Conservative Member and that of the New Democratic Member who comes from Yukon. She has nothing against the distinct characteristic, but she does not accept the Accord because it does not provide any protection for the people of that Territory. I can understand someone for making his own case. The Minister of State for Youth (Mr. Charest) does not see the difference in positions, but he should have respect for those who have convictions and know how to defend them. However, Mr. Speaker, I do not approve of the Hon. Members I mentioned who oppose the recognition of Quebec's distinctiveness. You can be assured that the affirmation of the distinct characteristic in the Constitutional Accord means something when it comes to communications. Some years ago, there were more English than French radio stations. That was unacceptable and that is why Quebec wanted someone to defend its interests because we are different from the rest of the country. Would my colleague the Hon. Member for Davenport (Mr. Caccia) accept the situation if there were more French than English radio stations in Toronto and Ontario? He would say that that does not make sense, that the licences must be revoked because people will not understand. It is the same with us, in Quebec. That is why we want to be represented, and I do not blame anyone from the Maritimes for protecting his interest. That is what Canada is all about: each region is represented here in the House of Commons, and also in the Senate where, it is sad to say, it would be better represented by elected rather than appointed senators.

In conclusion, Mr. Speaker, I dare hope the Government, the Prime Minister will show leadership at least towards the cultural communities, because we have to admit, as I said earlier, that in Quebec as much as anywhere else, the Italian, Greek and Portuguese communities have contributed a lot to progress. The face of Quebec has changed, not only because it

is French, but because it has become more and more European. We know that the Greeks in Quebec have taught us about the restaurant business. Many Italians are engaged in construction and have brought us new ideas. Quebec has progressed, it has changed with the French majority, with the English minority, but to those were added—an important feature that must be protected—cultural communities.

Mr. Speaker, I conclude by saying that even if the Prime Minister does not take his responsibilities and the amendments moved by the Liberal Party and the New Democratic Party are defeated, I will vote for the Meech Lake Accord.

Hon. Jean C. Charest (Minister of State (Youth)): Mr. Speaker, I would like to congratulate the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) on his truly splendid intellectual tour de force. He actually managed to rise in the House and say all of the following: First of all, I support the amendments my party is proposing which would, for all practical purposes, make the Meech Lake Accord null and void, but on the other hand, I am going to vote for the Meech Lake Accord. He says: It is your Government's fault and your Prime Minister's fault if Quebec enters the Federation. We want it to enter Confederation, but it will be your fault if it does. That takes some doing, Mr. Speaker. I think he managed to criticize just about everyone except, of course, you yourself, Mr. Speaker. He did not criticize Robert Bourassa, but he will later on because he mentionned free trade. Mr. Bourassa supports free trade, and the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) is against free trade. Since our Government's position is that of Mr. Bourassa, who has praised our Prime Minister's position, the Hon. Member will have a chance to criticize him later on.

Personally, I would like to remind the Hon. Member of a few historical facts. He feels Mr. Bourassa has a great deal of merit. I can't say I disagree. In fact, I think he has quite considerable merit. Does the Hon. Member remember that during the 1984 election campaign . . . Funny, I remember a speech made in Sept-Îles by the then Leader of the Opposition, today the Prime Minister of Canada, in which it was made quite clear that bringing Quebec into the Constitution was part of our election platform. Funny, I remember a visit by the Hon. Member's present Leader or his tentative or interim Leader, a visit to Quebec in the riding of Rimouski, where he criticized people who voted yes in the referendum. He said they had no right to run for office. I did not hear any criticism from the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) at the time. And that is the team that today is going to vote yes, no and maybe on whatever issue is tabled. I would like him to respond, I have a few questions to ask him. First, does he support his Party's abstentions concerning the report of the Joint Committee of the Senate and the House of Commons—indeed the position of his Party until now with respect to the Meech Lake Accord is abstention. Unless I am mistaken you are now defending and representing the position of abstentions, probably those who are absent because you are also the people whose absence in Quebec right now is most obvious.

As a matter of fact, not only will 13 of your colleagues not endorse the Party position, which is to abstain, because that is the official position, but now they will vote against, 13 out of 40, yet he refers to the fact that we have two in our Party, two out of 200, including one who also comes from northern Canada and who, for the same reason as the present Member for Yukon, has chosen to vote against the Meech Lake Accord. So I am curious to know whether he too is abstaining. I am also curious to know whether, during the next election campaign, he intends to advocate the Meech Lake Accord amendments now proposed by his Party and which will obviously be defeated. So the Hon. Member for Montreal—Sainte-Marie should tell us right now, yes or no, if he intends to be, if he can be frank during the next election campaign. His answer will now give us an idea of his frankness. If he does not respond we will know exactly where he stands, particularly if his answer is evasive. Yes or no, during the next election campaign will the Hon. Member for Montreal—Sainte-Marie speak in favour of the Meech Lake Accord amendments he is proposing today?

Mr. Malépart: Mr. Speaker, I am glad that the Minister of State (Youth) (Mr. Charest) has reminded me about the promises of his leader during the electoral campaign. He lied to the population and misled senior citizens and families. All the parties said about the commitment to a Constitutional Accord that Quebec had to rejoin the constitutional family. Have you ever heard a Canadian stupid enough to say that he did not want Quebec in the Constitution, except for the Hon. Member for Sherbrooke? Mr. Speaker, this clearly shows his stupidity. The Prime Minister lied to the population during the electoral campaign. Senior citizens have said so. Moreover, 71 p. cent of the population disagree with him.

Mrs. Mailly: On a point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Gatineau (Mrs. Mailly) on a point of order.

Mrs. Mailly: I think that it is obvious, Mr. Speaker. I am asking myself certain questions. The Hon. Member speaks about liars and so on. He did not reply to the question. He acccuses everyone of lying, including the Prime Minister. I therefore ask for your guidance, Mr. Speaker. Is it proper in this House to use such language in a debate of this importance on the Constitution and the rights of Quebec?

Mr. Deputy Speaker: It is not unparliamentary language. I do not believe that the Hon. Member for Montréal—Sainte-Marie (Mr. Malépart) meant that the Prime Minister had lied deliberately. I shall therefore give him the benefit of the doubt. The Hon. Member for Montreal—Sainte-Marie.

Mr. Malépart: Mr. Speaker, can the Hon. Member who just rose on a question of privilege deny that her Prime Minister had said he would restore full indexation of Old Age Security

pensions? Did the Prime Minister not say that during the election campaign? Is it not true that he did just the opposite? I answered the Minister of State for Youth regarding the commitment made during the campaign. All parties said that. The Liberal and Conservative Leaders expressed their views in Ontario; the NDP never said that they were against Quebec signing the Constitution. As to his second question about who worked to bring Quebec in the Canadian fold: it is Robert Bourassa. Who should we congratulate? The Premiers of the other provinces who understood Quebec when the time came. Regarding the amendments, could the Minister of State for Youth who is about to speak tell us who protected the cultural communities and what he has against his colleague for Dollard des Ormeaux? Why is he against protection for the Italians in the Constitution? Why is he against protection for the natives?

• (1300)

I campaigned for protection of cultural communities in Canada. I campaigned for protection of native rights. But you, who are the Minister of State for Youth, you are against natives, you are against cultural communities. Ask your colleague for Dollard (Mr. Weiner) whether he shares your views, whether or not he thinks they should be protected by the Constitution?

Mr. Charest: Mr. Speaker, it might be important to immediately recognize that the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) has probably lost his self-control and is quite ready to cast aspersions on all Members of this House, as he does regarding his colleagues in his own Party when he calls them anti-Quebecers. The Hon. Member for Saint-Henri—Westmount (Mr. Johnston) has been called a "Westmount Rhodesian" by the Hon. Member for Papineau (Mr. Ouellet). A Member of his own Party has accused the Hon. Member of behaving like a saleslady from Eaton's. The Hon. Members of his own Party that they behave like Montreal "manglophones" of the 19th century.

To place things in perspective, I think no one will take very seriously the accusations brought against me because, in the final analysis, the Hon. Member had accusations to make against everybody. But if you want to be honest, you ought to say, as well namely to Mr. Bourassa for whom you seem to have great respect, that during the next elections, according to what your leader has publicly admitted on television, you intend to campaign against the Meech Lake Accord. During the next election campaign, you had better go and tell exactly that to Quebecers, to French-speaking Quebecers, because if you do not, there is one thing you can count on us, to let them know.

Mr. Malépart: Mr. Speaker, during the next negotiations on matters like the Senate reform and multiculturalism protection, phase II would destroy the Meech Lake Accord, just like the Meech Lake Accord destroyed what had been achieved in the 1982 Accord. Wake up, Mr. Minister, you are going the wrong way! There will always be constitutional negotiations. We must now proceed to the reform of institutions like the Senate. Your Prime Minister (Mr. Mulroney) said that he wanted to change the Senate. So, if in the next election campaign, he does not take position for Senate reform, it will prove that he misled the people of Canada. If protection of multiculturalism and sharing of jurisdictions between the federal and the provinces are not issues dealt with in the next election campaign, it will mean that the process has been stopped. But Canada will still be there, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Minister of State (Youth) (Mr. Charest) on a point of order.

Mr. Charest: I rise on a point of order, Mr. Speaker. I think that had the member for Montreal—Sainte-Marie made an effort and read the Meech Lake Accord, he would know that the Senate reform is on the agenda of each and every constitutional conference in the years to come. I would add for his guidance that if he read the Accord he could spare us this completely useless argumentation. Just stick to real questions.

Mr. Deputy Speaker: The Hon. Member for Montreal—Sainte-Marie (M. Malépart) on a point of order.

Mr. Malépart: Mr. Speaker, I rise on a point of order. Does this mean that your party only wants to discuss Senate reform and refuses to protect the Canadian cultural communities? If the Hon. Member wants to run on that issue in Dollard, I am game. If he wants to come to the western part of Montreal, and tell the people in Saint-Léonard that his party never wants to go back to the bargaining table to protect cultural communities, to protect native people, it's his privilege, Mr. Speaker, not mine. As far as we are concerned, the Constitution remains a permanent concern.

I must also tell the Minister of State (Youth) that the Constitution is like a huge collective agreement. Year after year to meet the needs people will make changes to the Constitution with a view of improving it.

As to the protection of native people, even the Pope when he came here, asked the Canadian people to protect our aboriginal people and be generous towards them. Now the Minister of State (Youth) says no to this request made by the Pope. The people of Sherbrooke will remember.

Mr. Deputy Speaker: Since there are two points of order, I shall entertain another question from the Hon. Member for Yorkton—Melville (M. Nystrom). Afterwards, debate will resume with the Hon. Member for Windsor—Walkerville (Mr. McCurdy).

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I thank you for giving me the opportunity to ask a question. As an informed member I agree with the distinct society clause for Quebec and I have signed the special committee's report, and so on.

Something else I want to mention is the fact the province of Saskatchewan was the first English-speaking province to adopt the resolution, and I am proud of that.

Some Hon. Members: Hear! Hear!

Mrs. Mailly: The Conservatives.

Mr. Nystrom: Not only the Conservatives. Three parties we represented in the Saskatchewan legislative assembly and except for three members, everyone supported the resolution, including the Liberal member Mr. Ralph Goodale and the NDP opposition. However, I have a serious question for the Hon. Member. If the Liberal amendments in the name of the Leader of the Opposition (Mr. Turner) were accepted, I am afraid this would be the end of the Meech Lake Accord because I think that many amendments are not go conducive to a distinct society and duality, as they talk about the supremacy of the Charter of Rights and so on.

I would like to know if the Hon. Member is in favour of the amendments of his Party; does he think that the package of amendments of his Party will in fact mean the end of the Lake Meech Accord, if they were accepted in this House?

Mr. Malépart: No, Mr. Speaker. If the proposed amendments are accepted by Mr. Robert Bourassa, I am convinced there will be no change because I know that at the negotiation table, Mr. Bourassa will protect Quebecers very well. Are the Hon. members . . . When we added something in 1982 to protect women, it did not harm the Accord; can the Hon. Member tell me whether or not it would jeopardize the concept of distinct society if we added something to protect native people, and if the provincial First Ministers agreed? I do not think this is what he means. If the Hon. Member tells me that if he provinces accepted the recommendation of the Leader to add to the Charter the protection for cultural communities, this would not be an impediment. I do not think that Mr. Robert Bourassa of Quebec would oppose vigourously protection for cultural communities, because he is one of those who protect cultural communities in Quebec, which the Prime Minister of Canada does not do.

[*English*]

Mr. Deputy Speaker: Resuming debate with the Hon. Member for Windsor—Walkerville (Mr. McCurdy).

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, that exchange occurred rather abruptly, and caught me just momentarily off guard.

I think it is important that the debate on the Meech Lake Accord occur on the highest plane. I must say that I hope that my contribution will shed rather more light than the heat that moments ago was being shed upon the debate.

I am not a historian and I am not a constitutional expert. But I do know this: It is not possible to have a perfect Constitution. It is no more possible to have a perfect Constitution than it is to have a country that does not experience evolution in terms of its sociological, political and demographic characteristics. Constitutions must reflect that. They cannot be perfect. The Accord that we debate today and the Constitution that it seeks to amend are not perfect. Both are deficient. But both must be judged on what they intend to accomplish.

The Accord must be judged on what it is supposed to do and what in fact it does. The Constitution must be judged, in its newly amended form, on whether or not it reflects the Canada of now, and whether it is capable of reflecting the evolution of Canada as it will be.

First, I will address the Accord, what it intends to accomplish, whether it in fact accomplishes its purpose, and I will consider in what respects it is flawed. Most particularly, after looking at whether it indeed fulfils its role, I will consider what message it sends out to the people of this country. It will be my suggestion that no matter whether the Accord fulfils what it intends to fulfil or not, the Constitution that it amends remains as a consequence flawed and the message that it sends to one-third of the people of this country is seriously flawed.

It is perhaps, I think, appropriate that I review what it is in my experience that shapes my view of this country. I was born in London, Ontario, and initially I was brought up there. At that time the vision that I had of Canada was entirely English; indeed, it was imperial. I sang "Rule Britannia", celebrating the empire that subjugated my own people in other lands, while at the same time not treated as an equal in my own land.

• (1310)

Subsequently I moved to Amherstburg, Ontario, next to the American border. As a consequence of that, the view of Canada that I learned in London became somewhat deluded and rather more coloured by our proximity to the United States. Increasingly, I was not very conscious of the differences that existed between Canada and our close-by neighbour.

[*Translation*]

It is during my first visit in Quebec that I recognized that this country is different. It is during my first visit that I felt I was equal in my own country.

[*English*]

Let me repeat that, because however I may value the two languages of this country, I sometimes speak in a fashion that devalues French.

Mr. Turner (Ottawa—Carleton): You are doing fine, Howard.

Mr. McCurdy: Let me make it perfectly clear what I am saying. During my first visit to the Province of Quebec I realized there was something different and unique about this country. In my experience at that time, what was different about this country was the French fact. It was in Quebec that for the first time in my own country that I was treated as an equal. From that point my notion of this country began to evolve into what it is now. Since that time this country has changed; it has changed so much that I stand in this Chamber.

In the debate on the Meech Lake Accord there has been some discussion of the place of the aboriginal peoples. Perhaps

we can communicate what it was like to be a black Canadian at that time in Amherstburg. Some Hon. Members will know that there was a great deal of intermarriage between the black population and the Indian population. Many of the black community were eligible to have Indian papers. No matter how bad the situation of aboriginal peoples was at that time, and no matter how bad conditions remain for aboriginal peoples, in the Canada of my childhood it was better to be an Indian than a black.

I love this country. I have loved this country, as many have within it, as a result of a test of that love. In some measure, our faith has been fulfilled. I have come to a greater understanding of it. Canada is not Canada without Quebec. There can be no doubt about that. That is not to say that other portions of Canada are indispensable. But clearly Canada is unique in large measure because of its unique history and the existence of two cultures and two languages as the basis for its ultimate origin.

In 1980 when the referendum issue arose in Quebec, like other Canadians I met it with some fear, consternation, and puzzlement. Would our country be divided as a result? Like many in the country, I celebrated the outcome. During that debate certain promises were made, and certain assurances were provided to meet the concerns of Quebec and make Canada whole.

In 1982 we had the Constitution Act of that year. Essentially two things were accomplished, the patriation of the Constitution and the Charter of Rights. But Quebec was left out of it. Perhaps the time was not right, perhaps we had achieved the level of evolution appropriate only to what was actually accomplished in 1982. Changes occur when history makes change possible. That Charter of Rights was extremely important. There are those who even now have great concern about the relationship of the Charter of Rights to the powers of Parliament and the legislatures.

I can recall having been engaged with a colleague of mine in government in another province over the question of the view held by many that Parliament is supreme and should remain supreme, and the view which I advocated that there was a necessity for a Charter of Rights. Parliament as the supreme governing body, unimpeded by Charters of Rights, are appropriate to countries with homogeneous populations ruled by a majority. In Canada in part that fact was recognized in the distribution of powers between the Province of Quebec and the peculiar and necessary concessions made in recognition of the character of that province. But now this country has become increasingly diverse. By virtue of the will of the majority, Parliament cannot protect the minorities that are unable by their numbers to elect majorities in Parliament.

Of course, a classic example is in the United States where, if the black people of that country had waited until Congress had eliminated segregation, segregation would exist in the United States until this day. It was only because there existed a constitution, which was ultimately interpreted by the courts, that led to the elimination of segregation there. That is the lesson of history of the need for the protection of the rights of minorities which can only be provided by a Charter of Rights, as we have in the Constitution, although, it will be my submission that the Charter is inadequate.

While the 1982 Constitution Act was necessary, it was inadequate. It excluded Quebec, not legally, because it is bound by the Constitution as adopted then, but in terms of its spiritual participation and the extent to which the allegiance of the people of Quebec is won to it.

As time has passed and Governments have changed, Quebec imposed five conditions in order to join the constitutional compact. I am sure we all know what those are. The recognition of Quebec as a distinct society, a greater role in immigration, a provincial role in the appointments to the Supreme Court, limitations on federal spending power, and a veto for Quebec in constitutional matters.

The Meech Lake Accord must be looked at both in terms of process and results. There can be no doubt that the process was flawed. Never again should 11 First Ministers and their associate bureaucrats engage in this kind of process. The future must ensure that there will be full participation of Canadian citizens in any future constitutional change, so that it is fully reviewed and full support across the country is won.

• (1320)

Let us look at what has happened as a result of the Meech Lake Accord. There is a great deal of concern about what is perceived as a decentralizing thrust of the Meech Lake Accord, that increasing power is being accorded to the provinces. It must be said that one problem with the country is that it has been too centralized in too many respects. The land is vast and its people are diverse. In order for people to feel that they are a part of this vast land, they cannot be subject to the rule that all decisions must emanate from the centre of the country. If they are, the regions at the periphery will never feel a part and will lack control and if they lack control, they will feel alienated as persons and as regions.

The Meech Lake Accord and the constitutional changes which it advocates propose that there should be consultations on appointments to the Senate. This has been much criticized as according provincial control over the Senate, but the Meech Lake Accord says that there must be agreement between the federal level and the provincial level and that there should be consultation. What could be more appropriate? It does not suggest that only the provinces shall appoint or that they will overrule the federal Government.

In respect of the Supreme Court, similar conditions are imposed. We recognize that similar conditions are involved in the appointment of members of the Supreme Court of the United States which have not resulted in a situation of paralysis. It ought to be possible for people of reasonable mind

to agree on such relatively simple matters as who are appropriate for the Senate and who are appropriate for the Supreme Court.

The Accord also accords the provinces an increased involvement in immigration. There are some concerns in this regard, but I think they are largely met by the requirement that these agreements must be enacted in law by the Parliament of Canada and that these agreements are ruled by the Charter of Rights.

Further, there has been a great deal of concern over spending power. There is a provision in the Accord that if the federal Government enacts legislation in an exclusively provincial jurisdiction, the provinces will have the option of opting out or having funds provided to them so long as the programs enacted are consistent with national objectives. I would interpret that as a step forward because we are talking about provincial jurisdiction. For the first time a recognition of the right of the federal Government to be involved under certain conditions in areas of provincial concern is being inserted in the Constitution. Those who fear that we will be unable to have day care and so on should be assured.

Of course there are problems with the amending formula. Surely it is clear that the amending formula, as it provides for unanimity among First Ministers and all Governments in respect of the recognition of new provinces from the territories and in respect of the changes in the Senate, imposes an unnecessary rigidity on the Constitution. I would suggest that the Accord be amended in respect of the application of the amending formula to the admission of new provinces, because it is an insult to the North and deprives the North of rights which it should share with the rest of Canadians.

While the Senate may remain unchanged, at best it will become even more irrelevant, and its very irrelevancy may compel various Governments to propose changes in a unanimous fashion to make it more in accord with a democracy.

Of course the core of the Accord is the recognition of the distinctive character of Quebec and the dual linguistic character of Canada. This is where the trouble begins. There are considerable doubts about the impact on the Charter of Rights. Among these rights are the rights of sexual equality.

I would plead for time to say a few more words, because I think it is important that I have the opportunity to do so.

Mr. Deputy Speaker: Is it agreed that the Hon. Member have a few more minutes within which to complete his speech?

Some Hon. Members: Agreed.

Mr. McCurdy: Mr. Speaker, there has been a great deal of concern about the recognition of two singular aspects of Quebec society—the recognition of the responsibility of the Government of Quebec both to preserve and to promote the French language, and the recognition of the responsibility of Parliament to preserve the French character and French minority outside Quebec. They are important but they raise considerable fears. Among them are the fears of women that sexual equality will be compromised, particularly with specific reference in the non-abrogation clause to aboriginal peoples and to the multicultural nature of the country.

I do not believe that sexual equality rights are abrogated or affected in any significant way, nor do I believe that there is any material change of the rights of minorities as a result of the distinctive character clause. Nothing has changed—nothing has been made better; nothing has been made worse.

It must be said, in respect of the real character of the country, that the failure to make firm provision for providing self-government to the aboriginal people is a serious oversight that must be corrected.

The main concern which must be addressed is not what the Accord does now but what must be done in the future. Earlier I talked about the message, the message in the Accord to a third of the population—the blacks, the Ukrainians, the Poles, the Italians, the Chinese, the Pakistanis, the Czechoslovakians, and the variety of other people who compose my riding—that they are not really an inherent part of the country. There is still the recognition inherent in all that has happened that there is some primacy to the two founding people. As long as that message is maintained, the country cannot be whole. As long as it is not recognized that the multicultural character of the country is as fundamental as anything else, the country cannot be whole. As long as the rights of the minorities guaranteed in Section 15 of the Charter of Rights are subject to an override, to the whim of Governments, it is in complete contradiction to the function of the Charter. It cannot be accepted as long as it exists because it implies that those of us who are neither English nor French are not really a part. Just as there was unfinished business after 1982, there is unfinished business now. It is unacceptable to me and all others, whether of French or English extraction, that we should in any way be considered as second class citizens.

• (1330)

You can say that Quebec was a part of the Constitution even after 1982 just as you can say that the minorities are part of the Constitution after 1987. However, just as the Constitution of 1982 was over the heads of the people of Quebec, an accord that recognizes Quebec as it has to, as it must, and as we approve of it, leaves unanswered the pleadings of the third portion of this country. The first priority must be to ensure that just as Quebec was welcomed into the Constitution so should those of us who are neither French nor English be welcomed into the Constitution.

[*Translation*]

Hon. Jean Charest (Minister of State (Youth)): Mr. Speaker, first of all, I must admit that not so long ago, in fact it was three years ago, not many of us expected to have the opportunity and the privilege to debate a motion in the House of Commons that for all practical purposes would bring Quebec within the Canadian constitutional fold. In 1984, we

campaigned on this issue, and our statements and our commitment were realistic and sincere. We must also realize it was an enormous task, to which our Government and the ten other Governments across Canada would have to bring the political will to take action and to deal with a problem that was an extremely important one for this country. From the outset, we see both the importance and the delicate nature of this commitment, if only because of the number of governments involved in the process. We therefore had every reason to believe and to hope that someday we would be able to debate a resolution in this House whose ultimate effect would be to bring Quebec into the Constitution. However, as so many other Canadians today, I admit I am somewhat surprised to be standing here before you.

I would like to take a few moments, Mr. Speaker, to recall the historical context that brings us before the House today. Without going back too far, I think we can, at least, with a degree of nostalgia for some, go back to the 1980 Referendum, when Quebec, after several years of debate, finally made its decision to keep the province within the Canadian federation. Mr. Speaker, you will recall the various statements made during the 1980 Referendum, including statements made by the then Prime Minister of Canada, who told Quebecers: We Canadians from all over Canada want you in Canada. If you vote no, you will be saying yes to Canada. It will be a solemn affirmation of the fact that you intend to remain within Canada, and we Canadians promise to help you remain within our Canadian federation.

We then had the 1981 negotiations, Mr. Speaker, followed by unilateral patriation in 1982.

We also recall the sad period when the Quebec National Assembly, including the provincial Liberals led at the time by Mr. Ryan, the same provincial Liberals who are now led by Mr. Bourassa, unanimously adopted a resolution denouncing the 1982 repatriation of our Constitution, which they described as a reprehensible action, an act of betrayal against Quebec, while the Premiers of certain provinces, with the support of the federal Liberals, had decided to ignore the wishes of Quebec and everything they had said during the 1980 referendum to repatriate the Constitution unilaterally.

The 1984 elections were a turning point for Canada in many ways, but for the purposes of today's debate, Mr. Speaker, let me simply remind the House that the then Leader of the Official Opposition, the Leader of the Progressive Conservative Party of Canada, made his famous speech in Sept-Iles and said: As a Government, if we are elected, we shall make every effort to have Quebec join the Constitution and to bring about unity and reconciliation in the country.

At the same time, we had the sad spectacle of the Leader of the Opposition, who was then Prime Minister and newly chosen Leader of the Liberal Party of Canada, campaigning in Quebec and denouncing those who had voted "yes" in the referendum, apparently because such people did not have or should not have the same rights as those who had voted "no", and saying that such people should not be candidates in a general election and should perhaps not even vote.

Such was the argument used by the federal Liberals in 1984. Strangely enough, some of the federal Liberals rose today, some to speak for, and others to speak against the Meech Lake Accord. However, in no case has anyone said that he stood up for the interests of Quebec in 1984.

In any case perhaps it was not necessary because Quebecers did come to grips with the situation. They decided they would settle the issue themselves at the appropriate level. In 1984 they said: We will make a clean-up. They may not have understood, but we sure did and we will turf them out. We will vote for people who for once can appreciate the legitimate aspirations of Quebec, so today, as a result of all those efforts, we have the honour and privilege to be here in the House.

There have been major changes after the 1984 election. First, as Hon. Members may recall—and some may have forgotten—in the months after the 1984 election even the PQ Government led by Premier Lévesque presented a series of demands as being the minimum demands of Quebec before it would join the Canadian federation.

Then there was a government change and this time the Government of Mr. Bourassa came to us with five demands, at least five demands prior to endorsing the Canadian Constitution. First the recognition of Quebec as a distinct society and, second, a limit on federal spending powers. There was also more power or more influence for the Quebec Government with respect to the appointment of Supreme Court of Canada judges. An increased and more important power. And recognition of Quebec's real power concerning immigration. There was also the question of veto.

Mr. Speaker, I confess that at the time I think we were all surprised to see that Quebec had cut down the number—from 20-odd demands the first time under the PQ Government—to a minimum of five, and we felt that was evidence of courage and frankness on the part of the Quebec Government which was saying: Well, here is our position. We will not give ourselves too much leeway to negotiate. But if you are sincere, and we think you are, we too will be sincere, we will be frank, set our minimum demands and begin the negotiations.

Meanwhile, Mr. Speaker, Canadians saw some spectacular about-turns. On the political scene, I think everybody was amused, but first we were quite puzzled to see the sudden reversals within two major political Opposition Parties in Canada.

• (1340)

You will recall, Mr. Speaker, the unusual sight of the Liberal Members from Quebec gathered for a convention, I think, in Saint-Hyacinthe with Serge Joyal, André Ouellet, Mr. Garneau all finally seeing the light after having rejected Quebecers for 20 years, suddenly feeling somewhat like a

charismatic event in Saint-Hyacinthe, and finally understanding that Quebec had legitimate yearnings and that the necessary efforts had to be made to have them join the Canadian federation. Then Mr. Joyal and the whole group finally woke up and opened their arms to Quebec and said to the federal Government: "Those minimum conditions must be met." For our part anyway, we wondered for a long time what had happened, if there had been a special event or some kind of miracle in Saint-Hyacinthe during that weekend. We have to admit that fundamentally after short reflection, we thought there was some lack of credibility, an incredible about-turn in such a short time. Actually, are we going to complain today? I do not think so. At that time anyhow, we were not going to complain but we said: "They have finally understood,it took them 20 years, but they have finally understood and they will try to have Quebec join the Canadian federation so that the country may begin to build together instead of tearing one another to pieces and trying to reign by dividing. Afterwards as is often the case, the New Democratic Party held its own general convention in Montreal and Mr. Howard Pawley who is the Manitoba Premier was there. As a parody, they had square dances throughout the weekend and discovered they had deep roots in Quebec. They also said to themselves: "We have to be open to Quebec." It was a turn-about just as dramatic as that of the federal Liberal Party except that in their case, they were not in government but in the opposition. They also suddenly discovered the legitimate yearnings of Quebec 20 years after sharing the views of the federal Liberal Party.

Again, Mr. Speaker, we were not going to complain about that as a Party, as a Government. After all we were the ones in 1984 who made that commitment, not them—not Mr. Broadbent, nor Mr. Turner because he had done the opposite in 1984. At that point in their history, they came to join us, they acknowledged, they told us: You were right in 1984, you were right in stating what you stated, Canadian voters recognized it, and because we are reasonable people, we also will recognize the wisdom of Canadian voters.

An Hon. Member: Brian Mulroney's leadership!

Mr. Charest: Yes, Mr. Mulroney's leadership actually which made sure we got there at that point. So the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) and everyone joined the group. Interestingly, as I am trying to remember, the Hon. Member for Saint-Henri—Westmount (Mr. Johnston) had said nothing up to that point. Quite intriguing anyway. They said nothing then. It was perfect solidarity, plain love, everyone was agreeing. Perhaps they were hoping. You will see that one of these days both groups will play tricks on each other, and they will set out on great missions.

Finally, there is another event which we must recall, that is the meeting of the provincial Premiers in August 1986—if I am not mistaken because I do not have the exact dates—the meeting in Edmonton, Alberta, where I recall the formula for the Senate and Senate representation were discussed. That was a turning point in the negotiations and the evolution of the constitutional matter for the following reason: First, Mr. Bourassa and the Prime Minister had agreed on the following. They had agreed that they should contact provincial Premiers and settle a couple of things. First, they would tell them: Look, the next round of negotiations should concentrate on the following matter, the following theme: Quebec's acceptance of the Constitution. This is what the Prime Minister and Mr. Bourassa at the time told the provincial Premiers. They told them: Look, let us try to concentrate on that matter for the time being, otherwise we will never reach any agreement. Never!

Also, the Quebec Premier, who was playing an important game, told them this: Here are the five conditions which we propose for adhering to the Canadian Constitution. At this Conference of the provincial Premiers which was held in Edmonton, the provincial Premiers found that they could live with these five conditions. In other words, Mr. Speaker, on that historical date which, unfortunately, very few people appreciate, the provincial Premiers accepted for the first time to say: None of these conditions is so offensive to us that we could not, as provincial Premiers, negotiate on the basis of these five conditions. Well, I say: Bravo! That was a major step which was taken thanks to the efforts made by the Prime Minister of Canada and Leader of the Progressive Conservative Party (Mr. Mulroney) and those of Mr. Bourassa at the time.

There were then the historical Meech Lake meetings. I do not intend to deal at length with them, nor with the final meeting in the Langevin Block. Nevertheless, I should like to pause a few seconds to make an essential comment which I can summarize this way: As both a Quebecer and Canadian, I was quite surprised to hear the comments made by those who said: Constitutional negotiations should not be carried out with only the provincial Premiers and the Prime Minister of Canada holed up in one room for eight or ten hours, until they reach an agreement. That is not the way it should be done. It should be done in the open, I do not know where. Perhaps these people felt that it should have taken place in a shopping center! We feel it should not have been done that way. Let us not expose ourselves to ridicule, Mr. Speaker. You know, Quebec has seen about sixty years of constitutional negotiations. What happened during the talks at Meech Lake and here across the street in the Langevin Building is certainly no big secret. I do not think any earth-shaking discoveries were made during those talks. After sixty years I think it was only normal to be able to sit down together for a few hours and finally reach an agreement.

I do not intend to waste much time refuting the arguments of those people, but I merely want to say their line of reasoning is ridiculous, and that personally, I think it is all rather ridiculous and redundant.

The result of the two meetings was a unanimous accord signed by the ten provincial First Ministers and the Prime Minister of Canada. That they were able to do so unanimously

was a historic event. The Accord recognized the fact that Quebec is a distinct society, and that is not to everyone's liking. Today there are still people who have trouble with this concept. We on this side of the House do not think anything new was added, aside from official recognition. Mr. Speaker, it is a fact, and everybody recognizes it, that Quebec is a distinct society. Is anyone going to deny that today? Quebec has been a distinct society from its earliest days. One obvious example is that Quebec has a civil code. It is governed by a civil code, based on the Napoleonic Code, unlike all other Canadian provinces which are governed by common law, an entirely different legal principle. Everybody knows that. And what is the Civil Code and what is Common Law? It is the social fabric. It is part of the social fabric. These are rules which govern relations between individuals within a given society. The fact that Quebec has had a civil code based on the Napoleonic Code since it became a province, and ever since it existed as a territory, means ultimately that Quebec is a distinct society.

This fact has been recognized in the Meech Lake Accord. In addition, Quebec is a province where the majority of the population speaks french. However, this did not stop us, quite the opposite, from recognizing the linguistic duality of Canada and the fact, which is new, that each province should also recognize this linguistic duality.

The distinct society clause is an interpretation clause. It is a clause which, in case of any doubt, because when there is a doubt, this is interpreted as a principle of law, can be used to say that Constitution should be interpreted as recognizing Quebec as a distinct society, if ever the question is raised in that context. I do not think that we should go beyond what already existed. We have to be very careful in interpreting such a clause. Its effect is not to reduce existing powers, rights and privileges, and this is stated explicitely in the Meech Lake Accord and other sections of the Charter.

Mr. Speaker, other parts of the Meech Lake Accord also recognize the legitimate claims of Quebec as concerns the appointment of the members of the Superior Court and Senators. Once more, we have to put these matters in the proper perspective. For instance, as concerns the appointment of Senators, what had to be done was to put in a transitional clause which would take into account the political will of the provinces and the federal Government to reform the Canadian Senate. This is what had to be done. I know that some people object to the provinces having a say in the appointment of Senators. However, there is also a provision to have this matter discussed between the premiers and the Prime Minister of Canada at their annual meetings. This transitional clause forces everyone involved, and especially the federal Government, to be open to a major and very needed change as concerns the Senate.

The federal power to spend is probably the issue which distinguishes us most from certain other groups. What was done basically, Mr. Speaker, was to recognize that we have a constitutional agreement and that, at any given moment, the federal Government can sit down with the provinces and say: You will deal with such and such a thing, and we, the federal Government, will deal with such and such areas of jurisdiction. The only thing that was done as concerns the power to spend was to civilize these relations. I never understood why some people would object to the fact that, after agreeing with the provinces and telling them that certain matters would come under their jurisdiction, the federal Government would no longer be able to invade brutally that area of jurisdiction and take it away from the provinces. Yet, some people really object to that. In addition to that, it was not enough, five conditions were imposed for opting out. Here are the five conditions: First, the federal program must apply on a national basis, not only at the regional level. Second, if ever a province wants to opt out, it must also be a shared cost program, that is a program which requires the financial participation of the provinces. Third, it must not be a program which already exists. Fourth, the federal program must relate to a sector which falls under exclusive provincial jurisdiction. Fifth, the province must set up a program or take an initiative whose aims are compatible with the national objectives of the federal program. Well, Mr. Speaker, if some people are offended because we have to respect the Canadian Constitution, I simply cannot understand because, in the end, it is nothing more than that.

My remarks about immigration will not be long, for in fact we are only acknowledging what was already included in the Constitution since 1867 on the first hand and, on the other, an agreement with the provinces which has been there all along for 16 years already, among others the Cullen-Couture agreement with the Province of Quebec, in force since 1977, I believe. The amendment formula, admittedly difficult particularly for certain territories, is compatible with the way a federation must operate, and it can always be reviewed by future constitutional conferences.

The implications of the Meech Lake Accord are that Canada, the federal Government along with the provinces will have to look at the following issues: the Senate, the fisheries, for instance, the Natives who today, by the way, are left out of the Constitution because they did not get the self-government they were asking for, and since we must tell the truth at some point, that was because indeed Quebec refused to take an active part in federal-provincial conferences.

If the whole truth is to be told, Mr. Speaker, today is the day. That is the reason why our native people did not get what they wanted at that point.

I know that my time is running out, Mr. Speaker, I only need a few minutes and I would ask the House for leave to use a few extra minutes in other to conclude my comments.

Some Hon. Members: Agreed.

Mr. Charest: In conclusion, I would like simply to comment on the way this debate has taken place. I am referring for instance to my friends from the Liberal Party of Canada, and

it is my view that they will have to make up their minds today and in the coming days, yes, they will have to decide what kind of country they want exactly. Because, all in all, that is the question.

For us those debates are not easy ones. No one would claim this is an easy debate. I am sitting here on this side of the House with 200 other Members, and for us in our party, those were not always easy matters. We will be frank, since this is the time to be frank.

Moreover, I know that in the New Democratic Party it has not always been an easy debate either. But in politics, there are things that are acceptable and others that are not. I will tell you one thing that is not acceptable, and that is refusing to take a position. Mr. Speaker, we were elected to make decisions, good or bad, and we must take positions. And each one of us has a basic obligation to the Canadian voters at large and to our own constituents. It is an obligation to speak out and say, as elected representatives, on which side of the fence we stand. If you vote for me, I will do this or that, or I will certainly not do this or that. That is the minimum obligation for all politicians whatever their political stripes. Mr. Speaker, there is nothing so cowardly for a political party or a Leader to say: I abstain. That is acting cowardly indeed. And the most glaring act of cowardice I have ever witnessed since I became involved in politics was the behaviour of the Federal Liberal Party of Canada within the Joint Committee of the Senate and the House of Commons when it declared itself in favour of abstaining. In my opinion, Mr. Speaker, it would be difficult to forgive a political party for behaving in such a reprehensible way.

As you know, it is possible to make mistakes. But for a political party to say that it is abstaining for reasons of expediency is outright unacceptable.

Moreover, they said: We are going to move amendments the effect of which will be to cancel the Meech Lake Accord; then we will vote in favour of the Meech Lake Accord. Then, they turn around and say that, when the time comes for the next federal election, their party platform will include the amendments they are suggesting today, the effect of which would be to cancel the Meech Lake Accord. Well, we will see. That is what you are saying. I should like to see the Members of the Liberal Party of Canada generally, and especially those from Quebec, stand up and confess that openly, as their Leader did on *The Journal* television program. Because that is exactly what he said!

Well, you had an opportunity to declare yourself in favour of Quebec joining Confederation and you let it pass. Now, Mr. Speaker, we will be able to see who are those among that party who will have the individual fortitude to stand up for Quebec and Canada!

• (1350)

[*English*]

Mr. Deputy Speaker: I will give the Hon. Member for Trinity (Miss Nicholson) 30 seconds and the same to the Minister. Debate must end at two o'clock.

Miss Nicholson (Trinity): Mr. Speaker, I was rising in debate, not to ask a question.

Mr. Deputy Speaker: It being two o'clock the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

Mr. Cassidy: Mr. Speaker, on a point of order. When I agreed to the extension requested by the Minister, I did not realize my colleague from St. John's East had been seeking to make a short comment on his speech. Perhaps the House would agree to that before we call it two o'clock.

Some Hon. Members: No.

Mr. Deputy Speaker: There is not unanimous consent.

• (1400)

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

PARLIAMENT HILL

PROPOSED ERECTION OF STATUE OF QUEEN ELIZABETH II

Mr. Bill Tupper (Nepean—Carleton) moved:

That, in the opinion of this House, the government should consider the advisability of commissioning the structure of a statue of Her Majesty, Queen Elizabeth II, to be placed on Parliament Hill in commemoration of the thirty-fifth anniversary of Her ascension to the Throne.

He said: Mr. Speaker, I am delighted this afternoon to rise in the House and speak in support of the motion. I hope that in the time available to me I will be able to persuade you and my colleagues on the merit of this motion.

Before attempting to make the case for the motion before us, I want to express my appreciation for advice, encouragement and material which I have received from William A. Smy, a constituent in Nepean—Carleton, from Albert Bousfield, editor of *Monarchy Canada*, the Monarchist League of Canada, the Royal Canadian Legion, the United Empire Loyalists, the endorsement of a very significant number of municipalities and the encouragement of many members of this and the other place who have written to me in support of this motion. I welcome that. I acknowledge that I incorporate many of their comments into my presentation this afternoon.

In particular, I welcome the support of the Minister of Public Works (Mr. McInnes) who has indicated that Members might wish to consider marking this event. He stated in a letter

which he sent to a fellow Cabinet colleague on July 24, 1987: "Support for this initiative is welcomed."

Some Members might have a question about the protocol of raising a statue to a living monarch. This is dealt with rather explicitly in the report on commemorative statutes to Canadian Prime Ministers and other commemoratives to other eminent Canadians, issued by the Minister of Public Works to Parliament. Section 6 of that report, entitled "The Monarchy", states:

> 1992 will mark the 40th Anniversary of Her Majesty's reign. No other monarch has served as long since the country came into being in 1867. The practice of raising commemoratives only to deceased people has not applied to monarchs. Hon. Members might wish to consider marking this event.

Canadians have a special attachment to the monarchy and especially to Queen Elizabeth II. No monarch since Victoria has engendered such respect and affection, and very special bonds have developed and exist between Elizabeth II and Canadians. It is because of this remarkably special relationship that I hope I and others can persuade the House on the merits of the motion under consideration.

On February 6, 1952, Elizabeth II became sovereign. One year later, this House, through the Canadian Royal Style and Titles Act, named Elizabeth II as Queen of Canada. Her proper title now is "Elizabeth II, by the Grace of God, of the United Kingdom, Canada and her other realms and territories, Queen, Head of the Commonwealth and Defender of the Faith".

The Queen's main occupation and the one for which she was rigorously trained, is to be constitutional head of state for Britain, Canada and 16 other countries. On April 31, 1985, the Queen became the monarch who has reigned longest over Canada since Confederation.

Queen Elizabeth II has been enormously successful as an institution of government and as a working official. Our system of government, put in place in 1867, and involving the monarch as head of state, together with the House of Commons and the Senate, is one of the most stable, most democratic and least costly in political history. And it works.

Elizabeth II has a reputation among senior statesmen as one of the best informed and most sensible public servants at that level in the world. Many regard her as the most effective statesman of our time in Europe.

Elizabeth II is a very charming person, who inspires affection along with respect. Why has she been so successful? Why do Canadians and others have so much respect for her? What has she done to earn that respect?

One of the principal reasons for her popularity and the respect people have for her is because her interests reflect those of her subjects. She is an acknowledged expert on art, history, politics, and on animals, particularly horses. Before attending a conference, or visiting a country, she studies intensively the history and interests of those whom she will meet. She frequently invites people for luncheon meetings, including artists, scientists, and politicians, in order to discuss contemporary issues and their work.

The Queen has fostered the growth of Canadianism. By assuming the separate title "Queen of Canada" in 1953, she allowed Canadians to realize the dream the Fathers of Confederation had for the Dominion of Canada. In 1962, at her own initiative and wish, she adopted a distinctive personal Canadian flag. In 1965 she proclaimed the national flag of Canada. In 1967, the Order of Canada was established by her authority and with her personal approval. Her presence at the proclamation of the revised Constitution in 1982 turned the event from a politically controversial one into a national celebration.

The Queen has been a great unifier of a diverse Canada. Long before the Official Languages Act was thought of, the Queen spoke in both English and French in all parts of this country. I was particularly touched by a speech which she gave in the Province of Quebec during her visit to Canada at the time of the Olympics. I want to quote what she said:

> How Canada resolves her political and constitutional differences is her own affair; but how she resolves her linguistic and cultural problems matters to thoughtful people everywhere. The world, all too familiar with the tragic price of conflict between people of different race, language, religion and culture, can look to Canada for a better example, and for a renewal of the human spirit. It can look to her for a practical demonstration of how two strong communities can live together in peace, drawing from each other's strengths, respecting each other's differences.

Her 15 tours and stays in Canada were in 1951 as Princess, 1957, 1959, 1964, 1967, 1970, 1971, twice in 1973, 1976, 1977, 1978, 1982, 1983 and 1984, as well as four stop-overs. As a result of those visits she has brought hundreds of small Canadian communities and groups which ordinarily go unnoticed to national and often international attention.

As the personification of our history, she has presided over and endured the success of numerous Canadian anniversaries and national occasions. They include the centenary of the Confederation Conference in 1964, the centenary of Confederation in 1967, the provincial centenaries of Manitoba in 1970, British Columbia in 1971, and Prince Edward Island in 1973, and the bicentenaries of Ontario and New Brunswick in 1984. She opened the St. Lawrence Seaway in 1959 and the Montreal Olympics in 1976. In 1983, from Vancouver, she invited the people of the world to visit Expo 86. That was a proud moment. She opened Parliament in 1957, the first monarch to do so, and again in 1977. In 1967 she addressed both Houses.

• (1410)

The Queen's personal qualities have continued to inspire Canadians individually and nationally. This has been an immeasurable contribution to Canadian life over nearly 36 years. The Queen's example encourages many, many people to emulate her virtues in their own lives and in their work. Duty and service have been pre-eminent among her personal qualities. She has always put her country ahead of herself. Her constitutional behaviour has been impeccably correct. Because

of this she has brought prestige and credibility to our system of government which, as democratic systems tend to do from time to time, commonly creak. She has been a stable person during a long voyage.

The Commander in Chief of the Canadian Forces is vested in the Queen, and her Majesty has performed three vital services for Canada in this area. First, the Queen has been the focus of loyalty for the Armed Forces, ensuring the military is an agent for and not a master of the state. Second, the Queen has brought proper attention to the forces as a link between them and the people. For instance, in 1984 her Majesty presented a guidon to the historic Queens York Rangers, the first American regiment, in a moving ceremony in Toronto. The Queen's presence drew 50,000 people to the event. These people, frankly, would not have otherwise paid tribute to and learned about that great Canadian regiment.

Finally, as Captain General or Colonel in Chief of the Royal Canadian Artillery, the Canadian Guards Regiment and numerous other regiments and branches, the Queen has always taken an active interest in the lives and concerns of the men and women responsible for defending this country.

As the fountain of all honour, the Queen has played a major role in bringing national and international attention to deserving Canadians. Throughout the 1970s and 1980s, the Queen approved the establishment of distinctly Canadian bravery and service distinctions. The Queen thus fostered and brought recognition to public and voluntary service in Canada, making Canada a better place in the process.

The Queen has fostered the genuine multicultural character of Canada. She herself is a living testimony to the value of multiculturalism. She herself has in her immediate or distant background nearly 30 different ethnic strains and she is the personification of what Canada is as a country.

Her visits to many different ethnic groups in Canada for festivities and celebrations have helped both to enhance the culture of these groups and to integrate them more fully into the Canadian context. Among the more memorable of such visits were those to the Acadians in Prince Edward Island in 1973, the Ukrainian-Canadians in 1978, the Chinese-Canadians in 1983 and the Italian-Canadians in 1984. The Queen's involvement in the 1984 Loyalists celebrations also had a multicultural dimension because the Loyalists of the 18th Century were white, Indian and black.

The Queen's contribution in this area of Canadian life is nowhere better seen than with the native peoples. In 1970 at The Pas Indian Reserve, she created an opportunity for the Indian people there to gain a public hearing for the injustice they feel they have suffered at the hands of the Government. In 1976 the Queen received a much publicized delegation of Alberta Indian Chiefs representing Treaty Area 6 and Treaty Area 7 at Buckingham Palace. Most moving of all was her 1970 visit to the Inuit at Resolute Village. "Thank you", she said to those too shy to approach her, "for being just the way you are". The Queen has seen genuine Canadian multiculturalism as a pattern for other countries.

Perhaps the Queen's greatest contribution has been to provide the Canadian Government with a human face, allowing Canadians to be truly a national family. No one can doubt her personal commitment to Canada and to its people. When she proclaimed the revised Constitution in 1982, she declared:

> There could be no better moment for me, as Queen of Canada, to declare again my unbounded confidence in the future of this wonderful country.

In short, the Queen has succeeded in raising the Canadian Monarchy to heights undreamed of by Queen Victoria.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, as the Hon. Member for Ottawa Centre, I thought I should speak in this debate because, among other things, my constituency includes the precinct of Parliament Hill. I congratulate my colleague and neighbour, in political terms, the Hon. Member for Nepean—Carleton (Mr. Tupper), for his intervention and his advice to the House.

The motion calls for the Government to consider the advisability of commissioning a structure of a statue of Her Majesty, Queen Elizabeth II, to be placed somewhere on Parliament Hill. I would like to discuss, not to take issue with the comments made by the Hon. Member with respect to the Queen's accomplishments. I would give her credit now for having been prepared to speak out as boldly as she has with respect to the deplorable situation in Fiji, giving her support, for the Governor General, as the only constitutional authority in that country.

The parliamentary system we have is an unusual one. I know the Queen has in fact been very conscious of her responsibilities to the Commonwealth and I believe she has played a great role as a rallying force within the British Commonwealth, something that no one could really have anticipated developing the way it has over the course of the last 30 or 40 years.

When the Queen came to office in the early 1950s as a young woman, almost all of what is now the Commonwealth, apart from the old Dominions, were in colonies of the United Kingdom. Now we have a situation where that is completely reversed. There are only a handful of colonies left and, for the most part, these are all independent countries which find a common bond together in British institutions and in the Queen as the symbolic head of the Commonwealth.

The question is does this contribution justify making an exception and having the statue of someone who is alive commissioned now for placement on Parliament Hill? Our country acknowledges our membership in the Commonwealth, but acts as an independent country. In fact, the British link, although it has been fond and strong in the past, is diminishing. Do we in fact want to embark on a tradition that we should continually have statues of our Monarchs in various places on Parliament Hill?

We have a statue of Victoria just over to the west of the Chamber, and I think it is appropriate because Victoria is the Monarch who was in office at the time Canada achieved its independence. It may be that in a few years time, sometime in the next century, perhaps, it will be deemed appropriate to put a statue of Elizabeth on Parliament Hill, as she was the Monarch who was in power at the time Canada acquired its own Constitution and severed the last remaining legal link with Great Britain, given the fact that we appoint our own Governor General and we are otherwise independent. That is a possibility. But should we do this now? If we should do it now, on what basis should we make the decision?

• (1420)

I was concerned the other day when Conservative Members of the House discouraged or blocked the efforts of the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) to have the Government erect a statue of Lester B. Pearson, a Prime Minister of this country, a Nobel Prize winner, an eminent under-Secretary of State for External Affairs, a man with a distinguished diplomatic and political career in Canada, around the precincts of Parliament Hill to accompany the statue of John Diefenbaker which is now sitting between the West Block and the Centre Block.

But the fact is that that is a kind of an *ad hoc* approach. The parliamentarians of the day may lean to have a Pearson one day or a Diefenbaker another day. They may lean to have an M. J. Coldwell or a J. S. Woodsworth as people who were eminent leaders of the New Democratic Party. But I am not sure if I am very happy with that creation of *ad hocery*. I suggest that it might make sense to think through exactly how we do this in order to ensure that Parliament Hill is not, on the one hand, overwhelmed with statuary and, on the other hand, that what statuary we put up here makes sense for an area which has enormous symbolic significance for Canadians from coast to coast.

[*Translation*]

I want to say that Parliament Hill is an historic and symbolic site for all Canadian men and women. That is why we must stop, Mr. Speaker. Instead of simply making *ad hoc* decisions on the statue issue, perhaps we could consider setting up a Parliament Hill Commission to decide such issues. I suggest that we should insist that no more than one or two statues are erected on the Hill every decade. I do not feel we should adopt a tradition whereby all Canadian Prime Ministers should be "commemorated" on Parliament Hill.

[*English*]

I would ask my colleague this, even though he is a good Conservative. Would he agree with me that if it is appropriate to have a statue of John Diefenbaker on Parliament Hill, do we also, after his death, and I do not wish it to come soon, anticipate having a statue erected of the present Secretary of State for External Affairs (Mr. Clark). If the present Prime Minister (Mr. Mulroney) only lasts one term in office, and it is a possibility, and if he then leads his Party to a devastating defeat, which is a possibility, would we then anticipate that there should nonetheless be a statue erected of the present Prime Minister, the Hon. Member for Manicouagan, because he did at one time lead the largest parliamentary majority in Canadian history? Again, I would have some doubts about that.

At what time will Canadians be able to reconcile their feelings about the man to come to the point of accepting the possibility of a statue of the former Prime Minister, Pierre Trudeau, that it might at some point live on Parliament Hill? I see some of my Conservative friends are chuntering a bit in expressing certain reservations.

In other words, these decisions are difficult to make. It is not good to make them while people are still alive. I think that we should have some more orderly way of making these decisions rather than making them on the kind of *ad hoc* basis that is being considered here.

I would also suggest that it may well be that other Canadians should be commemorated and not just people who are monarchs or people who are Prime Ministers. We have one or two examples of that already in different places on Parliament Hill, including the statue commissioned by Mackenzie King of the boy who is just outside of the parliamentary precinct on Wellington Street.

I mention J. S. Woodsworth, that great Canadian and the founder of my Party, and a Member of this House for many, many years. I mention the name of Norman Bethune, a national hero in China although he is a Canadian, but a hero of enormous repute in the People's Republic of China, a country which will grow of increasing importance to this country.

I would mention Georges Vanier, a distinguished soldier, distinguished diplomat, distinguished Governor General of our country, a man who embodies all of the finest traditions of French Canada. After seeing the games of a couple of weeks ago, I mention Wayne Gretzky, probably the finest hockey player that we have seen in this country for this entire century. Perhaps in a few years Jeanne Sauvé as the first woman Governor General of Canada since she became Governor General of Canada will have a statue erected in her honour, before a woman becomes Prime Minister of Canada.

In other words, we should not confine ourselves to only monarchs and Prime Ministers. I think we should beware of an *ad hoc* approach that says, well, because a person has been distinguished in her role as monarch we should therefore automatically feel that now that she is alive there should be a statue of her here. In fact, Mr. Speaker, if one asked the Queen, "Do you want a statue of you erected on Parliament Hill?" She might well say, "Perhaps there are other ways in which my interests, which are genuine, can be commemorated and marked". I am not sure if that is true. But that is certainly also a possibility.

I believe that statues are decorative and that they enliven and embellish any community, particularly a capital. I think that the National Capital Commission should be asked to give more attention perhaps to the municipal authorities here to statuary that would go not just on the parliamentary precinct but elsewhere in the community. I think that some of the people whose names I have mentioned might in fact find statues of themselves elsewhere, such as we have done for example with the Terry Fox statue which is located near the Conference Centre.

Those are a few thoughts on this particular motion. I would ask my hon. friend and his supporters in the Monarchist League to recognize the context in which I give these remarks. It is not by any means at all to diminish the service that Queen Elizabeth has given but to suggest that we as Canadians who are responsible for leaving a parliamentary precinct which is symbolic of Canada should be very careful about how we seek to decorate that, whether it is with statues of Prime Ministers, of monarchs or of anybody else.

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): I want to say a few words about the motion before us today to commission a statue on Parliament Hill for Her Majesty Queen Elizabeth II. I want to say that as a person who grew up in Victoria County, Ontario, a county that was named after Queen Victoria, I lived in a community that related very closely to royalty and monarchy and all those institutions that preceded a growth of Canadian national spirit in Canada after World War I and particularly more so after World War II.

I wonder how many statues we really can put on Parliament Hill over a period of time. The reason why I think Queen Elizabeth II is a very important part of that growth or development of our historical background on Parliament Hill is that Canada has been a nation that has related broadly to the peoples of the world. We have a tremendous image as a nation in the eyes of other nations of the world. Queen Elizabeth II has, without exception, related to those many national interests and the cultural development and reality not only of the nations of the Commonwealth but, indeed, she was broadly read on many other cultures and nationalities throughout the world.

I can recall very well teaching school in a small community back in 1952 when she became our new Queen. During the course of that year it was requested that schools put on special events to commemorate the new monarch. I can remember as principal of the elementary school at Harlowe, in the northern part of Frontenac County, in that particular year we got together with other communities on the Highway 41 corridor, such as Kaladar, Cloyne, North Brook, Flinton, and I believe we had some discussions as far north as Denbigh, and we had a big field day. That was tremendously well attended in commemoration of the ascension to the Throne of Queen Elizabeth II.

• (1430)

We know that there are areas in Canada today where the monarchy is not as popular as others. We recognize it as part of our background history. Indeed, Queen Victoria was consulted on the location of these very Parliament Buildings. It was through her that Ottawa was chosen. Therefore, rightly so, she has a very prominent place on Parliament Hill.

It is important to note that Queen Elizabeth holds a position that is respected by history. She is respected because of the person that she is. In the future there may well be another individual who does not play the role as courteously and effectively. The reason why the monarchy has declined somewhat over the years is because of monarchs coming to the Throne who did not have those personal qualities to relate to the people whom he or she represented. To illustrate that point we can go back to the reign of James I, Charles I, and Charles II.

On a six day visit to London, England, with the NATO parliamentarians, the Queen had a reception at Buckingham Palace for all the delegates and the staff of the delegations at Buckingham Palace. That day the Queen and Prince Philip came over and stood in the middle of the Canadian delegation and spoke with us at some length in common everyday discussion. That is the type of thing that gives a real insight into the person. The Queen and Prince Phillip are people who have the capacity to relate to all the members of the Commonwealth, and indeed to many other people in the world.

She was here for the signing of the 1982 Constitution Act. She has visited Canada on many occasions. Indeed, she opened this Parliament.

The fact that she has been on the Throne for a long time, as Queen of Canada and the Commonwealth, she has indeed earned her a role in the history of our nation.

I want to say a word to the Hon. Member who has proposed this motion. At this time it must be brought to the attention of the House and to the people of Canada that while we relate very well to Queen Elizabeth II and the tremendous role that she has played as a mediator in disputes in the Commonwealth, and taken very strong stands, as she recently did on Fiji, our thoughts go back to the debate in the House when the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) brought in a Bill to commemorate the Right Hon. Lester B. Pearson, and have a monument to him on Parliament Hill. I would remind the Conservative Member who has proposed this motion, and others in the House, that when the Bill went to committee, the Conservative Members on that committee referred that Bill to the National Capital Commission for further study for sites of and on the Hill. Imagine that type of partisan politics coming into the commissioning of a statue on Parliament Hill for a former Prime Minister of Canada? Not only was Mr. Pearson a former Prime Minister of Canada, but he was a man who probably had the greatest record as a Secretary of State for External Affairs in the history of this country.

Mr. Turner (Ottawa—Carleton): After Joe Clark.

Mr. Hopkins: In that debate on the Private Member's Bill to erect a statue on Parliament Hill for Lester B. Pearson, the Conservative Members referred it to the National Capital Commission for further study to decide whether the site would be off the Hill or on the Hill. I take great exception to that. There should be no partisanship in this type of role at all.

Queen Elizabeth has brought a great attitude of responsibility and great dignity to the office she holds. We have no objection to having a statue on Parliament Hill when she has played such a role in Canadian affairs for such a long period of time.

I do not think it was properly mentioned today, but someone did mention that Queen Victoria was in office from 1837 to 1901. She came through some pretty horrendous periods. In 1837 there was a rebellion in Upper Canada, and a rebellion in Lower Canada. In the 1850s there was the Crimean War. Every time there is an international war we have internal problems in Canada. In 1885 there was the western Canada rebellion. In 1899 to 1901 there was the South African war. That created another internal problem in Canada. Monarchs have helped along the way to smooth these things out, and it important to recognize that.

In conclusion, I wish to say that in expressing our admiration for the tremendous role that Queen Elizabeth II has played, we certainly have no objection to having a statue of her on Parliament Hill. At the same time, I will not agree to having a site for a Canadian Prime Minister off Parliament Hill. I do not care from what Party they come.

Mr. Daubney: You already have one off Parliament Hill, Louis St. Laurent, and you put it off Parliament Hill.

Mr. Hopkins: Any statues to be commissioned in the future should be located here where the centre and the pulse of the nation is.

Mr. Daubney: You set the precedent.

Mr. Hopkins: Let us not play politics with these things. Perhaps there should be a special commission to advise Cabinet on these matters rather than throwing them out for partisan debate on the floor of the House of Commons. With us in the case of Queen Elizabeth II there is no partisan debate. I want to make that very clear.

An Hon. Member: Hear, hear!

Mr. Hopkins: There certainly is when Members opposite attempt to kill a Bill for a former Prime Minister of Canada, at a time when the Liberal Party of Canada totally agreed that the statue should be erected on Parliament Hill in honour of the Right Hon. John Diefenbaker. I knew that man well, and I agree that he belongs there. But I also wish to put forward in the strongest terms that any statue of a Canadian Prime Minister should likewise be here on Parliament Hill. We should not have partisan politics about that.

Mr. Daubney: Did you tell Trudeau?

Mr. Hopkins: The Hon. Member for Ottawa West (Mr. Daubney) is shouting across. I wish to say to him that is not unusual at times.

Mr. Deputy Speaker: Order, please. The Hon. Member for Erie.

Mr. Girve Fretz (Erie): Mr. Speaker, I am pleased to have this opportunity to rise and speak in support of the motion introduced by my colleague, the Hon. Member for Nepean—Carleton (Mr. Tupper) to erect a statue of Queen Elizabeth II on Parliament Hill in commemoration of the thirty-fifth anniversary of her ascension to the Throne.

My appreciation for the monarchy springs from my family's love for our kings and our queens. In the early 1700s German farmers were offered free land in Pennsylvania and thousands took up the offer. Thus it was that my roots were transferred from Germany to Pennsylvania and then to Ontario.

• (1440)

In doing so, these new immigrants signed an oath of allegiance to the monarch of the day. After the American revolution this allegiance caused many of them to uproot themselves and to come to our shores. My history book informs me that my forefathers crossed the Niagara River in the year 1800, with the aid of friendly Indians, and settled along the shores of Lake Erie.

I believe our Queen is someone very special to Canadians. To us she is more than our ceremonial head of state, a responsibility in itself, for as we all know she is the guardian of our democratic Constitution that ensures the rights of liberty and of self-government for all Canadians.

I can remember the day of her coronation on February 6, 1952, when she succeeded to the throne as Queen Elizabeth on the death of her father, King George VI. Still young, with poise and confidence, she assumed the mantle of her responsibilities wholly and willingly.

I remember with pride, in the year 1939, as a boy of 12 years of age belonging to a bugle band and going to Niagara Falls, Ontario because King George VI and his Queen were to be there. I was privileged to be with that small bugle band from my town, to line the street, and to play as our Queen's mother and father went by.

As I speak today, Canadians have not been disappointed in their Queen. Rather, they have watched her with pride and admiration fulfil her role and duties with dedication and with diligence.

I suppose for a monarch, especially for the Queen, it has not been easy, balancing a fine line of preserving historic traditions and keeping pace with the mores of the present. Too many

times we have let traditions in our country slide. Too many times we have erased or removed them. The Queen has adapted her role of a constitutional monarch to suit the needs of the Commonwealth citizens she serves so capably. Constantly she and her royal family remain in the public eye, but, while accessible, she retains the aura of dignity and statesmanship that her office must uphold.

Of the Queen's interest and commitment to serve Canada and its people, it is absolute. In 1957, she was the first reigning monarch to open Parliament in Ottawa. No previous monarch has been in Canada so often or in so many parts of it. No previous monarch has had anything like her knowledge of our country and its affairs.

As early as 1951, when we knew her as Princess Elizabeth, her attachment to Canada was clearly stated:

> From the moment when I first set foot on Canadian soil the feeling of strangeness went, for I knew myself to be not only amongst friends, but amongst fellow countrymen.

Her feelings strengthened when as Queen in 1957, in the first solo television broadcast of her life, she said:

> Industry and commerce may bring wealth to a country but the character of a nation is formed by other factors. Race, language, religion, culture and tradition all have some contributions to make, and when I think of the diversity of these factors in Canada today and the achievements that have grown from their union, I feel proud and happy to be Queen of such a nation.

We are proud to have her as the Queen of our nation. She has proven over and over again how valuable her counsel and her experience can be. She has done much not only to foster unity within the Commonwealth family but in her role as our Queen to assist in assuaging and bringing together the diverse factors and elements within Canada.

In her address to the Quebec Legislature in 1964, she recognized the turmoil which the Province of Quebec was undergoing. She stated in French:

> A dynamic state should not fear to assess its political philosophy.

Clearly to my mind that statement relieved a great deal of pressure.

To cite another example, it was Her Majesty who did as much as anyone by touring our Canadian North in 1970, thereby attracting the recognition of our claim and sovereignty to the world.

On Canada's ninety-second birthday, in a broadcast from Government House she said:

> If I helped you to feel proud of being Canadian, if I have reminded you of the strength which comes from unity and if I have helped to draw your attention to the bright vision of the years ahead, I shall feel well satisfied because I believe with all conviction that this country can look to a glorious future.

How often have Canadians made her Christmas broadcasts a major part of that very special day? Her comments she can make to us as a part-time player and observer and to remind and encourage us to remain steadfast to our Canadian ideals and Canadian values.

I have mentioned her desire to be accessible to those whom she serves. She is no doubt the consummate public servant. She has made her walkabouts a very special feature of her Canadian tours whenever she visits our country. She has set the standard for her family, equally willing and popular in their own right, to follow in her lead.

Moreover, she is as well the patron of various associations such as the Canadian Red Cross Society and many others too numerous to list. In this way I believe she has attempted and succeeded in instilling a link with Canadians, to show that the Crown is not merely an abstract symbol of our unity but a personal and living bond between her and her subjects.

Outside her immediate obligations to Canada, she has been a statesman acting for Canadian interests at the international level. As head of the Commonwealth, her position is a vital link with other nations within the Commonwealth family. She takes on this responsibility seriously, for she realizes the importance of human relationships in world affairs and how membership in the Commonwealth has a subtle influence on the relationship between its leaders.

How often has she been relied on to act as the mediator between conflicting schools of thought? How often, with skill and diplomacy, has she been able to resolve differences or to allow time for a breathing space for such controversies to be aired?

Unlike the changing faces of government, she remains constant. For 35 years, because of her interest and dedication to international affairs, she has become a repository of unique knowledge, advice, and encouragement to all who seek her confidence.

When I speak of our Queen, Queen Elizabeth II, I speak of a strong, courageous, and charming individual who has delighted and honoured Canadians by her love and attention to our needs. We are indeed fortunate to have her as our Queen.

Therefore I would encourage the House to give its unanimous approval to the motion of my colleague.

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, I should like to congratulate the Hon. Member for Nepean—Carleton (Mr. Tupper) for moving this important motion and for giving Members of Parliament an opportunity to speak on an issue which is close to the hearts of all of us, to the hearts of all Canadians.

We live in a country which is known as a constitutional monarchy. We live in a country which has as its head of state, Queen Elizabeth II. She has been Queen for more than three decades and has led the Commonwealth through many difficult periods and has led Canada through very difficult times.

• (1450)

My understanding of a constitutional monarchy is a country in which democratic principles, including freedom of speech

and the right to elect people to legislative assemblies, are widely accepted. That principle has been defended in successive world wars by citizens of Canada.

We owe much of what we value to the evolution of democracy in the United Kingdom. The Magna Carta of 1215 is one of the documents on which the western world bases its concept of democracy. The United Kingdom evolved into a democracy over centuries. We, as a young country, have benefited from the evolution of democracy. We borrowed it at a mature stage. The United Kingdom evolved from a feudal system to its present totally democratic system.

The United States has also benefited from this evolution. It borrowed from the United Kingdom the basis for its democratic system which is a great contrast to the evolution which has taken place in many other countries. In communist countries evolution took place to the point of semidemocracy but then regressed. Communist regimes suppress the liberties and freedoms of their citizens. Certain other countries are not beneficiaries of the British democratic traditions. Some of the so-called developing countries of Africa are controlled by military dictatorships. That situation will probably exist until a revolution or other types of civil disobedience takes place.

We saw the toppling of the Marcos Government in the Philippines. We see the struggle taking place in Central America today, particularly in Nicaragua. The Somoza Government was overthrown several years ago only to be replaced by another dictatorial and undemocratic government. Popular movements do not always result in democracy and it is not uncommon for governments in these developing countries, once in power, to regress to a unilateral type of government system. We have not had that experience in Canada. For successive generations Canadians have enjoyed a democratic system.

When I think of placing on Parliament Hill a statue of Queen Elizabeth II to commemorate the thirty-fifth anniversary of her ascension to the Throne, I think not only of her role in preserving our democratic traditions, our constitutional system of government, but also of the way in which the monarchy has adapted, changed, and responded to the political realities of the United Kingdom. I think of such a statue as a symbol of our democratic traditions, as a reminder to us all that in the United Kingdom and in Canada we have had a peaceful evolution of democracy.

In that regard we stand apart from many countries of the world whose histories and/or present-day life are marred by civil war. In many ways we are light years ahead of some of our sister countries in which the thought of a Chamber such as this to which elected officials can go to express their opinions and those of their constituents is only a dream.

That is what I think of when I think of a statue to honour Queen Elizabeth II. I am sure that the Queen represents those values to people throughout the Commonwealth. Her constituency is far broader than only Canada. The Queen has performed her duties at all times with great sensitivity and responsibility. She has endeared herself to all of her constituents throughout the Commonwealth.

In conclusion, I once again congratulate the Hon. Member for Nepean—Carleton for this important initiative. I look forward to the day when a statue of Queen Elizabeth II will be unveiled here on Parliament Hill.

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my colleague and political neighbour across the Rideau River, the Hon. Member for Nepean—Carleton (Mr. Tupper), has suggested that a statue of Her Majesty Queen Elizabeth II should be erected in the near future on Parliament Hill. My colleague referred to the tremendous support he has received from the Monarchist League of Canada and other provincial, national, and, I would think, international organizations.

It is very appropriate that we should discuss this motion today as we also debated today, as we have all week, the future of our Constitution. It is appropriate that we should discuss the foundations and fabric of our country on the same day that we debate this motion to erect a statue of Her Majesty.

I have a very vague memory of Princess Elizabeth that day when she was in Kenya and her father died and she became the Queen of the Commonwealth, the Queen of the United Kingdom, and the Queen of Canada. I was only six years of age at the time but my memory has been refreshed many times over the years by newsclips. That young princess went on to become a great monarch.

I have travelled throughout most of the Commonwealth and have recognized, not only the importance of Canada's role within that community of nations but the Queen's role as well. Whether in Africa, Asia, or the Caribbean she has shown and continues to show tremendous leadership, as has our Prime Minister (Mr. Mulroney). We are all very proud of our past, our traditions, and our ties with the United Kingdom.

I realize that the time for debate has come to a close for today and I respectfully request to continue my remarks when the motion next comes before the House.

Mr. Deputy Speaker: The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 36(2), the order is dropped to the bottom of the list of the order of precedence on the Order Paper.

It being 3 p.m., the House stands adjourned until Monday next at 11 o'clock pursuant to Standing Order 3(1).

At 3 p.m. the House adjourned.

HOUSE OF COMMONS

Monday, October 5, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

TRADE

CANADA-UNITED STATES COMPREHENSIVE TRADE AGREEMENT—STATEMENT BY PRIME MINISTER

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I rise to report to the House on the outcome of the Canada-U.S. trade negotiations. I am pleased to inform the House that we have concluded an agreement in principle for a comprehensive trade agreement between Canada and the United States of America.

Some Hon. Members: Hear, hear!

Mr. Mulroney: Mr. Speaker, this is good news for our country, and good news for our people. The agreement responds to our needs and conforms to our requirements. It meets the objectives we set for Canada when we entered into these negotiations.

On September 26, 1985, Mr. Speaker, now more than two years ago, when we formally undertook this initiative I told the House that, and if I may quote from *Hansard*:

> Our political sovereignty, our system of social programs, our commitment to fight regional disparities, our unique cultural identity, our special linguistic character—these are the essence of Canada. They are not at issue in these negotiations.

That is what I said two years ago and, Mr. Speaker, this agreement delivers on that pledge exactly.

Some Hon. Members: Hear, hear!

Mr. Mulroney: These vital questions were not and are not affected by the negotiations.

[*Translation*]

On the same occasion, Mr. Speaker, I also said:

> "Economics, geography, common sense and the national interest dictate that we try to secure and expand our trade with our closest and largest trading partner".

Mr. Speaker, we now have this tool that is so essential to our prosperity.

This Agreement reflects respect for the integrity of the Canadian people and a determination to give Canadians a more prosperous future.

We embarked on this initiative with a number of important goals in mind. Our main objective was to conclude a mutually beneficial and binding agreement that would guarantee and expand access to U.S. markets for Canadian exporters and would also have the effect of eliminating trade barriers between our two countries. That is exactly what we have done.

We wanted to make our trading relationship with the United States more secure and more predictable, and the Agreement does that. We wanted a gradual phase-out of tariffs between our two countries, and the Agreement does that. We wanted rules that would regulate the important areas of government services and procurement, and the Agreement does that.

[*English*]

We wanted an agreement that guaranteed fair and impartial application of U.S. trade remedy laws, and this agreement does all of those things.

Some Hon. Members: Hear, hear!

Mr. Mulroney: Experts in the area of international trade have been commenting since yesterday that this is the largest trading agreement ever entered into between two sovereign nations. We have agreed to the following measures that will expand opportunities for Canadian exporters and secure access in the world's largest two-way trading relationship: a phase-out of all tariffs between the two countries by the end of 10 years; creation of a unique dispute settlement mechanism with binding powers, one that guarantees predictable and impartial rules of the trade relationship—this is something that Canada has needed, this is something that Canada has achieved—freer trade in agriculture, wine and spirits, and energy products; enhancement of the Auto Pact; expanded access to purchases by Governments; an unprecedented code to set rules of the game for trade by the services industries; and greater access for each other's investors. Culture and social programs are exempted.

Mr. Speaker, while not perfect, the trade agreement meets our requirements and meets all of the fundamental objectives of Canada. It meets our bottom line. This agreement will open and secure our access to each other's markets. It improves prospects for Canadian manufacturers to produce larger quantities of goods in Canada to ship to the entire American

market. It creates a code unlike any other yet in existence which will govern the rules of the road for our service industries. It phases in reduction of trade barriers to ensure that our workers and our firms have all the time required to gear up for the opportunities in the changed environment and to protect workers against dislocation that inevitably occurs as society changes.

• (1110)

It is an agreement that gives new assurance to our resource producers in the Maritimes and western Canada, and increases opportunities for business in central Canada.

This agreement, Mr. Speaker, will lead to lower prices for consumers and higher real wages for Canadian workers.

Some Hon. Members: Hear, hear!

Mr. Mulroney: As the Economic Council of Canada and other authoritative bodies have predicted, the agreement will also lead to a significant number of new and durable jobs. The council, in its most recent report, referred to some 350,000 new jobs in Canada resulting from such an agreement.

This is something, Mr. Speaker, which promises such benefit and such hope to the youth of Canada and to our regions of Canada. If Canada is to remain united and to prosper, equality must be the hallmark; there must be fairness and growth from Newfoundland to British Columbia, and this provides our regions with a unique opportunity to share in the growing wealth of Canada.

Some Hon. Members: Hear, hear!

Mr. Mulroney: The challenge from the Canadian perspective is what it always is and always has been, to reconcile regional interests and sectoral concerns with the national interest.

The trade initiative was launched by this Government with no guarantees, no indications that success was guaranteed, not by a long shot. We indicated that to the House before we began. Such an undertaking was recommended in 1985, following great study and reflection, as a vital national concern by a royal commission chaired by a distinguished Canadian, the Hon. Donald S. Macdonald. In the process, and pursuant to a splendid report by Mr. Macdonald and his colleagues, we reached out to Canadians from every walk of life, from every corner of our country.

I have met with the Premiers no less than eight times, meetings that have extended up to seven, eight, and nine hours. I will again meet with them later this week to brief them on the outcome of the negotiations and to seek their views.

[*Translation*]

Mr. Speaker, last Friday, when we were starting the final and crucial round of negotiations, Canada's Premiers informed us directly of their confidence in our approach and our strategy since the beginning of our trade negotiations with the United States.

The First Ministers' Conference, formerly an occasion for sterile confrontation, has become a forum for effective co-operation, conducted with the interest of all Canadians in mind.

I want to thank all the Premiers for their solidarity and support throughout this difficult process.

From start to finish, Canada has maintained a united front. We closed ranks on all crucial issues and settled our differences privately, although there were the usual mishaps and communications problems.

Mr. Speaker, I shall table the complete text of the Agreement as soon as the wording is finalized. It will then be referred to the appropriate committee of the House for analysis, study and debate.

[*English*]

Meanwhile, today, I am tabling the "Elements of the Agreement" concluded and signed by representatives of both Governments. I am advised that there may be a minor typographical error in this document, but that the document itself represents the fundamentals of the agreement arrived at by the parties.

These elements are the agreed basis for the agreement and will be translated into a legal document, as agreed, in appropriate time frames by the negotiating teams.

[*Translation*]

The Ministers and the members of the Canadian negotiating team will be glad to help the standing committee in its work. They will appear before the parliamentary committee, and Members will, of course, have every opportunity to consider the contents of the Agreement in the House. In the House of Commons there will be a special debate on this question that is of major importance to us all.

Mr. Speaker, we have put in place a host of mechanisms for consultation between the Government and the private sector, and it seems to me that the latter is becoming an important factor in the conduct of public affairs.

[*English*]

We created, for example, the International Trade Advisory Committee, calling on the acknowledged expertise of leading Canadians in fields of important national endeavour. We created 15 sectoral advisory groups, to assure ourselves that the concerns of all Canadians in all of the vital areas of our national life were reflected at all times, to the best extent humanly possible, in the negotiating process.

Literally hundreds of Canadians, under the brilliant over-all chairmanship of Walter Light, participated directly in this worthy endeavour. This represents another indication of a fundamental approach to the manner in which public policy is developed and articulated in Canada. I think it is a beneficial

change, because it brings Canadians into the decision-making process on decisions that affect their lives.

Some Hon. Members: Hear, hear!

Mr. Mulroney: The talks were not easy, but nothing that is worth while ever is.

The initiative was not undertaken from dusk of one day to dawn of the next. While the final elements of the agreement came together only at the eleventh hour, the general framework of the agreement is the result of three years of very hard work.

We have been at this since November, 1984, when my colleague, the Minister of Finance (Mr. Wilson) presented the Government's strategy paper entitled *A New Direction for Canada*; since January, 1985, when we put out a Green Paper on securing and enhancing export markets; since March, 1985, at the Quebec Summit, where President Reagan and I made our declaration on trade in goods and services; since September 26, 1985, when I informed this House of the parameters and the philosophy of our initiative. Since November, 1985, Canada's most experienced international negotiator, Ambassador Simon Reisman, has been heading the Canadian effort.

Some Hon. Members: Hear, hear!

Mr. Mulroney: Since June, 1986, Ambassador Reisman and his colleagues have been at the table with their American counterparts. This has been a most demanding and challenging experience.

Mr. Reisman has once again rendered great service to his country. He and his colleagues in the trade negotiations, including Ambassador Ritchie, who is in the House today with Ambassador Reisman, and their colleagues, have all lent a new and impressive dimension to the expression of public service. I know that all Members of the House of Commons, irrespective of Party, will wish to convey warm congratulations to Ambassador Reisman and his colleagues.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I want very much, and in a very special way, to underline the principle and indispensable role played in these successful negotiations by the Minister for International Trade (Miss Carney).

Some Hon. Members: Hear, hear!

• (1120)

Mr. Mulroney: May I point out as well, with the indulgence of my colleagues in the House who have witnessed this for the last two years, the most significant contributions of the Secretary of State for External Affairs (Mr. Clark), the Minister of Finance, and my own chief of staff, Derek Burney, in bringing these arduous negotiations to a very successful conclusion.

Some Hon. Members: Hear, hear!

Mr. Mulroney: With challenge, attack, criticism, and the uncertainty that great initiatives bring, for 16 months our team stayed with it. They left no avenue unexplored in their efforts to obtain a good deal for Canada. At all times they were mindful of the firm but direct instructions of this Government and of this Prime Minister—it had to be a good deal or there would be no deal.

This is a good deal, a good deal for Canada and a deal that is good for all Canadians. It is also a fair deal, which means that it brings benefits and progress to our partner, the United States of America. When both countries prosper, our democracies are strengthened and leadership has been provided to our trading partners around the world. I think this initiative represents enlightened leadership to the trading partners about what can be accomplished when we determine that we are going to strike down protectionism, move toward liberalized trade, and generate new prosperity for all our people.

[*Translation*]

Mr. Speaker, this Agreement will expand our access to the world's largest, richest and most dynamic markets. The result will be an increase in productivity, research and development, a significant improvement in our competitive position and enhanced product quality. The result will be lasting jobs and sustained prosperity. I believe certain components of the Agreement will set an important example for the multilateral negotiations being conducted in Geneva, where Canada and the other 91 GATT members are trying to lower barriers to international trade and enter a new phase in the liberalization of international trade.

[*English*]

Canada and the United States will apply the same vision to the MTN Round. This new arrangement will bring us to a new decade and a new century, on the leading edge of the world's trade and commerce. So this nation, founded by explorers and developed by traders, begins another phase in our national evolution.

Several hurdles remain before implementation, including of course the approval of Congress, but this is a major step toward implementation of an accord that will be fair and beneficial for all regions of Canada.

We go forward with confidence in our future, confidence in our country, and, most of all, confidence in the youth of Canada. We have set a course for a stronger, a more united, and a more prosperous Canada. It is not a path—it never was and it never will be—for the faint of heart, but this country was not built by timid souls. This is a path for the daring, the innovative, and the nation-builders who are now called upon to make a firm decision on behalf of a strong, united, and prosperous Canada.

For those who follow this path, we share the intrepid spirit of the pioneer generations, and hopefully it will be said of all

of us, as it was of them, that we left this Canada, this beloved country, a better place.

Some Hon. Members: Hear, hear!

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, one of the first things our Prime Minister (Mr. Mulroney) did when he was sworn in as Leader of the country was to go down to the United States and tell our American friends: "Canada is open for business again". Today, the Prime Minister has put Canada up for sale.

All we have seen so far is a statement of principles, and we ask him: Where is the document? Indeed I received a copy of his remarks this morning as I was coming down to the House. All we have so far in this beautiful package put together by the Government is: "Canada-U.S. Trade Negotiations, A Chronology"; "Canada-U.S. Trade Negotiations, Glossary"; "Canada-U.S. Free Trade Agreement, Elements of the Agreement"; and a synopsis.

Where is the document, or is it still being drafted, and is that why the Prime Minister has not been able to deliver anything but a vague series of generalities, stuffed with rhetoric, but no details for the Canadian people?

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): We want to tell him and the Government that Canadians will want to see the fine print. Canadians will want to examine this agreement, as well the House of Commons, clause by clause. We expect that to be done because we have a mystery here. We do not have a document. We do not have the agreement. Neither Parliament nor the Congress of the United States has anything officially before it.

[*Translation*]

All we have, Mr. Speaker, are summaries from both parties. We do not even have an official text. Most of our information—as was the case throughout these negotiations—comes from Washington, not from this Government. Where is the document? When do we get an opportunity to study the document? The Prime Minister did sign something, so where is the document? The Prime Minister wrote a blank cheque and I can assure him that we on this side of the House do not endorse this cheque.

Mr. Speaker, how can we be expected to debate a mystery in the House? How can we debate a document which may not even exist right now but which is being drafted? We must see the fine print. We must scrutinize it clause by clause.

[*English*]

Already we have major differences in interpretation on either side of the border as to what is in the agreement. We have differing interpretations from Washington and those emanating from the Government as to what the agreement actually means.

The Senate and the House of Representatives apparently do not have details. Naturally enough they will look at it in terms of their American interest and in terms of the United States Constitution.

We have an opportunity and an obligation, when we finally see the document, to look at it in terms of the Canadian interest and the Canadian future and, in particular, in terms of our sovereignty and independence as a nation.

The Government operated throughout these negotiations on the naive assumption that the very fact of an agreement with the United States would somehow magically exempt us from U.S. protectionist sentiment, particularly from the protectionist sentiment in the Congress and that somehow we would automatically be exempted from the United States Trade Law, 1974, and particularly from the omnibus Bill already passed by the Senate, passed by the House of Representatives, and now in conference between the two Houses.

• (1130)

That naive assumption would only have been borne out if two conditions had been met. First, if there has been a meaningful exemption from U.S. trade law and unilateral remedies that the Americans so effectively, from their point of view, exercised and imposed against us. But there was not. Second, what about a mechanism to enforce that exemption in terms of a dispute mechanism between the two countries? What about a binding mechanism to withstand the nature of the United States Constitution? But we are far from sure there is a mechanism. What we have is a dispute mechanism, not that will regulate disputes between Canada and the United States on an agreed definition of subsidy, on an agreed definition of countervail and anti-dumping, but a dispute mechanism, so far as we can read it in these vague generalities, these principles of agreement, which will apply national law on either side of the border. In other words, all this dispute mechanism will do is to apply American trade law against Canada. We have substituted an American tribunal for an international tribunal. American law will still apply to Canadian exports into the U.S. market. What the Prime Minister has given us today is an absolute fraud. There is no exemption from American trade law.

Take the case we all know negotiated so pitifully by the Minister of International Trade (Miss Carney), the softwood lumber case. There was final offer after final offer. We can remember that. Even though we suggested that the law and the facts had not changed, she yielded. That case, were it decided today, would be decided under the same legal principles. But instead of those principles being decided by the American administrative system, they will be decided by an international tribunal between Canada and the United States—

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): —but applying American law. The law has not changed.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Our Government got suckered in. Our Government got taken, and we are not yet sure, because certain remarks were raised this morning in Washington. It may be, under the American Constitution, that that tribunal cannot be binding against the American court system. There may still be appeals through the federal court system to the Supreme Court of the United States on anything decided by the tribunal. In other words, we are not sure about the binding nature of it. One thing we are certain of it is not arbitrating any mutually agreed definitions between Canada and the United States. It will be applying American trade law against Canada.

We do not know yet whether this tribunal and the arrangements beneath it excludes Canada's remedies to the GATT. Under GATT where we have, over the past seven years, won eight of the nine cases brought before that international tribunal, GATT has the right to challenge the relevance in international terms of national law. This tribunal set up and agreed to by the Government does not challenge American law; it applies American law. We do not know whether we have lost our right to go, as we have in a sovereign way, to the international tribunal of GATT. Our only purpose, according to the Government and those who support a comprehensive free trade agreement with the United States, was to gain exemption from American protectionist sentiment. We have not gained that execution. We are still bound by American law and we have agreed to a tribunal which may or may not be binding that will apply American law against Canadian lumber, potash, steel and fish. That is what we have, and that is less than an achievement, it is an absolute insult to the intelligence of the Canadian market.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Turner (Vancouver Quadra): Mr. Speaker, many of the aspects of what little documentation we do have are a source of concern. What in fact the Prime Minister (Mr. Mulroney) is telling us is that ever more economic barriers are being raised between Canada and the United States. From here on the Americans are quite free to invade us: all our investment markets, all our financial institutions, our insurance companies, our advertising firms, our transport companies are now wide open.

The Americans also have ready access to our natural resources, our agriculture, our car industry and the Auto Pact.

[*English*]

The principles we have before us—and that is all we have, we do not have the document—are a minefield for Canada. Let us look at some of the items. Let us take a look at investment. Let us call it "takeover unlimited". All of Canada is now open to American proprietorship. Takeover fever will go northward. This country will be a satellite of the United States. We will become the number one takeover target of American business. The Americans already own too much of us. Now it is "Open Sesame". It is "Open doors. Come on, we are ready. Come and take us". That is what the Government has done.

We ought to look at the nature of what has happened to the sovereignty of this House of Commons. In the Yeutter document—we get most of our information traditionally from the American side—here is what Mr. Yeutter says: "Under this agreement, Canada commits to make permanent its recent policy of not screening new business investments". In other words, it will be a permanent deal. There is no way a future Parliament can play around with it, modify it or amend it. No, Mr. Speaker. We have yielded on the floor of this House of Commons the sovereignty of our nation to control investment.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): We have known for some time that the Americans want to exercise their empire over services world-wide, and particularly in an avaricious way to Canada. Services are now wide open, financial institutions, banks, trust companies, insurance companies, advertising and investment banks. But what reciprocal rights do we get? Transportation. All the advantages that we may have in terms of investment grants, subsidy or tax incentives to new high technology industries may be out of the window. How will we be able to assist new industry to compete with the United States?

Let us take a look at the Auto Pact. It is hard to read from the statement of principles what is done to the Auto Pact. The statement is deliberately vague. On a first reading it appears that the Auto Pact may have been gutted.

Some Hon. Members: No.

Mr. Turner (Vancouver Quadra): At best it has been phased out. As the tariffs affecting automobiles and auto parts are reduced to zero, the whole basis of an Auto Pact disappears or is put in jeopardy. Where are the production guarantees? Where are the employment guarantees? All those hundreds of thousands of jobs are at stake, yet we do not have details. The Prime Minister said all along, his Ministers said all along, in response to repeated questions in the House of Commons about the Auto Pact being on the table, they said to your Honour, "No, Sir, it is not". The Prime Minister mislead us again. The Auto Pact is on the table. It has been gutted and diluted by this agreement.

One of the first responsibilities I had in this House several years ago under the late Arthur Laing was to defend a Canadian water policy and Canadian water from the thirsty glances of our American friends. I always believed that there was no such thing as a North American water policy, a North American resources policy, or a North American energy policy. There is a Canadian energy policy and an American energy policy. We should never yield our sovereignty on those. This Government has, and so we have now become a storehouse of the United States.

Some Hon. Members: Hear, hear!

• (1140)

Mr. Turner (Vancouver Quadra): The Americans are already gleefully saying: "We have secured our resources forever. We have Canada up there, do not worry about the Middle East any more, do not worry about these problems, we have our good friends sewed up forever. We have made Canada a hinterland, a storehouse for our resources. We have turned Canada into a satellite of resources".

We have always tried to resist being seen as hewers of wood and drawers of water, and the Government has returned us to the status of hewers of wood and drawers of water.

Some Hon. Members: Shame, shame!

Mr. Turner (Vancouver Quadra): Mr. Speaker, let us turn to agriculture. We have not much time but you will give me the time, I am sure. Agriculture and marketing boards, this Government said they would not be touched. The Prime Minister said they would not be touched. He said that agriculture was sacrosanct, that no changes would be made.

The Wheat Board is in jeopardy. Two-price wheat may be gone. The inability of the Wheat Board to manage import licensing strikes at the very powers of the Wheat Board. Tariffs moving to zero in agriculture means that supply management could be out of the window.

So here we have the family farm in jeopardy. The family farm is struggling under the lowest commodity prices in recent times, and this Government sacrifices the Canadian farmer to make itself look good.

This Government has also accepted the principle of the Western Grain Transportation Act being an export-related subsidy. We are now open to challenge on the movement of grain to our ports and to American ports. Every other country will now challenge the basis of our freight rates.

Culture was another area the Government said it would not touch, but it has made changes. Again, Mr. Yeutter says Canada has agreed that the cultural measures it takes will not impair the benefits the United States would otherwise expect from the provisions of this agreement. What does that mean? It looks like a Mack truck clause to me, you can drive anything through that.

What are we giving away besides differential postal rates favouring Canadian periodicals, tariffs on print and recording and publishing? What else have we given away? How about our film industry? It is clear that Time Incorporated is back taking over Canadian culture.

[*Translation*]

Mr. Speaker, this agreement in principle is bound to play havoc with Canada's employment market. We simply must provide adjustment programs designed for the workers who will be affected. Where are the adjustment programs to protect underprivileged regions or workers who will be shifted right out of their jobs as a result of this agreement?

[*English*]

We have yielded too much. The concessions are too deep. Our economic independence has been threatened. Our sovereignty as Canadians has been diminished. We have lost the ability to control and manage our own economy. Why? Because the Prime Minister and the Government were too anxious for the deal. They went into this deal unprepared. They had no plan. They had no agenda.

Before the negotiations, the Government gave away the Foreign Investment Review Act. It really did a job on that one. The National Energy Program, softwood lumber, drug prices, publishing, all this was given away in the course of the agreement in the final *coup de grâce* to the economic independence of this country.

[*Translation*]

We have already made a good many concessions, Mr. Speaker, enough to jeopardize our economic independence. We have already dropped the Foreign Investment Review Agency, our national energy policy, lumber, drugs.

Mr. Speaker, we do not want Canada to become a satellite of the United States. We want a full parliamentary debate as soon as we lay our hands on the official documents. We want a committee to travel from coast to coast and listen to what Canadians have to say. We want to study the substance and form, the principles and the fine print, clause by clause, of this deal with the Americans.

[*English*]

The Prime Minister had no mandate for a comprehensive free trade agreement with the United States. Indeed, all his past pronouncements, particularly those made when he was running for the leadership of his Party, were against the free trade arrangement because he was worried about Canadian sovereignty. He was right then. He should have stuck with his instincts and intuition. He has now become the architect of the yielding in the most massive way possible of our sovereignty as an independent nation.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Canadians will want us to look closely at this arrangement. We want a parliamentary committee to study it carefully. We want Canadians consulted from one end of Canada to another. We want a thorough clause-by-clause analysis.

This process will not be hurried because Canadians have no idea yet, after just a preliminary glance, what they have really lost as a nation. What is the regional impact of this Accord? What is the future impact of this Accord? We will want to know what jobs, what companies, what regions will be hurt in this arrangement, because throughout this debate, throughout these negotiations, the Government has talked about benefits

and has not been clear with Canadians as to what the costs will be.

Where are the adjustment programs? Where are the adjustments for those men and women who may be laid off as a result of this agreement? Where are the adjustment programs to protect the regions less able to stand up to this agreement? Canadian sovereignty is on the line. From what we have seen so far, we cannot accept an agreement which sells out Canada.

Some Hon. Members: Hear, hear!

Hon. Edward Broadbent (Oshawa): Mr. Speaker, in the history of Canada, every Prime Minister from the beginning to the present has asked and answered, either quietly in the dead of night of himself or frequently in public in serious debates affecting the future of the nation, these questions. What kind of Canada do we want and whose Canada is it to be?

Every significant Prime Minister of Canada from Sir John A. Macdonald through John Diefenbaker to Pierre Elliott Trudeau has well understood that in answering those questions in the Canadian interests, it was absolutely essential for Canada to have the maximum degree of economic sovereignty. They understood that.

Each in his own way, from Sir John A. at the outset, understood that a tough set of laws emanating from the Parliament of Canada, in the interests of that sovereignty so that we could build the kind of nation we desired, was absolutely essential, and keeping in place a framework of all-encompassing laws was necessary for us as a people to be able to achieve that mandate.

Having read the American reports on the document that has been agreed to—regrettably, once again, they were the first ones we had access to—and the summaries of the documents provided by Canadian officials up to this point, I can tell you that for the first time in the history of Canada, we have a man who is Prime Minister (Mr. Mulroney) who has, without even being asked, volunteered Canada to be the 51st state in the United States. We reject that perspective of this country.

I want to spell out what I mean. The Prime Minister said before the last election that he was opposed to free trade because he thought of the implications then of the relative economic strengths of these two countries of ours on this part of the continent. He said in Sherbrooke, Quebec, during the election campaign, that it would be a mistake for us to enter into this kind of an agreement, presumably because he was then thinking somewhat about the long-range future of this nation. Yet in the last 48 hours his Government entered into an agreement with the U.S. for which it had no mandate. The long-range implications are that Canada, an independent nation able to set its own priorities, would go down the drain. I say to the Prime Minister of Canada that if he had any integrity on this point he would go to the people of Canada today and wave the election banner on this issue.

• (1150)

Some Hon. Members: Hear, hear!

Mr. Broadbent: The Tories sit there laughing as Canada dribbles away.

Mr. McDermid: We are laughing because you are silly.

Mr. Broadbent: Mr. Speaker, I want to put the case for what I have just said in some detail. What we have seen from the Government in the last 48 hours, the people of Canada have seen incrementally over the last three years, and it has led to this final negative decision.

Just after the Tories came to power, they proudly boasted they were going to get rid of FIRA, and they did.

Some Hon. Members: Hear, hear!

Mr. Broadbent: They are still clapping.

Mr. McDermid: You told us we would lose 100,000 jobs.

Mr. Broadbent: They do not know that every other industrialized country in the modern world has the equivalent of FIRA. In their ignorance they got rid of it and they are still boasting.

Since the Tories came to office there have been more than 2,000 takeovers of Canadian firms by American firms. Once again the Conservatives, who have forgotten the legacy of Sir John A. Macdonald, think that is a good sign.

Miss Carney: Any investment in Oshawa, Ed?

Mr. Broadbent: In their first move on FIRA we saw the forerunner of what was to come.

Mr. Mazankowski: What about Oshawa, Ed?

Mr. Broadbent: I listened to your Prime Minister, I say to the Deputy Prime Minister (Mr. Mazankowski), and perhaps you will have the courtesy to listen to what is said on this side.

Mr. Clark (Yellowhead): Tell us about Oshawa, Ed.

Mr. Broadbent: You will have your opportunity later on. We have had virtually wiped out any provisions which would ensure greater protection against takeovers of our industry by U.S. firms which are invariably much larger and have greater capital resources. They have been gobbling up companies in takeovers in the U.S. over the last few years. Just watch that expand north of the border now.

The Tories said that not only did they want to get rid of FIRA and expand the whole range of investment opportunities, as they described them, they are increasing the threshold where takeovers are reviewed from that of companies with assets of at least $5 million, all the way up to $150 million. Goodbye all small and medium-sized Canadian businesses which are doing well. They are now open to takeover bids from the U.S.

Mr. Clark (Yellowhead): The voice of fear.

Mr. Broadbent: Mr. Speaker, another sign of what was to come was the takeover of Dome Petroleum.

Some Hon. Members: A bankrupt company.

Mr. Broadbent: Dome Petroleum was the largest Canadian-controlled firm in the energy sector. The Americans said, "Do not move to stop that takeover", and of course the Government did not move. Once again we see in the document we are asked to consider an extension of that policy to the whole energy field. I was in Montreal yesterday and I watched an American television program with Mr. Yeutter saying they got their continental energy deal. That is what the Americans wanted, that is what they got, and that is what the Government sold out.

Some Hon. Members: Hear, hear!

Mr. Broadbent: We see something else in the U.S. document. Ever since the Prime Minister sat down with the President of the U.S., not once but twice, and when Mr. Bush, the Vice-President, visited Ottawa and talked with the Prime Minister, the Right Hon. Leader of the Opposition (Mr. Turner) and myself, what did they have on their agenda? Changes in our pharmaceutical legislation. What do we see in the American document? With great pride they say they got the change in the pharmaceutical industry regulations that they wanted. Another capitulation which we saw in draft form a few months ago is now being consummated in an international agreement. A shameful act.

Some Hon. Members: Hear, hear!

Mr. Côté (Langelier): Sit down, Ed.

Mr. Clark (Yellowhead): Try the truth, Ed.

Mr. Broadbent: The U.S. has indicated for some time that it wanted greater access to our cultural industries. People in this field in Toronto and Montreal, and to a lesser but real extent nevertheless on the West Coast, have long known about the American desire to move in on them. We see once again, not just in this agreement but in the Prentice-Hall decision some time ago, that the Government is moving clearly in the direction of giving greater American access and control in this field. Once again it is being consummated in the document agreed upon this weekend.

Miss MacDonald: Read the document, Ed.

Mr. Broadbent: Then we have the softwood decision. In that particular instance the U.S. had the nerve to say to our provinces that they did not have the sovereign right to decide at what level they were to impose a royalty. That is at the root of that decision. Forget the economics of whether a high level or low level of royalty was desirable. What is beyond question, or was until this Government came into power, was that it was the sovereign right of our provinces to decide what level of price they were to charge. It was not up to the U.S., the Japanese, the Europeans or anyone else to tell us what price we were to charge for our resources until the Conservatives came along and said, "Right on, United States, you can tell us what price to set for our products". We reject that outright. Once again you see the reasoning of the Conservative Government in that decision consummated in this agreement.

Running through the agreement, for the resource sector as well as every other sector, is the idea that the pricing policy we decide on in Canada ought not to be related to some long-range regional development strategy for a given province, which may cause it to have very low prices for a given period of time, or to some long-range national strategy which may cause us to decide what we want to charge for our resources.

Mr. Turner (Vancouver Quadra): Or even to the market.

Mr. Broadbent: Or even to the market. What is accepted by the Government is the idea that market principles as the U.S. defines them, are to apply even to the sale of Canadian resources. We reject that out of hand.

Similarly, you will find in the approach to deregulation in transportation and service sectors of this agreement a major American agenda item for some time, especially since the Reagan administration came to power. We have seen it in laws proposed in this Parliament dealing with transportation and other services. We see it once again in the document before us.

The point I want to make is that in all these matters of national policy what we are seeing from the Government in this agreement is not something new. What we are seeing is something the Tories set under way the moment they took office, whether we are talking about FIRA in particular, foreign investment in general—

Mr. Clark (Yellowhead): National Energy Program.

Mr. Broadbent: —energy programs, publishing, or the selling of our natural resources.

Some Hon. Members: Nine hundred thousand jobs.

• (1200)

Mr. Broadbent: The conclusion of the Conservative Government was specifically rejected in the House of Commons by John Diefenbaker who had the same view of nationhood as had the founding Prime Minister, John A. Macdonald. The gang of Tories that has now taken over the Government of Canada sees this country as nothing but one large cash register which should be part of the United States, and that is a betrayal of Canadian history.

Mr. Clark (Yellowhead): That's a lie. The statement is a lie.

Mr. Broadbent: The Secretary of State for External Affairs (Mr. Clark) is, as usual, getting carried away by his own rhetoric. He has always been a master of rhetoric if not

substance. He may indulge the House with a thoughtful speech on the subject later on.

Mr. McDermid: It will be a lot more interesting than this one.

Mr. Speaker: Hon. Members will have noted that when the Right Hon. Prime Minister was speaking there was great courtesy extended. While I know that the debate which is taking place is one of great importance and strong feelings, I ask all Members to give the appropriate courtesies to the Hon. Member for Oshawa (Mr. Broadbent).

Mr. Broadbent: Thank you. I now want to touch upon some of the very specific aspects of the agreement. I hope the Government will reply. Instead of indulging in generalities I hope the Government will explain the agreement sector by sector and show us where we are wrong.

With regard to agriculture, the concessions have been made overwhelmingly by Canada. A range of agricultural tariff and import licences will be eliminated on wheat, barley, oats and grain. I am sure that everyone on the Prairies will read the news of this agreement with absolute horror. The Government has abandoned a 50-year tradition central to agriculture, not only on the Prairies but in the Okanagan Valley, many parts of Ontario, Quebec, and the Annapolis Valley in Nova Scotia. Agriculture in all these areas and more will be negatively affected. This is a Canadian concession of considerable proportions in agriculture.

With regard to the automotive industry, the language is by no means clear but it looks as though the tariffs in the Auto Pact will be phased out completely. No one has denied that yet. If the tariffs are phased out completely we will lose the stick which played an effective role in getting investment decisions in Canada.

This is not abstract talk. Had it not been pointed out to the Chrysler Corporation that it was not living up to its investment commitments under the Auto Pact and told that if it did not live up to them it would have to start paying a duty on products imported into Canada, there would not be a new van plant in the City of Windsor. The Government was intellectually dishonest when it said that the Auto Pact was not on the table. Without the tariffs and enforcement mechanisms the pact is absolutely destroyed and the Government should have the honesty to say that to the House of Commons.

Some Hon. Members: Hear, hear!

Mr. Broadbent: If I understand the information which we have so far with regard to this agreement, in addition to dealings with the North American car makers, our sovereignty has been restricted in terms of making deals in our interests with non-North American producers. As I understand it, we can no longer have an independent automotive policy which would apply to Datsun, Volkswagen or Honda. They will now come within the framework of a new North American policy. If North American content provisions are applied as opposed to Canadian, instead of being located to meet Canadian conditions of production these companies will no longer come into Canada but will more likely be located in the larger market in the United States and will export their products into Canada.

Mr. McDermid: You have an inferiority complex.

Mr. Broadbent: Not at all, my friend.

Mr. McDermid: Sure you do.

Mr. Broadbent: I will not cite Tommy Douglas or David Lewis, I will just indicate to my Conservative friend that Sir John A. Macdonald would think he is talking through his hat right now.

The Auto Pact is in total jeopardy and our ability to control other automotive decisions independently has been thrown out of the window by this agreement as I understand it.

With regard to the service industry, the rule is that any law which we apply here to Canadian firms will have to be exactly the same as those which would apply to American firms.

Miss Carney: Not true.

Mr. Broadbent: I read the document that was produced by the United States which the Americans say is the official document.

Some Hon. Members: Oh, oh!

Mr. Broadbent: We now hear some of the cabinet Ministers laughing about this. Let them get to their feet later in this discussion and correct these observations if they are wrong. This happens to be what the Americans think they have got from this deal. In bargaining between this Government and the Americans, the Americans have come out on top without exception in recent history, as I am sure they did this time.

Mr. McDermid: Inferiority complex again.

Mr. Broadbent: We'll leave the noise-makers down there.

Not in my worst nightmares did I think that the Government would betray us completely on the protection of our cultural industries. Since we have not yet received a text from the Canadian Government I will quote from the U.S. document on this subject. It says:

> —The United States wants to ensure that Canadian cultural policies do not constitute a discriminatory and unnecessary barrier to U.S. trade.

The document goes on to say:

> For its part, Canada has agreed that cultural measures it takes will not impair the benefits the United States would otherwise expect—

In other words, if anything we do to ensure the growth and vitality of Canadian culture flies in the face of U.S. practice at home and their commercial expectations, it will not be accepted. We reject that approach to the protection of Canadian culture.

Mr. Clark (Yellowhead): Straw man.

Mr. Broadbent: With regard to investment policy, to use an old phrase, one can only say that there has been a total sell-out of Canadian interests. As I mentioned earlier, there has been a change in the threshold for screening purposes. It has been raised to $150 million. A company has to have a minimum of that amount of value before it will be covered by any review process whatsoever. This opens the door completely to takeovers from St. John's, Newfoundland, to Victoria, British Columbia.

• (1210)

Another area of policy that I want to touch on, because it has been of particular importance to our provinces and our territories, deals with procurement policies. Governments at the provincial and the territorial level have sensibly used, for their economic development purposes, in a way duplicating what we did as a nation as a whole since 1867, government procurement policies as a means of enhancing employment growth for their own people and their own regions. That, too, will be seriously jeopardized by this agreement that has been entered into, in principle, between our Government and the Government of the United States.

[*Translation*]

Mr. Speaker, I would like to say a few words about the particular impact of this agreement on Quebec.

Many components of this agreement are extremely important for Quebecers. First, in the farming sector, the elimination or reduction of tariffs on poultry and eggs will mean disaster for Quebec producers.

As concerns culture, we have made major concessions which will prevent Canada from guaranteeing the promotion of our cultural industries.

According to the Americans, "Canada has agreed that the cultural measures it takes will not impair the benefits the United States would otherwise expect" from this trade agreement. This is what the Americans have said.

As for the Auto Pact, the recent decision of General Motors in Sainte-Thérèse was a positive decision for the residents of that region, but as everyone knows, until quite recently, this plant had many problems on the North American market. In my opinion, if the Government supports a decision to abolish tariffs in this sector, any future decision for new investments could be negative for a small plant such as the one in Sainte-Thérèse.

As concerns regional development subsidies and policies, I simply want to point out that the so-called dispute settlement mechanism proposed in the agreement poses a very serious threat to our regional development policies.

The agreement states that over the next three to five years, the American Government plans to discuss with the Canadian Government certain changes to our regional development policies. This could be very dangerous for development in Northern Quebec, other regions of Quebec, and even in other provinces.

[*English*]

I want to conclude with one particular item, that is, the dispute settlement mechanism. It has been said by the Prime Minister and by the Minister who is responsible for international trade at various times that the number one goal in these free trade talks was to get a dispute settlement mechanism that would be fair, take into consideration the interests of both countries and be binding, they said, on both countries. What has been produced in this agreement is a dispute settlement mechanism that will not necessarily be fair, and not take into account the interests or rules of subsidies developed jointly by both countries.

What has been produced is an agreement adhered to by the Government of Canada that will see this new mechanism making judgments in a negative way only if they contravene American law. They did not even get their minimum demand, which was an impartial, fair binding dispute settlement mechanism. That is the reality.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, I conclude with this comment. The future of Canada, like that of any other nation, cannot be reduced to its commercial relations. A people have a deep interest in developing its own cultural policies, its own social policies, and its own regional development policies. In short, it has an interest in making all those decisions that are central to what ought to be called a civilized life. Among those decisions are commercial, economic decisions, that is true. Commercial and economic decisions are important. But we in this Party say that a nation cannot be reduced to commercial and economic decision-making.

In particular, we say that if we turn over ultimate authority for economic decision-making to the North American market forces, our capacity to develop a healthy, creative, humane, and just Canada will be severely impaired. We say that this decision reached by the Government of Canada is a bad decision now, a bad decision for the future. We believe the Government has a moral obligation to go now to the people of Canada for a confirmation or rejection of this betrayal of Canadian history.

Some Hon. Members: Hear, hear!

Mr. Mulroney: Mr. Speaker, I am not part of that standing ovation.

I indicated in my speech some moments ago, Mr. Speaker, my intention to table the elements of the agreement which have been included and signed by representatives of both Governments. I am honoured to be able to do so.

I table with you, Mr. Speaker, the document that constitutes the essential elements of a free trade agreement between the

United States and Canada, which document was signed on behalf of Canada by the Minister of Finance (Mr. Wilson), the Minister for International Trade (Miss Carney), Derek Burney and Simon Reisman.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Chair felt that under the circumstances it probably would be acceptable to the House if the Right Hon. Prime Minister (Mr. Mulroney) tabled those documents, having made reference to an intention to do so in his original remarks. Perhaps I should put this question to the House: Is it agreed that the documents be tabled?

Some Hon. Members: Agreed.

* * *

PETITIONS

SUPPORT FOR BILL C-55

Mr. Paul Gagnon (Calgary North): Mr. Speaker, I have both the duty and honour to present a petition signed by residents of Calgary, Langdon, and Slave Lake, Alberta, and of Ottawa, which calls upon Parliament to act upon the problems with refugee determination in Canada, and to restore to the system fairness, justice and expediency by supporting Bill C-55. As in duty bound, your petitioners will ever pray.

* * *

• (1220)

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all questions on the Order Paper be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

MOTIONS TO ADJOURN UNDER S. O. 29

CANADA-UNITED STATES TRADE AGREEMENT

Mr. Speaker: I should advise the House that I have received from the Hon. Member for Oshawa (Mr. Broadbent) an application under Standing Order 29 for an emergency debate tonight. I have also received, in order of receipt, a similar application on behalf of the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy).

I will hear the Hon. Member for Oshawa.

Hon. Edward Broadbent (Oshawa): Mr. Speaker, as you indicated, earlier today I gave you notice of my intention of rising under the provisions of Standing Order 29 to seek leave to adjourn the House for the purpose of discussing what is an issue of vital national importance.

The issue is that of the agreement in principle that has been entered into between the Government of Canada and the Government of the United States in the broad area of free trade. In our view, this agreement goes to the root of the question about what a nation is all about.

For this reason, Mr. Speaker, if you should rule in my favour, at the appropriate time I will be prepared to move the appropriate motion.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in making application under Standing Order 29 for an emergency debate, first we were motivated by the important substance of the issue. Perhaps there has been no more important issue brought forward to the House in decades.

For the past week we have not had an opportunity to have a debate in the House concerning this issue.

I also wish to draw to the attention of the Chair that the announcement and the documents tabled today by the Prime Minister (Mr. Mulroney) are called, "Elements of the Agreement". Many of the important consequences and details surrounding that are missing. We presume that that can only be achieved or attained by the opportunity to have a full exchange and dialogue in the House. The impact upon agriculture, the Auto Pact, and others are such that there are many interest groups and major constituencies in the country which, this morning, are in deep concern and uncertainty as to the meaning of this agreement. They will only be able to achieve understanding if the House has an opportunity to debate the issues at the first and earliest opportunity.

Mr. Speaker: I wish to assure the Hon. Member for Oshawa (Mr. Broadbent), the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), and other Hon. Members that the Chair, of course, takes the matter as one of great importance, as has been indicated in the House, as do all Hon. Members, although there may be some division on the support for the measure or opposition to it.

However, I note that we have now had an extensive debate. There will be Question Period following this afternoon. The Government has indicated that the documents which record the understanding are going in front of a committee.

An Hon. Member: When?

Mr. Speaker: I hear an Hon. Member ask, "When?". Perhaps the Hon. Deputy Prime Minister (Mr. Mazankowski) and the House Leaders could discuss that. At least for today, we should probably let the usual course proceed. Of course, I would imagine there will be extensive discussion during

Question Period on some of the matters to which both Hon. Members have referred.

I would ask that the Hon. Deputy Prime Minister assist the Chair in making it clear to both the House Leader of the Official Opposition, and the House Leader of the New Democratic Party when these documents will be in front of the committee and, of course, which committee will be hearing them.

At this time the Deputy Prime Minister may not be prepared to do that, but I hope it will be done at the very earliest convenience.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, perhaps I may respond for the interim. My response will be fully consistent with that which the Prime Minister (Mr. Mulroney) has indicated all along. This issue will be subjected to full parliamentary debate. He came to the House as soon as physically possible to make a statement on the issue. The documents have now been tabled with the Clerk. This matter will be referred to a parliamentary committee. My colleague, the Deputy House Leader, will be meeting with the House Leaders early this week to attempt to work out the logistics. We hope that that could be proceeded with forthwith, with the very minimum of delay.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Friday, October 2, 1987, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

Constitution Amendment, 1987

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

And the amendments thereto of Mr. Turner (Vancouver Quadra, p. 9585) and Mr. Broadbent (p. 9586).

Mr. Speaker: Before debate continues, I wish to inform the House that because of the ministerial statement, Government Orders will be extended by 72 minutes beginning at one o'clock p.m.

Pursuant to the order made Thursday, October 1, 1987, the following amendments are deemed to have been moved.

Mr. Caccia moved:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

Mr. Allmand moved:

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms."

[*Translation*]

Miss Aideen Nicholson (Trinity): Mr. Speaker, it is with pleasure that I rise to take part in this debate because I am among those who believe that, if we want to maintain and promote Canadian unity, it is essential to make Quebec an integral part of the Constitution Act, 1982.

[*English*]

Under Prime Ministers Laurier, King, St. Laurent, Pearson, Trudeau, and Turner, the Liberal Party, when in power, has always stood for constitutional policies to affirm Canada's sovereignty and political independence, to protect the basic rights and freedoms of Canadians, to recognize the French fact throughout Canada, and to respect the federal system of Canada.

[*Translation*]

In 1971, after long and delicate constitutional negotiations, the present Leader of the Opposition (Mr. Turner), then Minister of Justice, had achieved a consensus in Victoria. However, because of the political climate in Quebec, Mr. Bourassa was unable to ratify the agreement.

I well remember the evening of November 15, 1976, when a separatist Government was elected in Quebec. There was sadness on Parliament Hill and we had a lot of fears about the future of our country, which fears lasted until the 1980 referendum, and finally, the election of a Liberal Government in Quebec.

While we celebrated the patriation of the Constitution in 1982, our joy was somewhat tarnished by the fact that the separatist Government in Quebec had not signed the agreement.

[*English*]

In November, 1986, the Liberal Party of Canada at its biennial policy convention adopted, by an overwhelming majority, Resolution No. 8 which reads as follows:

• (1230)

Be it resolved that:

(a) a preamble be added to the Constitution of Canada to recognize:

(i) the commitment of Canadians to maintain and reinforce across Canada the linguistic duality of the Canadian federation,

(ii) the distinctive character of Quebec as the principal but not the exclusive source of the French language and culture in Canada,

(iii) the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that help shape Canadian society;

(iv) the contribution of Canada's aboriginal peoples,

(v) the advantage of developing the Canadian economic union;

If a Liberal Government had been negotiating constitutional change with the provinces, that resolution would have been our basic negotiating position. In contrast, the arrangement negotiated by the Conservative Prime Minister (Mr. Mulroney) has a number of flaws which, in my view, should be corrected before the resolution is adopted.

The Government has refused to accept any amendments, allegedly because of fear the agreement will unravel. This attitude shows a great lack of faith in the Members of this House, in the provincial Premiers, and, indeed, in the people of Canada.

A full and open debate can only strengthen the Accord. The joint committee of the Senate and the House of Commons which sat prior to the patriation of the Constitution in 1982 held public hearings for a year. This Government allowed only a matter of weeks for the joint committee to hold hearings and refused to allow any hearings outside Ottawa.

Referring to the amendments which my Party proposes now, first we want to include as fundamental characteristics of Canada the recognition of our aboriginal peoples, the recognition of the multicultural mosaic of Canada, the recognition of the regional identities, and the advantages of lower trade barriers between provinces.

We want to offer more protection for official language minorities by ensuring that Parliament is responsible for promoting, as well as maintaining, official minority language rights.

We would also like to see a firm commitment that the Charter of Rights and Freedoms takes precedence, in order that the basic rights and freedoms of Canadians are not diminished in any way by possible conflicts with other clauses in the Accord.

We believe in an elected Senate, and our proposal would accelerate the move from an appointed Senate to an elected Senate by electing Senators now when vacancies occur rather than appointing them based on provincial lists.

Also, our amendment concerning the Senate would recognize the right of the citizens of Yukon and Northwest Territories to senatorial election, because the current Accord before us leaves a gap in that Canadians living north of the 60th parallel would not be entitled to any future representation or appointment to the Senate.

These are responsible and reasonable amendments which meet the concerns of women, of aboriginal peoples, and of Canadians whose first language is neither English nor French. Representatives of these interests all made very moving presentations before the joint committee, but unfortunately their words fell on deaf ears, as the Conservative majority refused to consider any amendments.

If the Government had been prepared to accept these amendments, the resolution before us would have been strengthened, and the joy we all feel at Quebec's accession would not have been marred by our awareness that many thoughtful Canadians are uneasy about the unseemly haste and the undemocratic manner in which the issue has been handled.

Prior to the 1980 referendum, Liberals undertook to the people of Quebec that their vote for Canada would be followed by a commitment on our part to renew federalism. The motion before us today goes part way to meeting that commitment, and therefore I must vote for it. However, I wish the Government had been prepared to take the time and trouble to get it right now, instead of leaving it to future Governments to bring about a real consensus.

Hon. David Crombie (Secretary of State): Madam Speaker, I suppose today is a day of historic debate and historic happenings. I am very pleased to be able to participate in the debate in respect of the so-called Meech Lake Accord, in particular the debate on the report of the Special Committee of the Senate and House of Commons on the 1987 Constitutional Accord.

I, like a number of Members of the House, have had an opportunity to read the report. For those people who have not yet had an opportunity to read it, I commend it to them. It is very well written in an extremely balanced manner. The co-chairmen of the committee, Senator Arthur Tremblay and the Hon. Member for Cambridge (Mr. Speyer), did an outstanding job both in terms of the conduct of the committee and the report.

The report itself carries with it an uncommon amount of agreement and support, because not only was there a process where people came before the committee and offered their views and their briefs, but, most important, standing behind the process of the committee was an historic event, that is, a continuation of the understanding of the role of Quebec in Canada. That is what the Accord is about, I might say.

Much of the public discussion has dealt with other important matters, but sometimes we have forgotten in the debate that the Accord is about the role of Quebec. There is no issue in Canadian politics over 200 years which has occupied our time more than this. Indeed, there is no chapter in Canadian history which does not include in it, as it turns the page, a new understanding or a refined understanding of the role of Quebec in the Canadian family.

From 1760 to 1763, to the Quebec Act of 1774, to the constitutional Act of 1791, to the implementation of the Durham report in 1840, and to the British North America Act of 1867, each one of those parts of Canadian history carried with it an understanding of the role of Quebec. I do not want us to misunderstand, therefore, the purpose of the Accord. It is to deal specifically with the role of Quebec in the 21st century in Canada.

In our own time that debate began with the so-called Quiet Revolution of 1960. We were treated in the 1960s and 1970s to new phrases to try to capture the question of the day—what

does Quebec want? We were treated to the following new phrases: *mâitre chez nous*, equality or independence, sovereignty association, and the referendum debate. Those of us who listened to the radio, read the newspapers, and watched our television screens were involved in a fairly tumultuous event, that is, a country redefining itself as the Quebec society in the Province of Quebec began to redefine itself in the latter part of the 20th century.

Events began to pick up by 1976 with the historic election of the Péquistes in the Province of Quebec. By 1980, Quebecers found themselves involved in an historic debate, an internal struggle between opposing views within regions, cities, towns and families. During the debate in the referendum it was clear that those of us who supported the federalist side were promising Quebecers that there would be a renewed federalism. This was not simply saying no or yes to sovereignty association. This was a positive thing, and it also said to Quebecers that we would engage in a process and at the end of it we would have a renewed federalism. By 1982, part of that was delivered in the 1982 constitution amendment, much of which was taken up by the patriation, the question of the amendment and the question of the Charter of Rights and Freedoms. But while the rest of Canada said yes to the 1982 constitutional amendment, all political Parties and the National Assembly in the Province of Quebec said no because the 1982 constitutional amendment did not deal with the historic question of the role of Quebec in Confederation. There the matter sat. We had in a sense gone part way, with the Charter, the patriation, the amendment, but responsible leadership and the majority of the people in the Province of Quebec said no.

• (1240)

In 1984, the newly elected Leader of the Conservative Party who became Prime Minister in 1984 said that he was willing to step forward and engage a process which would bring Quebec into the constitutional family with full heart and mind, and I quote: "with honour and enthusiasm". That was followed in June, 1985 by the Quebec Liberal Party coming forward with a document called *Maîtriser l'avenir* describing what in its view Quebec wanted in terms of a definition of its relationship to the rest of Canada. The Party was elected on the basis of that document. That document became the official position of the new Government in Quebec City. In August, 1986 the Premiers of all the provinces and the federal Government agreed that the first constitutional priority would be the five proposals made by the Province of Quebec. Those five proposals are worth noting.

[*Translation*]

First, recognition of Quebec as a distinct society. Second, the guarantee of increased responsibility for immigration. Third, participation in appointing the justices of the Supreme Court of Canada. Fourth, restrictions on the federal Government's spending power. Fifth and last, recognition of veto rights for Quebec on amendments to the Constitution.

[*English*]

Those five proposals became the basis for the constitutional initiative beginning in August, 1986. By April 30, 1987 the historic Meech Lake Accord was established, with the federal Government and the provinces agreeing in principle to those five proposals, the basis upon which Quebec could see its new role in Canada.

On May 11, 1987 an historic resolution was brought into this House by the Prime Minister (Mr. Mulroney) indicating that the provinces and the federal Government reached a constitutional Accord fully on those five proposals. On June 17, the joint committee of the House and the Senate was established, and on August 4 until September 1 that joint committee began to hold public hearings. On June 23, 1987 the National Assembly of the Province of Quebec voted yes to Canada on the basis of those five proposals.

The reason I dwell on the timeframe, Madam Speaker, is not because I simply like to quote dates, but it is important to understand that this is not something that came out of the blue or was thought up in a morning. The role of Quebec in Canada is fundamental to the understanding that the country has of itself. Any discussion in any debate of substance on it must constantly recognize the historic context and certainly the events of the last 10 years. It is on the important understanding of making sure that the measure and level of support for this Accord is maintained.

It is not easy to get agreement in this diverse country. When you have three political Parties and 10 provinces willing to support conditions which allow Quebec to play its full role in Canada, we have an historic Accord worth defending. That is why our Government, and I am happy to say other political parties and ten provinces support it.

It is also important, when we go through such an historic event when we change the Constitution in that way, to understand its impact, certainly in two ways. First, what is the impact of the Meech Lake Accord in relation to the Canadian institution, Canadian values and Canadian unity? Second, what is its impact on Canada and on the other partners within the Canadian constitutional family?

Let me deal with the first question, Madam Speaker. What is the impact of the Meech Lake Accord on Canada? Imagine if we did not have this Accord. Imagine where we would be in the 1990s and in the 21st century with a new generation of Canadians without Quebec with heart and mind within the constitutional structure. As the Prime Minister has said on a previous occasion, without Quebec adhering to the Constitution of 1982 through these five proposals we would have the growth of two Canadas; one that followed the 1982 Accord, and one that did not. We would also have a growing disenchantment on the part of the people in the Province of Quebec because we failed to match with our words and action what we put into the referendum debate, because we said there would be a renewed federalism and that we would talk about the role of Quebec in Canada. The 1982 Accord failed to do that.

Some people who came before the committee talked about that sense of disenchantment. They told us they had fought hard within their own towns, villages, neighbourhoods and within their own families and had hung on to the promise of a previous Prime Minister and a previous Government that there would be a renewed federalism.

That is why the first point to make with respect to the Accord's impact is to understand that without it we would be in great trouble and increasingly that trouble would grow and grow.

Does the Accord strengthen or weaken Canada? Let me say at the outset that in my judgment it strengthens Canada. Considerable debate by many groups as to whether or not there has been a strengthening or a weakening as a consequence of the Accord has taken place but part of it depends on one's perspective of what this country actually is. Many good people came before the committee offering their views as to whether Canada is strengthened or weakened by the Meech Lake Accord. Let me offer the views of two. Mr. Gordon Robertson, former Clerk of the Privy Council, came before the committee and said—

[*Translation*]

Another question is whether the agreement weakens the federal government in any significant and important way. Here one has to note that the accord does not change the distribution of powers in any way; nothing is changed in Sections 91, 92 and 93.

During the constitutional negotiations in 1968 to 1971 and later up to 1979, it was fully expected that there would be changes in the distribution of powers. Quebec sought a number of changes in the distribution of powers. This accord does not change that distribution in any way.

• (1250)

[*English*]

Indeed, it is important to note that because Sections 91, 92 and 93 provide the fundamental divisions of power in Canada and, as a consequence, as Mr. Robertson pointed out, the Accord does not affect the powers in Sections 91, 92 and 93.

Eric Kierans spoke on the matter. You may recall, Madam Speaker, that he was a Liberal cabinet Minister, an economist and former president of the Montreal Stock Exchange. I thought he offered considerable wisdom when he talked about the Accord in light of the original spirit of 1867. He said:

Meech Lake is not new. It is simply the closest thing we have come to following the original intent and meaning of the British North America Act since Confederation itself. It reflects more accurately the view of what the original Fathers of Confederation thought they were agreeing to in a Confederation. They lived with each other, quarrelled and wrangled in debates, assemblies and conferences for years. They knew what was possible and what the different colonies would accept. They never intended that the provinces should be as dependent as they, in fact became. Above all else, they knew that a centralized Canada would not work.

I know that all of us want Canada to be strong, but some people confuse a powerful central Government with a strong Canada. That has not been my experience, and I do not think it has been the historical experience of this country. If we do not have strong sides, we cannot have a strong centre. If there are not strong regions, there will not be a strong country.

The key thing to understand about the Meech Lake Accord, as Mr. Kierans points out, is the re-establishment of a balance in Canada, a balance that says that all provinces and all regions, along with the federal Government, make up the strength of this country. That is why, when I ask if the Accord has maintained a strong Canada, I have no doubt that it has maintained a strong Canada.

I want to deal in the remainder of my time with those groups that came forward to deal with another impact of the Meech Lake Accord. They were concerned about the impact of the Accord on their particular situation as members of the Canadian constitutional family. I am referring particularly to aboriginal people and those groups concerned with multiculturalism.

Let me make a general point. I said to those people, some of whom I have known for many years, that anything that contributes to the understanding of the importance of cultural and linguistic diversity contributes to the goals of those people who see Canada as contributing to their diversity. Aboriginal people, people concerned with multiculturalism and any group of people who depend on the concept of diversity should support the Meech Lake Accord because the Meech Lake Accord is the historic, the current and the future understanding of Quebec's role in Canada which speaks first to the tolerance required with respect to differences of culture and language. I think that aboriginal people would understand that first of all.

Those of us who participated in the constitutional debate involving aboriginal people in 1985 well remember the impact of Quebec's absence. We well remember the importance of Quebec to those talks and, indeed, the absence of Quebec helped contribute to the lack of success.

Mary Simon, a Quebec Inuit leader and past president of the National Committee on Inuit Issues, spoke eloquently on that matter. She said that it was important to understand that constitutional amendment would not benefit aboriginal peoples of Quebec as long as Quebec was not part of the Constitution. It was difficult, she said, to achieve enough provincial support to meet the requirements of the amending formula, seven provinces and half the population.

She, along with Robert Stanfield and many professors, came before the committee to outline the importance to the aboriginal communities that they be involved in a process of constitutional change, and this Government has always supported that. Now that Quebec is part of the constitutional family in a full way, aboriginal people will benefit as a consequence because they will have a constitutional process involving 10 provinces and not nine.

Finally, let me say that many members of multicultural groups came forward. Multiculturalism is the oldest reality in Canada. It gained constitutional recognition in 1982 with Section 27. Section 27 says that this Charter, the law of the land, will be interpreted in a manner consistent with the enhancement of the multicultural heritage of Canadians. In

that spirit, we have adopted programs and policies which support integration, retention of cultures and languages, race relations and community relations. In that spirit, we established in 1985 a Standing Committee of the House on Multiculturalism. In that spirit, we will be bringing forward the Multicultural Act this fall, Canada's first.

It is also in that spirit that the Accord brought in through Section 16 a protection for multicultural rights contained in the Constitution. Section 16 says that Section 27 of the Constitution dealing with multicultural rights will have equal legal status as the courts interpret the Constitution. In short, Section 16 shelters Section 27.

The committee recommended that there be a standing joint committee that would allow those groups who want further constitutional change beyond that which the 1982 amendment gave them to seek it in the second round. That should be a good opportunity for those groups to come forward.

I have tried to point out to the House that the role of Quebec through this process has been put in train for the next decade and the next century. It is an historic achievement. Second, its impact has been to strengthen Canada. Third, it supports all of those other members of the constitutional family who so much depend on this country's continued recognition of the importance of diversity and tolerance.

[*Translation*]

When we say that we support the joint committee's report, we say yes to Quebec. When we say yes to Quebec, we say yes to Canada.

Mr. Berger: Madam Speaker, the Secretary of State (Mr. Crombie) is to be commended for his speech, although I do not entirely agree with everything he said. Since I was not in the House throughout his speech, I wonder whether he referred to the concerns of groups such as the *Fédération des Francophones hors Québec*, the *Société franco-manitobaine* or Canadian Parents for French, who, I found, were very eloquent in expressing their concern that, in the Meech Lake Accord or as a result of that Accord, the Governments do not undertake to promote the cause of language minorities. The Accord merely maintains or protects minorities, which, according to the groups I mentioned, merely means maintaining the *status quo*, something they find unacceptable. The *Fédération des Francophones hors Québec* said that the wording of the Meech Lake Accord was entirely inadequate to put a stop to the ravages of assimilation. That is what they said when they appeared before the Joint Committee of the Senate and the House of Commons.

I therefore wonder how the Secretary of State, who, if I am not mistaken, has a responsibility for language minorities, responds to the concerns of these groups.

Mr. Crombie: Madam Speaker, I did meet many groups from outside Quebec and especially the *Fédération des Francophones hors Québec*.

• (1300)

[*English*]

When they raised questions with me regarding their concern about Meech Lake I said, as indeed I have said on other occasions, that it seems to me the important thing to understand about the Accord is the first part. It speaks for the first time about the importance of the relationship of dual languages and a distinct Quebec within the whole of Canada. It makes clear—

[*Translation*]

the role of Quebec and the role of both official languages and that it is an important one which lies at the very heart of Canada. And the Accord reflects that reality.

[*English*]

Mr. Berger: I would like to refer the Minister to the speech made by the Quebec Minister for Intergovernmental Affairs on May 9, 1986. He said that one of the three principal objectives of the Government of Quebec was to improve the situation of French-speaking Canadians outside Quebec. He referred to the need to change Section 23 of the Charter to provide for management, if you will, of their schools by French-speaking Canadians. He also referred to removing perhaps the criteria of "where numbers warrant" prior to availing oneself of the right to minority language education under Section 23 of the Charter.

Quebec says that this was their objective. Presumably it was an objective of the federal Government. Therefore, why did the federal Government not insist that these changes be made to the Charter in order to improve the situation of French-speaking minorities outside Quebec?

Mr. Crombie: Madam Speaker, I do not think it makes much sense to go behind the agreement. It was made by Quebec, the Government of Canada, and all the other provinces. It may well be in the give and take of negotiations that there were some things a particular province may not have been looking for, or they were unable to obtain something that they were looking for. That could apply to the federal Government as well. All that has to do with the essential way in which we go about Constitution-making. It does not involve some kind of ideological purity. It is not some kind of academic event flowing only from legal classrooms. It has to do with the blood and guts of the country. It has to do with compromise. That is why I spoke about the historic role of Quebec. It has always been part of the give and take over the nature of this country.

The Hon. Member asks why something did not happen. In my judgment it is part of the realism and magic of federalism. It is a product of compromise, not some kind of ideological event.

The second point I would make with respect to the question of French outside Quebec is that this Government, and I might add this Minister along with two others, brought to this House

for first reading the first changes to the Official Languages Act in 17 years. Included in those changes were the promotion of French outside the Province of Quebec, and this involves a strong role for the Secretary of State. It therefore seems to me that the Government understood that plea and responded in a very impressive way. In that respect I do not think this Government needs to make any apology. We brought forward changes to the Act which would allow us to expand the opportunities for French outside the Province of Quebec.

Mr. Berger: Madam Speaker, the Minister has specific responsibility for minority language rights. He talks about amendments to the Official Languages Act. Why does the Minister not put the obligation to promote minority language rights into the Constitution and not just preserve the *status quo*?

He talked about the give and take of negotiations. We are all well aware of that and of the so-called negotiating prowess of the Prime Minister (Mr. Mulroney). Yet when we are drafting the Constitution, is it not fundamental that the federal Government should take its responsibilities to heart, not compromise, and insist that at least its obligation in this area is put into the clear language of the Constitution?

Mr. Mantha: What did you do when you were in power?

Mr. Crombie: Madam Speaker, with respect to the responsibilities for the promotion of French outside the Province of Quebec, the Government is not promising to do it. It is doing it! That is the difference between this Government and the Government of which he was a Member. That is why I mentioned that for 17 years there was no change. We brought in changes to the Act, and those changes will expand the opportunities for the use of French beyond Quebec. It is an excellent Bill. Indeed, the Commissioner of Official Languages recently wrote an essay commending the Government for it. It is the delivery of those programs which is needed, and that is what we are doing through the Official Languages Act.

• (1310)

Second, I think it lies idle in the mouth of the Hon. Member to suggest that the Prime Minister was not up to the mark with regard to negotiating skills. I remind him that when it was his turn in 1982 he was quite capable of supporting a resolution which did not even include the Province of Quebec. Many of us did that in order to support the Charter, but to use this now as a political tool to say that the Prime Minister did not negotiate well is unfounded. This negotiation was inspired by the Prime Minister and has the support of all three Parties and the 10 provinces. That is why it is historic.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The period for questions and comments has now expired. Resuming debate.

[*English*]

Ms. Marion Dewar (Hamilton Mountain): Madam Speaker, it is a great privilege to rise today to speak on the Meech Lake Accord which is an historic agreement. I believe that we have had a period of great injury in this country and that a healing process is now taking place. That process is very important. I do recognize, however, that there are compromises in this Accord. I believe that Canadians have the ability to bridge some of the difficulties and will do so in the future.

So often we lose track of our historical roots. This country has the great benefit and privilege of having been conceived, not out of civil war, but out of partnership and compromise. People said that they could respect our different cultures and different religious backgrounds and were willing to protect them so that we could join hands and come together as a country.

I noted with sadness that some of the previous debate in this House weakened that resolve to form a strong country different from the country south of the border. It is sad to realize that the agreement put forward earlier this morning may weaken the union that we formed.

Some of the things which happened in the Meech Lake Accord are not dissimilar to things which happened in 1867. A group of people came together and said that it was very important that we respect the differences of others. As in the preliminary Charter, women were forgotten in the Meech Lake Accord, and I believe that that happened in 1867 as well. Through the Persons case, that was amended in the Supreme Court in London. However, the New Democrats believe that the rights of women are not eroded in the Accord. We would like women to be included in the abundance of caution which Senator Murray identified for aboriginal and multicultural people.

The Meech Lake Accord celebrates the fact that our country is becoming whole, and that is very important. We do recommend some very minor amendments. We believe that the major amendments which are being put forward are irresponsible because they can unravel the Accord. We believe that the Accord is precious and must be nurtured. We must look forward to the future with it.

Whether through oversight or not, Yukon and the Territories were ignored with regard to appointments to the Supreme Court of Canada and to the Senate. We believe that must be corrected.

The amending formula which ignores the right of the Northwest Territories and Yukon to become provinces must also be amended. No other province in this country had to have the unanimous support of all other provinces for that. There may be some flexibility there. Perhaps the political will of the people will convince the First Ministers that this slight amendment can be made without unravelling the Accord. These are the kinds of things that are very important.

As a feminist and a woman I have been very concerned about the rights of women in the Accord. I have become satisfied in my own mind that the rights of women will not be weakened by it. National women's organizations, including the National Action Committee on the Status of Women, have suggested that in some circumstances the Accord's recognition of Quebec as a distinct society might lead to court judgments which adversely affect the Charter of Rights. The Quebec Charter of Rights has set an example for us all in the way that it has addressed equality rights for women.

As a New Democrat I do not believe that sexual equality will be adversely affected. We know that the charter guarantee of sexual equality was an important achievement for Canadian women. I am very proud to say that I was active in organizing women across Canada in that regard.

We support the compromise that has been arrived at between the National Action Committee and the *Féderation des femmes du Québec*, the leading Quebec women's organization. The same abundance of caution that prompted guarantees that the Accord would not affect aboriginal rights or multiculturalism should be applied to sexual equality. That is one of the amendments that we are urging the First Ministers to support.

We would certainly like to see an agenda put forward for a national conference on aboriginal rights. It seems ludicrous that we would make an agenda for the First Ministers without including a specific time for a conference on aboriginal rights. Such a conference would put our aboriginal people in a better position than they have ever been in before. With Quebec at the table it will be more feasible to get seven provinces and 50 per cent of the population to support that amendment. Those are some of the reasons for which we think it is very important to recognize that becoming a family is more important than studying every detail.

We must recognize that the nomination of Supreme Court judges by the provinces has taken place in name in the past anyway. We are really legitimatizing some things which are already taking place. We must recognize that a strong federal Government without strength in the regions is not really a strong federal Government. The heart is really what the roots are all about. If that is recognized it will be a good thing for Canada. In many aspects the Meech Lake Accord represents the coming of age of our country.

Those things are important, but we must not erode other things which are equally as important. I speak, of course, about equality rights, the rights of the aboriginal people, and of the North which is so precious to all of us. The very small amendments put forward by the New Democratic Party are not meant to unravel the agreement. We wanted our amendments to be recognized as intending to help the Accord and strengthen the Canadian Constitution.

The Meech Lake Accord was long overdue. The fact that we repatriated the Constitution while leaving out a very strong element of the country always seemed to me to be in contradiction to what Canada was all about. It was certainly not the way that Canada came into being in the first place. It seems to me that the time for that healing has taken place. I certainly think that we are in a position in which we can certainly support that.

• (1320)

I urge the Government, however, to think seriously about the amendments that have been put forward by the New Democratic Party. They have been put forward thoughtfully, looking at the fact that, historically, the women of this country have been ignored many times over in the legislative process. What they are really asking for is to have the same concern, the same abundance of caution taken as far as their rights are concerned, as are taken with the aboriginal people and members of the multicultural community.

I also feel that most of the attributes of the Accord and the changes that are taking place are positive. They legitimatize some of the things that I have mentioned that have already taken place. But if we also look toward the future of the country we will recognize that with the Accord, if we are going to have regular constitutional conferences, if we are going to have all the provinces at the table on an ongoing basis so that we can look at the process, the Canadian people will become familiar with what their Constitution is all about.

There is a recommendation that a parliamentary committee be set up so that Canadians can have constant input into what the constitutional amendments are all about. One of the saddest things is that we do not as a people understand our history well enough. That is why some of the debates have taken place in the past in our communities, when there has not been a respect for each other, our cultures and our rights. I think that more and more as we understand our history, the possibility of understanding and having ownership of our Constitution, there will be an ongoing committee that can handle that matter.

Too often constitutional amendments have been seen as something that take place in the back room or, may I be so bold as to say, in a kitchen of a restaurant. It is not really the dignified way that Canadian people want to participate in the process of amending their Constitution. Certainly, we can set up a committee that will have ongoing jurisdiction for constitutional amendments, in which Canadians are encouraged to participate. The young Canadians that we heard about earlier today would be able to participate in the process instead of looking where their jobs will come from south of the border. They can participate in amending their Constitution so that they have ownership of it. They can have pride in that. They will have the ability to develop their own economy and their own jobs and sovereignty. That is the kind of thing we are really talking about when we talk about the Meech Lake Accord.

The Meech Lake Accord is bringing us up to 1987 legitimately in terms of what we can do in a legalistic way, but I like to think that out of this debate and out of these discussions will come a true vision of the future in which we Canadians can amend our Constitution, own our Constitution, and really have a vision about what our country is all about. I think that is why it is so important that the Meech Lake Accord be supported.

I would certainly ask the Government to take seriously the very small amendments that have been put forward just to give the Canadian population, the aboriginal people, the northern people and the women of this country that sense of security that they long for so dearly. I do not think it would unravel the Accord at all. I think it is really important that the priority be there, that we become a family as a whole, that Quebec be at the table with us, and that, once again, as in 1867, we can say: "Yes, we do respect each other. We understand how we were built. We know what our foundations are all about. We want to be strong and make sure that our true North strong and free is also participating in the whole debate".

The Acting Speaker (Mrs. Champagne): Are there questions or comments? The Hon. Member for Laurier (Mr. Berger).

Mr. Berger: Madam Speaker, I would like to put a question to the Hon. Member, recognizing that she is a new parliamentarian, of recent vintage if I may say. I listened to her comments about the need for participation by the citizenry, by the average citizen, in the process of constitutional reform, which, as she said, would, hopefully, take some of these decisions out of the back room. Does she not feel, though, that the Meech Lake agreement will make inevitable decisions in the back room?

I say that looking at the fact that, first, there are to be annual First Ministers' conferences, and the First Ministers will be sitting down at a table. Mr. Trudeau has called this a *Diréctoire* which will be deciding things for our country.

When we look at the appointments to the Supreme Court and to the Senate, these decisions will be made by the executive branches of Government, by the Cabinet, by the Prime Minister and the provincial Premiers, presumably. There is no say whatsoever for the legislative branch, for Parliament, in this process of appointments. This is a far cry, I am sure the Hon. Member will recognize, from what is happening in the United States at the present time. In that country Congress, or the Senate at least, and perhaps both Houses, but the Senate certainly has the right of veto of appointments to the Supreme Court of the United States. We can see the magnificence of that kind of process. I am not suggesting that we have to go that far. But the Meech Lake agreement, I would suggest to the Hon. Member, rules out any meaningful input by parliamentarians, let alone citizens, the ordinary citizens of this land. I ask for her thoughts on this subject, which is a very disquieting one to me.

Ms. Dewar: Madam Speaker, I think that if one looks at the recommendation that deals with a parliamentary committee that will travel across the country before the First Ministers' Conference, that will certainly give more input and more legitimate participation to Canadians than has ever happened before. I hope that the Hon. Member's question does not suggest that there has been a more open process in the past. I was very much a part as an ordinary citizen of trying to get input after 1980-81 when the women of this country were trying to organize and say: "Do not ignore us again". Certainly, when the Meech Lake Accord took place, it took place with the First Ministers and the Prime Minister (Mr. Mulroney) without there having been a lot of previous discussion across the country. And the Accord is now in front of us.

I think the positive part of the Accord is that now the committee report is recommending a procedure that can include Canadians before First Ministers' conferences. What we are talking about with the First Ministers and the Prime Minister is people who are duly elected by the people in the provinces, which is a democratic process. We are not in the form of a republic. We have to recognize that our Charter is a Charter that is in the context of a parliamentary system.

In that process the methodology that is recommended by the committee is a very good one because it allows for Canadians to participate. It will finally put an end to the boys having their little conferences and then, all of a sudden, things being brought forward and our reacting to them. I think the potential to have that procedure in place is very much there in the committee report.

I think the committee report is a very comprehensive one and a very good one. It was done in a very short time, I must say. I was quite pleased when I looked at it because I had thought that maybe it would be just a rush job. I do not think it is. I think it is thoughtful. The recommendations in it are very good. I think that the potential for building a stronger and better country is there, if we listen to those recommendations.

Mr. Berger: Madam Speaker, I would like to direct a question in another area to the Hon. Member. It is in the area of the spending power. The Hon. Member, who is a former Mayor of Ottawa, over the years has demonstrated a concern for social problems. She is probably familiar with some of the recommendations that have been made in recent years for reform of our social programs, notably the recommendations of the Macdonald Commission to establish a comprehensive income security program.

[*Translation*]

In French, I believe it is called a "*régime universel de sécurité du revenu*".

• (1330)

[*English*]

I wonder if the Hon. Member listened to the testimony of Professor Al Johnson before the joint committee of the Senate

and House of Commons. Professor Johnson is knowledgeable in this area, he has been a Deputy Minister in Saskatchewan and in the federal area, and he reminded the committee members and parliamentarians that a long, hard battle had to be fought to establish medicare. Some of the provinces fought this tooth and nail, particularly the Province of Ontario. Professor Johnson suggests that giving the provinces the right to opt out of shared cost programs, and receive full compensation without having to meet any national standards, will ensure that it will be all but impossible to reform our social programs, to institute a guaranteed annual income, or to undertake many of the other social reforms that are badly needed in this country.

Will the Hon. Member comment on Professor Johnson's ideas?

Ms. Dewar: Certainly, one of my concerns was the spending powers. For the first time we may even have strengthened our federal spending powers. In the Meech Lake Accord we are setting national objectives and not standards. Anybody who has evaluated programs in a variety of places, and I am sure that the Hon. Minister would recognize the same thing in looking at what happens in an urban setting versus what happens in a rural setting, when the Government becomes the instrument of delivery of programs the standards become very different. The objectives can be the same. We now have the ability to be able to set national objectives instead of standards.

That is exceptionally important for the simple reason that Canadians will begin to understand what values are being put forward when there is a national objective for a program.

For instance, if a child care program is to be accessible and delivered by a non-profit co-operative, or by a Government, there can be a variety of standards. But the objectives are that it is accessible and not profit making. Therefore, that national objective can be there. It could be very different in northern Canada, in southwestern Ontario, and on the Prairies, but the objective is there for the children. If a national Government wishes to privatize all service deliveries and it does not wish them to be accessible to everybody, it may wish to have a test for those people who are deserving, and those objectives must be stated. Therefore, there will not be that national program.

Certainly, in regard to the medicare system, Al Johnson validly stated that it was the Liberals in Saskatchewan who fought it to no end at that time. The Conservatives in Ontario were talking about the erosion of any type of health care delivery to people in Canada. It had to be negotiated by the federal Government and the provinces to be able to be implemented. At that time there was no ability in the Constitution to be able to set a national objective and to go in and do the spending.

It was the political will of the people that eventually brought it to bear. In that manner we achieved the health care system that we have today. It may have all types of warts and problems in it, but I challenge anyone because I think it is second to none in the world.

That was done in our funny Canadian way. We look at things, compromise, and negotiate. Now we are looking at it and we have matured to the point where we are stating in our Constitution that the federal Government should have the ability to set national objectives. When it sets national objectives, the provinces must come along. If they do not come along, they do not become part of that program. Therefore, they do not receive the moneys for it. As a municipal politician, I certainly recognize that those are the levers that really work.

Hon. Alvin Hamilton (Qu'Appelle—Moose Mountain): Madam Speaker, it is very pleasant for me to be able to enter this debate following the speech of the Hon. Member for Hamilton Mountain (Ms. Dewar).

As one old-timer to another, we recognize experience and the necessity to be moderate and lucid. The speech of the Hon. Member today delighted me to no end. For those who have been around for a good many decades in the field of government, it is very clear to us that there is no such thing as a perfect law. There is no such thing as a perfect agreement, whether it is called Meech Lake or anything else. We can only do our best and hope that it is general enough to cover all the points. The Hon. Member clearly made the point that when one gets down into details, one gets lost and into all types of extraneous fights.

There is the feeling in the House that the new Member for Hamilton Mountain deserves the congratulations of those of us who are listening today. It is a good example of Parliament at its best.

I am ashamed to say that I am going to do what is called a "school teacher operation". In the question of Constitution-making, I belong to a generation that heard nothing else but. In the 1930s all we heard is how are we going to solve this terrible disaster that is upon us. There was not only a Canadian recession, and bad weather in areas of the west for 10 years, but across the whole country we heard about how we could cope with this problem. We had the tremendous royal commission report, the Rowell-Sirois report, after 10 years of study.

In the university class that I belonged to was a person who has been mentioned today, one of the ex-senior civil servants, Mr. Gordon Robertson. I have engaged in debates with him for 50 years. We both came to the conclusion that a long road is before us. He went through the Civil Service, and I went up through the political ladder. I was defeated seven times in my political career before I was elected, and you learn the hard way that you have to get along with people.

I wish to throw into the debate today a few observations that may help the people who may be watching this debate understand what is going on in their language. As parliamentarians talking about things we know quite a bit about we go

into great details, and tend to forget that the great majority of the people of Canada keep asking, "What does all this mean?" There is nothing new in the Meech Lake Accord. It has all been said by the Hon. Member for Hamilton Mountain. It is simply putting into written form what we have been practising for decades, more so at some periods of time than at others.

One of the first things that confronted me as a then young National Resource Minister was a problem that had been before the Governments of the United States and Canada for 10 or 15 years. That was how could we develop the waters of the Columbia which are shared by the two countries? Finally, after four years we reached an agreement. Then the academics, particularly in western Canada but also all across Canada to a degree, began to write article after article with all the facts and figures delineated in great detail in order to prove that Canada had sold out to the United States. Across the line equal numbers of academics—and my personal word is "nitwits"—began to write articles proving that the Americans had sold out to the Canadians. This went on for about eight years or nine years, each one copying the other fellow's paper and making it stronger.

• (1340)

Finally, a professor from Simon Fraser came to me and said: "You were in charge of this operation for three years at the beginning". I said: "Yes, there were three of us on the committee". Then he said that he could not understand how these fellows could say that it was no good but for opposite reasons.

We set up a series of meetings, called "Academics Together", and brought in the people who had actually negotiated the agreement or treaty. In a few weeks everything died down. I am guilty of having said, when I first mentioned it in the House, that we would never know for 50 years who got the best in that deal.

Ten years afterward I had it reviewed quantitatively, and it showed that Canada was a little ahead in dollars and cents, $100 million or so. The treaty was to last for 60 years and, if that trend continued, we would probably be ahead by half a billion or a billion at the end of the 60 years. In the meantime, large areas of both our countries were to have tremendous increases in power and a much lower rate than they could have got if they worked separately. It was good to both sides, but the interesting thing was that all these people quit writing about the thing. They never uttered a peep since.

I think—and we are half way through the deal now—that in another 20 years or 30 years they will want it renewed. The agreement was arrived at after careful consideration, and we worked under the International Joint Commission, which was set up in 1909 to ensure fair play in terms of the water which flows over our borders, and now air.

When we reach a major agreement or understanding such as this one, I would like to think that the same will prove true if we do not get caught up in the details and in trying to settle every problem in a single agreement. I think the Meech Lake Accord, 1987, may well become one of the steps along the way to running a federal system and co-operating with other countries which have federal systems. There are a few federal systems in the world. The Americans were the first. I think Australia and Canada were second. However, that is not the point. It is a very unique form of governing large countries with many diverse interests.

All we have to do when we hear the words "Meech Lake Accord, 1987" is simply say that it is a political agreement among the provinces and the federal Government in general terms which are aiming in the same direction. We will quarrel a little back and forth on the division of powers, but if we work co-operatively it will work. In other words, the main significance of the Meech Lake Accord is for it to be a written document as opposed to the traditional way in countries with British background of simply going by custom and precedent and letting the courts move us forward slowly.

I repeat that the agreement is simply a written document on what we have been doing for the last 20 years or 30 years with various forms of success.

Turning to the argument that we can never have a perfect Constitution or agreement, I should like to indicate that 1987 is the two hundredth anniversary of the American Constitution. I know something about that Constitution in that I spent a whole year of my life working on a thesis on it.

Two hundred years ago they took leading intellectuals and politicians representing the 13 states in the Confederacy and put them in a little village several days or hours away by horse and carriage from the big centres. The village was Philadelphia. In fact, it took three days or four days to get to New York where the action was. They were isolated. In the five months or better which the politicians spent in daily discussion with the greatest collection of intellectuals, which certainly the United States and maybe the world had ever seen, they came up with what is now known as the American Constitution. These men were highly educated in the classical school of government particularly Confederations, over 3,000 or 4,000 years and, mixed in with some politicians who were practical, they finally came up with the Constitution. They tried desperately to make it perfect, but at the end of that time, Madam Speaker, you should have heard the howlings by participants warning of all the dangers.

However, the fact remains that 200 years later the Constitution is still in place, even though there has been over a score of amendments. It was set in general terms. All I can say today—and I know that they had to make amendments approximately 30 times—is that the Canadian British North America Act, which followed the American Constitution 100 years later, tried to be more centralist in control, but we too have survived over the years.

If we look carefully at the American Constitution and at where the power lies, we see that there was more power in the hands of their states than in the hands of their central Government. However, over the years they spread across the

continent, and nowadays we hardly even know at the national level if the states exist. They are always there with their powers, but the great spending power of the central Government has brought it into the field of state jurisdiction, yet their Constitution goes on.

I should like to refer to the winter 1987 issue of *The Public Interest* magazine. It is entitled *The Constitutional Order, 1787-1987*. I think one library in town gets this book, and I think I have the other one. However, it contains nine articles by some of the leading intellectuals in the United States. They criticize and praise their own Constitution. I think the House will recognize the name of one of the writers, Senator Daniel Patrick Moynihan. He talked about it being an intellectual Constitution, all for the individual, and so on. However, part way through the article he wrote:

> —the great object of the constitutional arrangements we thereupon put in place was that the government should leave the citizen alone... Thus the thundering prohibitions of the Bill of Rights: "Congress shall make no law"; "No soldiers shall"; "no Warrant shall".

These were mandatory commands that no army or Congress could do anything to hurt individual rights. He continued:

> Fair enough. That was the problem then. *The problem now is that citizens won't leave government alone*. They now plunder the State as the State was once thought to plunder them.

That was the conclusion of an experienced thinker and politician. He was not running down the Constitution. He was simply suggesting that for the next 200 years we will slowly have to find some way to keep the special interests, or these small groups which get everybody stirred up, off the back of government because we are destroying the right of the group to proceed in the best way.

I put those comments before the House for consideration, but I must repeat that we are simply enshrining in written form what has already been happening. In my day and in the Diefenbaker administration we called it co-operative federalism, as opposed to confrontational federalism. In my own case as Minister of National Resources and Minister of Agriculture I made over 80 agreements with the provinces. I found that I could achieve success by making each deal different with each province as long as it fitted into the federal objective. That was the main point which I think the Hon. Member for Hamilton Mountain was making. If you have a direction, why should each province not do the thing that best fits its needs and wants?

• (1350)

Those agreements still stand—some of them have expired—in spirit today. I am rather proud of the fact that people still remember my Roads to Resources, my Pine Point Railway—which everyone said was crazy—and still remember bringing in education into the new areas of the North, for example, the Northwest Territories. Sure we failed in the curriculum that we set up which was based on the provincial background and not on the native background, but at least there was progress. I would like to think that in pioneering this concept of co-operative federalism, not only my name is there but also that of the Hon. Mike Starr who got the provinces to co-operate on education. How as Minister of Labour he did it, I do not know, but he was very persuasive in a small room. One day a few months ago we honoured him here by mentioning his name in the House. He was one of the few fellows who taught me how to get along with Quebec. He said, "Never put anything in writing".

Some Hon. Members: Oh, oh!

Mr. Hamilton: It was a beautiful lesson and everybody laughed. But when you have people sensitive about their sovereignty, do not stick them with written documents. We did co-operate to the benefit of Quebec and to the benefit of the whole of Canada.

The public should understand that all Members here are trying to put forward their clear-cut description of this Accord, but they will fail if they do not realize that all the public wants to know is whether it is better or worse than what we had before. It is the same as we had before, but in written form. I would think that is the simplest way to describe the Meech Lake Accord.

A lot of issues have been brought up, for example, the power of the provinces. Forget it, Madam Speaker. The provinces know how to use their power and they do not have any more power now than they had before—witness the United States.

Concerning women, as the Hon. Member for Hamilton Mountain pointed out, they are doing all right. If people continue to be normal at the government level, they will continue to do all right. God help them if they do not. It will be a long, hard struggle for the aboriginal groups to get what they want, namely, some form of sovereignty within the overall sovereignty of the provinces, the Territories and the federal Government. As for the question of the Territories not being mentioned, I think it is fair business, but at the same time nothing detrimental will happen to the Territories if we can get them into a financial position where it pays them to become a province. I do not think any province, unless in a fit of pique, would suggest they should not come in. We just want to get them to having enough of a financial base that they have some chance to run their own affairs.

We heard minority language discussed today. Putting into general written form the practice of co-operative federalism is just a step up from the previous practice of confrontation as a technique. I recall when the Pearson administration came in in 1963 and announced it was all for co-operative federalism something that we had been following. The first thing that that administration did was to call all the provinces together and put them on one side of the table and the Prime Minister on the other. When you have a murderers row of all the provincial Premiers sitting opposite a new Prime Minister, it is not a fair fight, so it ended up as a confrontation. It all depends on the individuals concerned. If an individual wants to work co-operatively, I think you can succeed. People are tired of this

fighting because of different political Parties with one belonging to this provincial Government or that and the federal Government. People want an end to the old fights and arguments. That is why I say, let us go forward in the common interest.

Mr. Berger: Madam Speaker, I do not have the experience that the Hon. Member has in this House of Commons. I was quite astounded when the Member said that there was nothing new in this agreement and that this is what we have been doing for the past 20 years. The Member also said that the provinces are getting no new powers in this agreement. When I say I do not have the Member's experience, and if the Hon. Member for Qu'Appelle—Moose Mountain (Mr. Hamilton) does not believe me, I could say I could refer to somebody like former Senator Eugene Forsey who has a bit more experience than I do and who matches the Member's experience in some areas. I was looking at one of Eugene Forsey's comments while the Member was speaking. He talks about admitting new provinces.

Would the Hon. Member for Qu'Appelle—Moose Mountain not agree that there has been a dramatic change when it comes to admitting new provinces? For many years it was the federal Government alone with the concurrence of the provinces to be, that decided whether there would be a new province. In 1982, under the amending formula it became seven out of 10 provinces that had to agree with the decision of the federal Government. Now we are talking about requiring the unanimous agreement of all the provinces and the federal Government. I would suggest to the Hon. Member that this, indeed, is something new.

Mr. Hamilton: Madam Speaker, the Hon. Member is quite right. This is something new. It is just putting into practice what we have always done. Former Senator Forsey is quite right. This is quite new. Ex-Senator Forsey is very experienced. His love of law and writing is well known. What I am trying to say, not just to the Members of Parliament but through you, Madam Speaker, to the whole country is that this is no time for lawyers. This is a time for honest-speaking politicians to tell these intellectuals—what shall I call them—the rationalists who believe that science and common sense will conquer all. There is such a thing as instinct and civility that makes a government, a country and a family work. Yes, ex-Senator Forsey is absolutely technically correct. But we are not talking about technicalities here, we are talking about building a nation in a spirit of compromise and co-operation and, quite frankly, we have a long history ahead of us in this form of attitude.

The Acting Speaker (Mrs. Champagne): Since it is now two o'clock p.m. and pursuant to the Standing Orders, the House must proceed to other business. The remaining 12 minutes of extension resulting from the ministerial statements will be added to Government Orders later on this day.

• (1400)

[*Translation*]

Consequently, the hour provided for the consideration of Private Members' Business will begin at 5.12 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

FAMILY WEEK

ASSISTANCE FOR FAMILIES—URGENCY FOR GOVERNMENT TO IMPLEMENT PROMISED POLICY

Mrs. Lucie Pépin (Outremont): Mr. Speaker, today marks the opening of Family Week. When talking about the family in the years 1990s, we are referring to the traditional family, the single-parent family, the reconstituted family, and the single mother. We know that one child out of five is poor. We also have a draft tax reform which was tabled in the House in June and which does not seem to give full consideration to the needs of low and middle income families. The gap between rich and poor families grows wider, to the extent that on the occasion of Family Week I again urge the Government to reconsider its approach to the tax field, to let families survive, and especially to give support services to young couples anxious to bear children. I think that ever since this Government took office we have been told that it has a policy to help families. Perhaps time has come indeed for the Government to implement the measures it has been telling us about for three years.

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CANADA POST CORPORATION

HIRING OF STRIKE-BREAKERS—OPPORTUNITY TO CHANGE CANADA LABOUR CODE

Mr. Guy St. Julien (Abitibi): Mr. Speaker, Canada Post should not be hiring scabs during the current series of rotating strikes in Canada.

When Canada Post management hire scabs they create a climate of violence, and we must all keep in mind how Bill 45 has made labour relations in Quebec more civilized.

Sooner or later Canada will have to find a solution to avoid such violent incidents.

Quebec's experience is rather unique: labour conflicts in recent years have been practically devoid of violence because Bill 45 has introduced better balance between forces.

On June 23, 1987, Mr. Speaker, I had an opportunity to rise in this House and suggest that Canada Post officials ought to draw inspiration from the Quebec legislation.

S. O. 21

If our Government feels that postal services are essential, it should amend the Canada Labour Code so that henceforth any strike be nothing more than a symbolic gesture.

* * *

[*English*]

NATIONAL FAMILY WEEK

COMPREHENSIVE FAMILY POLICY ADVOCATED

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I challenge the federal Government during National Family Week to announce positive programs that will benefit families year-round. Despite Throne Speech promises, there is no comprehensive family policy in Canada. Instead, Tory tax policies have added an extra $500 annual burden on families.

National policies must recognize that more parents of young children are working, more single parents are raising children alone, and one in five children still grows up in poverty. A comprehensive family policy must provide tax measures to improve family incomes, reindex the family allowance and increase the child tax credit. The long delayed national Child Care Program must be implemented and we must have maternity and parental leave benefits that are extended and enriched.

The first objective during Family Week should be to establish an active program to eliminate poverty so that every child in Canada can grow in health and with equal opportunities.

* * *

INDUSTRY

ASSISTANCE OFFERED TO NEW INDUSTRIES BY STATE OF MISSISSIPPI

Mr. Alan Redway (York East): Mr. Speaker, bearing in mind the fact that U.S. claims of unfair Canadian trading practices through subsidies to business have prompted numerous American countervail tariffs and anti-dumping measures against Canada, one can imagine the feelings of one of my constituents, Mr. Louis Borsook, the Chairman of Dorothea Knitting Mills, who received the following letter from the Mississippi Power & Light Company:

> Dear Mr. Borsook:
>
> In 1986, 506 new and expanding industries invested more than $1.2 billion in Mississippi. These industries took advantage of many programs currently available to manufacturers, such as Tax-Exempt Financing, State Income Tax Credits, Ad Valorem Tax Exemptions, and Free Start-Up Training—
>
> During the week of October 19-23, I will be in Ontario meeting with industries considering expansion. I would appreciate the opportunity to briefly meet with you to discuss the many advantages Mississippi has to offer. Indal, MacMillan Bloedel, Ivaco, and other Canadian companies are aware of these advantages and have made substantial investments in Mississippi.

It appears that the new Canadian-U.S. trade dispute mechanism will soon have its first claim of unfair trading to settle, and it will not be a claim against Canada.

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FISHERIES

SCALLOP LICENCES—CALL FOR CHANGE IN POLICY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I rise today to express once again my disappointment at the decision of the Department of Fisheries and Oceans and particularly of the Minister of Fisheries and Oceans (Mr. Siddon) to withhold the renewal of licences for scallop fishermen.

In order to qualify for new licences, fishermen must have landed scallops valued at $350 during any of the last five years. However, this ignores the fact that many fishermen in Atlantic Canada simply do not sell their catch. Many fishermen keep the scallops for their own consumption, thereby significantly augmenting their over-all income which is very limited at best.

I call upon the Minister of Fisheries and Oceans to reconsider this policy and to change this unfair decision affecting the inshore fishermen of Nova Scotia and the Atlantic region. Many fishermen like those from a community called *Main à Dieu* find this decision to be particularly upsetting. I urge the Minister to reconsider this policy.

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TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, the free trade pact between Canada and the United States is good news for all Canadians. Not only does this pact protect Canadian sovereignty but it recognizes our unique Canadian culture and maintains the safety net of our social programs.

Despite what Bob White, Vice-President of the New Democratic Party, and his minions, both in this Chamber and in the provincial Legislatures, are saying, the end result will be lower prices for Canadian consumers and higher wages for Canadian workers.

This is a mutually advantageous economic agreement for both countries. With the dispute settling mechanism firmly in place, many of the obstacles that now hinder trade are removed.

This agreement will take us into the next century and beyond and will build a better Canada, not only for us today but for future generations as Canadians take their rightful place in the world community.

CANADA POST CORPORATION

POSTAL RATE SUBSIDIES—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I am sure that it will come as a surprise to most Canadians to learn that Canada Post is a part of the free trade agreement. This will not be welcomed by Canadians. We are not giving away Canada Post, but we are giving away postal rate subsidies used to support Canadian magazines and periodicals. These include small professional journals, Canadian specialty magazines, and even magazines with mass circulations like *Maclean's*.

Canadians have found with this free trade agreement that it is illegitimate for them to use the Post Office to support Canadian culture. From now on, Canadian magazines will have to play to a North American market. They will have to forget about their Canadian roots and their Canadian audience. What the Mulroney Government has done has been to sell out Canadian culture just after it had said it would protect Canadian culture.

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TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, British Columbians are ecstatic about the Government's free trade deal. They know that it means jobs. They know what the addition of 250 million customers will mean to the Canadian market-place. They know that more trade means more opportunity to expand economic horizons.

What western Canadians do not know is why the NDP and the Liberal naysayers are nattering negativity. Members of the Opposition are not consistent. They were negative when we began negotiations, they were negative when we broke them off, and now they are negative because we have a deal.

Three-quarters of what we produce in the West is sold to the Americans. Unfettered access to the huge U.S. market-place means that we have opened the window on the world. We are good traders now; we will be even better traders tomorrow because of this agreement.

British Columbians, and indeed all Canadians, now know who leads and who follows. Progressive Conservative Government means strong initiatives and concrete results.

I say to my colleagues in the Liberal Party and the NDP that we are leading Canada into the 21st century; they are not. We are improving the Canadian economy; they are not. We will be governing this country for a long, long time, and they will not.

• (1410)

TRADE

CRITICISM OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Prime Minister (Mr. Mulroney) went to Washington to tell the Americans that Canada was open for business and up for sale. The midnight madness sale is over and Canada has been sold out to the United States. We learned today that in spite of the free trade deal the softwood lumber tax is to remain in place, the duties placed on shakes and shingles, steel, fish and other commodities will also remain in place, and that duties on our products will be allowed in future.

Not only will the duties and softwood tax remain on British Columbia products, but the Okanagan tree fruit industry will be wiped out, cottage wineries will be destroyed, vineyards will go, and the struggling family farm has been skewered. B.C. farmers will be overwhelmed by heavily subsidized U.S. agricultural products.

Now that the federal Government has agreed to purchase its goods and services from American suppliers, western Canadian companies which looked forward to participating in government procurement programs have been abandoned.

Sir John A. Macdonald and John Diefenbaker, if they were with us today, would be calling out in despair. They, like most Canadians, believed the federal Government should work in Canada's interests, not those of the U.S.

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[*Translation*]

TRADE

FREE TRADE—CANADA-UNITED STATES AGREEMENT—IMPACT

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, last weekend, this Government achieved a historic agreement between Canada and the United States. We had promised Canadians access to the American market of 240 million consumers, and we kept our promise.

Canadian manufacturers are now assured that they will keep their present export market of $95 billion a year and increase it thanks to their creativity and dynamism.

This gigantic success for our two countries will result in the creation of 350,000 new jobs in Canada. Because our plants will produce on a larger scale, consumer prices will decrease by nearly 6 per cent according to the Economic Council of Canada. Our farm product marketing system will not be affected by the agreement, and neither will Canadian culture, contrary to what the socialists are saying today.

Today, we pay tribute to our negotiators, to our Conservative Parliamentarians, to our Ministers for International Trade

and External Affairs and to the Right Hon. Prime Minister (Mr. Mulroney). This marks the beginning of a new Canada under a Conservatives Government.

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[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—DIFFERENCES IN SUMMARIES

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, a few observations on the so-called free trade agreement are in order today. The summary published in Ottawa by the Office of the Prime Minister (Mr. Mulroney) says one thing, while the summary published by the office of the U.S. Trade Representative, Executive Office of the President, in Washington, says another. For example, the Americans say Canada agreed to change postal rates for U.S. periodicals. The Canadian summary is silent on that. The Americans say we have agreed to the elimination of tariffs on printed material and recordings. The Canadian summary is silent on that. The Americans claim we have agreed to allow the U.S. non-discriminatory access to Canadian energy supplies. The Canadian summary is silent on that.

For page after page the summary released by the Office of the Prime Minister differs in content from that of the summary issued in Washington. We would like to believe the Prime Minister's interpretation of the agreement but, as we have learned on acid rain, what Washington says is what Washington does. With this agreement, unfortunately, what the Prime Minister tells us is not what Washington says. Canada is therefore in great peril.

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TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mrs. Mary Collins (Capilano): Mr. Speaker, on September 26, 1985, our Prime Minister (Mr. Mulroney) embarked on a bold, creative and risk-taking initiative—negotiation of a comprehensive trade agreement between Canada and the U.S. Last Saturday such an agreement was reached. It will create new opportunities and new jobs for the young people of our country. It is historic in its scope and will launch Canada into the 21st century, assured of secure markets for our goods and services.

Over the past few years we have heard the wailing of the Opposition and the fear-mongering of the labour unions whose views of the future of this country and its potential are so narrow that they would turn their backs on prosperity and languish in nationalistic jingoism. Yet 50 years from now, when my great grandchildren are studying the history of Canada in the 20th century, they will remember October 3, 1987, as a key date in Canada's development, and our Prime Minister, indeed, Brian and Joe and Pat and Mike will join the Fathers of Confederation as great Canadian statesmen who had the vision and courage to make a deal and ensure a bright and prosperous future for all Canadians.

* * *

TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mr. John Oostrom (Willowdale): Mr. Speaker, on Saturday, October 3, 1987, history was made in Canada. The Prime Minister (Mr. Mulroney), in a bold and far-sighted move, ensured that present and future generations of Canadians can look forward to prosperous economic conditions well into the 21st century.

The business community has solidly endorsed the agreement for it will bring economic stability to Canada. The most bizarre reaction is that of the President of the Canadian Auto Workers. Mr. White called the Canada-U.S. agreement "ludicrous". How can this be when the agreement enhances the very industry he represents? The Auto Pact has been strengthened, thus ensuring economic security for Canadian auto workers.

I strongly urge the President of the CAW to stick to the job of representing and protecting his members' interests, for his political pronouncements are contrary to the interests of the Canadian auto worker.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF SAUDI ARABIAN MINISTER OF FOREIGN AFFAIRS

Mr. Speaker: I wish to bring to Members' attention the presence in our Gallery of His Royal Highness Prince Saud Al Faisal Al Saud, Minister of Foreign Affairs of the Kingdom of Saudi Arabia.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Prud'homme: *Salaam alaikum*!

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister gave up Canadian sovereignty without a single shot being fired.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): He sold out our farmers, textile workers, auto workers, cultural industries, natural resources, economic independence and sovereignty. What did he get in return? Did he get an exemption from American trade law or U.S. protectionism? All he got was a statement from the Executive Office of the President of the U.S. which says:

> The U.S. anti-dumping law . . . will remain intact and unchanged. Hence, U.S. petitioners will retain all their rights under existing U.S. law.

In other words, Canada will get the same rotten deal in the future that we got on softwood lumber, potash, fish, and even raspberries. Why did the Prime Minister give away the store and get nothing worth-while in return?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, obviously the premise of the right hon. gentleman's statement is inaccurate and very misleading. With reference to the dispute settlement mechanism he refers to something from the Executive Office of the President. I refer him to a document I tabled this morning which says that the decision of the panel shall be binding on the parties. That is an important step forward, one of many.

Since he concerns himself specifically with that point and raises the question of softwood lumber and potash, to illustrate what has been achieved I can tell him that in future softwood lumber and potash would not be subject to arbitrary U.S. action. The issues would now go to a binding dispute mechanism for resolution, and that is a very important gain for Canada.

BINDING DISPUTE SETTLEMENT MECHANISM

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, will the Prime Minister confirm that according to the summary provided by the U.S. trade representative, the dispute settlement panel will apply American law and rules and leave us in the same weak position as we were when we were so badly treated on those issues I have mentioned? To quote the American summary:

> —the decision of the American Commerce Department and the ITC can be overturned only if they are not supported by substantial evidence or otherwise not in accordance with U.S. law.

• (1420)

Is it not true that United States law has not changed, that it is still applicable to Canadian exports, and that we have received no exemption from it? Will he not admit, therefore, that he has not achieved the key element which he sought to achieve and promised to achieve, an exemption from American protectionism?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, it should be noted that my right hon. friend chooses to quote, as he calls it, the American summary. Why does he not start quoting the Canadian summary?

Mr. Turner (Vancouver Quadra): Because you didn't give us one.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: Stand up for Canada.

Mr. Mulroney: Why does someone who dislikes the Americans so much not stand up for Canada for once?

Some Hon. Members: Hear, hear!

Some Hon. Members: Shame, shame!

Mr. Mulroney: Rather than quote an American summary, why does the Hon. Member not quote a document which was tabled on the floor of the House of Commons this morning which says:

> The decision of a panel shall be binding on the Parties and their investigating authorities. The panel may uphold or remand the decision to the relevant investigating authority for action not inconsistent with such decision.

The application of the arrangement represents a major departure from existing traditions and a substantial gain for Canada in terms of security of access to the great American market that we have been seeking.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Mr. Speaker, the dispute mechanism may be binding if it is in accord with the U.S. Constitution. Whether it is binding or not, it applies American law and American rules. That's what kind of deal this is.

[*Translation*]

INQUIRY WHAT GOVERNMENT HAS OBTAINED

Righ Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, have the Americans changed the rules on subsidies? No. Have they amended their foreign trade laws? No. Have they made Canada exempt from their countervail measures? No. Have they made us exempt from their antidumping law? No. What, then, has the Prime Minister obtained in return for sacrificing our automobile and textile workers, our cultural industries, our natural resources, our economic independence and our Canadian sovereignty? What did he get in return?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Leader of the Opposition asks what this document contains and what Canada got out of it. Here is one answer. According to the Hon. Robert Bourassa, the free trade agreement is excellent economic news for Canada, will significantly restrict the growth of American protectionism and is in the best interests of Canada and Quebec. That is what the Canadian Government has accomplished for Canada and Quebec.

[*English*]

COUNTERVAIL DUTIES—CONTENT OF AGREEMENT

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to direct a question to the Prime Minister. On March 15 of this year the Minister for International Trade said in an interview, of which I have the transcript, that the result of having a trade dispute mechanism in place would be the elimination of countervail by both countries.

Is it not true that the power of countervail still exists, that the power of anti-dumping still exists, that those laws will still be applied, and that the only function of the mechanism that has been put in place is to provide a review similar to that provided by the U.S. courts? Is that not the basic essence?

The position of the Minister for International Trade has been overturned, the promise has not been fulfilled, and the Government has given up major concessions on investment, energy, automotive trade, and agriculture to get nothing but a Trojan horse.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, apart from the exaggerations and excessive language, there is absolutely nothing to sustain the enthusiasm of the hon. gentleman for his own point. On the contrary, my hon. friend may want to give some consideration to this serious matter. The statement was made today that "all considered, the free trade pact between Canada and the United States is the beginning of a golden era for Canadian business and workers", by the Hon. Donald Macdonald.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Come on. Get real.

Mr. Broadbent: Grant Devine will be quoted next.

Mr. Mulroney: Mr. Speaker, I do not know if the heckling from the Liberal side means that they hold Mr. Macdonald's opinion in low regard, but I can assure you that he is held in very high regard by the Government and the people of Canada.

With regard to the point raised by my hon. friend, this represents a substantial gain for Canada and in no way represents anything other than a major advance in this area.

Mr. Axworthy: Mr. Speaker, it is not that we hold Mr. Macdonald in regard or disregard, it is that we hold in contempt the Prime Minister who will not answer questions directly but simply quotes from newspapers to defend something which is so essential to this country.

Some Hon. Members: Hear, hear!

TRANSITIONAL COSTS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): I prefer to quote from a cabinet document which the Government put together when it started the free trade negotiations. It says that whatever transitional cushioning devices are built into the agreement, the adjustment process would be costly in both financial and social terms and these costs will be higher in Canada than in the United States. Hundreds of thousands of workers will be losing their jobs as a result of this agreement.

Some Hon. Members: Oh, oh!

Mr. Axworthy: The Government has no adjustment procedure, nothing to deal with the costs. When is the Prime Minister going to start showing some concern for the hundreds of thousands who will be victims of his agreement?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Economic Council of Canada has addressed the effects of an international trade agreement on—

Mr. Axworthy: What do they say about countervail?

Mr. Wilson (Etobicoke Centre): Mr. Speaker, the Hon. Member asked a question but cannot wait for the answer before wanting to put another question. Surely he should be interested in the answer to the question he just asked.

The Economic Council points out that five million jobs are changed from one company to another each year. We have a vast number of programs—I think it is $3 billion in total—that apply to this. However, the Hon. Member should understand that adjustment in a growing economy is much easier than in a stagnating economy.

The Economic Council also tells us that a trade agreement will create 350,000 more jobs than exist today. The adjustment process will be much easier in a growing economy than it would be if we do not enter a trade agreement and find that we are in a stagnating economy.

REQUEST THAT PRIME MINISTER CALL ELECTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is for the Prime Minister. The Government promised the people of Canada that it would pursue a binding dispute settlement mechanism. The people of Canada will be surprised to learn that the Prime Minister had in mind a mechanism which would bind Canadians to countervailing laws passed in the United States. Canadians will be upset by that.

This proposed agreement, the biggest in world economic history as I believe the Prime Minister modestly described it, affects wood producers in British Columbia, farmers on the

Prairies and elsewhere, auto workers, cultural industries and investment levels in this country. As it was not discussed in a single speech in the last election campaign, would the Prime Minister do the proper, democratic thing and go to the people of Canada to seek a mandate for this before he signs it?

Some Hon. Members: Hear, hear!

Mr. Riis: How confident are you now?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I would be happy to call an election—

Some Hon. Members: Hear, hear!

Some Hon. Members: Now, now!

Mr. Mulroney: —but it might inconvenience some people in the House.

Mr. Broadbent: Look behind you.

Mr. Riis: There are some pretty glum faces behind you. You scared those people behind you.

Mr. Mulroney: The enthusiasm for my hon. friend's proposition should be considered by all Members of the House.

• (1430)

We campaigned on a program of economic renewal. That program mentioned very specifically enhancement of trade, bilaterally and multinationally. That program has created over 900,000 new jobs, and we plan to create hundreds of thousands more. Then we will have an election.

Some Hon. Members: Hear, hear!

[*Translation*]

REQUEST FOR GENERAL ELECTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, we believe this agreement is a bad one for farmers, for remote areas, for our culture and for investment control. If the Prime Minister wants to be really democratic, why doesn't he call an election right away?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the agreement reflects—in fact, it deals with the issue to which the Hon. Member was referring, with problems specific to Quebec, for instance. The Premier of Quebec, Mr. Bourassa, has declared that according to him, the proposed agreement means significant gains for Quebec, for Canadian unity and for Canada's integrity. That is the opinion of the Premier of Quebec, who is as concerned about Quebec and Canadian issues as my hon. friend. The Hon. Member is calling for an election. We shall see what happens between now and later today.

Some Hon. Members: Oh, oh!

Mr. Mulroney: I can inform him that the Canadian Government, as the Minister of Finance just mentioned, has already created more than 900,000 jobs. The proposed free trade treaty provides for several hundred thousand new jobs, and I believe that finalizing these negotiations is truly in the interests of Canadians and Quebecers.

[*English*]

REQUEST FOR GENERAL ELECTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, we believe that if this agreement is acted upon by the Government of Canada in conjunction with the United States it will have absolutely disastrous consequences for the future of Canada.

Mr. Clark (Yellowhead): That is what you said about the Auto Pact. Have you ever been right, Ed?

Mr. Broadbent: Considering that the Prime Minister himself has said that this is one of the largest deals in Canadian history—indeed in world history—and considering it does fly in the face, in our judgment, of everything Sir John A. Macdonald, John Diefenbaker, and other Canadian Prime Ministers who were interested in the sovereignty of this nation stood for, I repeat: will the Prime Minister do the proper and democratic thing and go to the people of Canada and defend what he says he believes in?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I noted with interest that my hon. friend referred to the free trade agreement as "absolutely disastrous". That is exactly what the NDP said about the Auto Pact 22 years ago.

Mr. Broadbent: No, it is not.

Mr. Mulroney: Inasmuch as my hon. friend is engaging his credibility as a prophet, I would remind my hon. colleagues in the House that when the Minister of Finance brought in his first Budget my hon. friend predicted that it would result in the loss of between 50,000 and 100,000 jobs. It created hundreds of thousands of new jobs.

Mr. Broadbent: What are you afraid of? Go to the people.

Mr. Mulroney: My hon. friend asks me to call an election. I can assure my hon. friend that when I do he will wish I hadn't.

Some Hon. Members: Hear, hear!

CANADA-UNITED STATES AUTO PACT

Hon. Herb Gray (Windsor West): Mr. Speaker, my question is for the Prime Minister. The Prime Minister speaks of the Auto Pact. It is clear from looking at the document he tabled in the House this morning that the Government has broken its promise not to allow the Auto Pact to be part of the free trade negotiations. This document shows, Mr. Speaker, that the present requirement for 60 per cent Canadian content on cars and parts sold in Canada by United States-based

companies will be changed to only 50 per cent North American content.

I want to ask the Prime Minister: Does this not mean that not one car—in fact not one part in one car—sold in Canada by a U.S. based company has to be made in Canada by a Canadian worker? If this is the case, as it is, I ask him why he sold out Canadian workers and Canadian jobs in the auto industry in this shameful way?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think that the rhetoric of the Hon. Member is getting a little overblown. What he should realize is that there is no change in the Auto Pact.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): There is a statement here that the provisions of the free trade agreement will provide for, in relation to third countries, a requirement for 50 per cent of direct cost of manufacturing. In other words, what we will be doing as a result of this will be creating jobs for Canadians by asking those companies that have established here, which are owned by companies with head offices outside North America, for a 50 per cent value added requirement. Surely my hon. friend would realize that that is a good step forward.

Some Hon. Members: Hear, hear!

PROVISIONS OF AGREEMENT—CANADIAN CONTENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I ask the Minister of Finance to read the document tabled in the House this morning by the Prime Minister and not the Government's propaganda. The document headed "Automotive Trade" has this statement:

> The Parties have agreed to apply a new rule of origin for vehicles traded under the provisions of the FTA agreement based on 50 per cent of direct cost of manufacturing.

Mr. Speaker, this agreement is between, if it goes through, the United States and Canada and not between Canada and third countries. If that is the case, it means that not one part in any car sold in Canada by a U.S. based company and not one car sold in Canada by a U.S. based company has to have any Canadian manufacturing by any Canadian worker at all. I ask the Minister and the Prime Minister this again. Why has the Government so shamelessly sold out Canadian workers and Canadian jobs in this way?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, this question comes from a man who represents a number of auto workers. Surely this country should have more confidence than the Hon. Member has just expressed in the ability of Canadian automobile workers to attract business to this country and create the employment that is so important to his riding.

Mr. Broadbent: You're out to lunch.

Mr. Wilson (Etobicoke Centre): The Leader of the New Democratic Party is sounding off again. Let me direct the second half of my answer to him.

About two years ago, General Motors announced, I think it was, a $2.5 billion expansion—

Mr. Broadbent: $2.4 billion.

Mr. Wilson (Etobicoke Centre): —without any pressure from the Auto Pact, without any need to meet the Auto Pact rules. The reason why is because the workers in his constituency are good workers. They are able to build a car in a very competitive way in competition with their counterparts in the United States. The result of that $2.5 billion investment by General Motors will create the largest single automotive manufacturing facility in North America.

Mr. Broadbent: Right on, in Oshawa. What about the Chrysler decision in Windsor?

Mr. Wilson (Etobicoke Centre): That demonstrates clearly that we should have and can have confidence in our automobile workers to win business away from the United States.

Some Hon. Members: Hear, hear!

IMPORTATION OF AMERICAN MANUFACTURED AUTOMOBILES

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I would like to follow up that question on the Auto Pact by pointing out very strongly to the Government that if it had not been for the Auto Pact provisions some plants in my constituency would never have been established. Why has the Government backed off the provisions which existed and operated successfully so that we have reached a situation now where a U.S. based plant, such as Mazda in Detroit, will be able to export to Canada without a single bit of Canadian content? Why this sell out of the auto industry in this country?

Some Hon. Members: Hear, hear!

• (1440)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the New Democratic Party is the Party of yester-year.

Mr. Broadbent: You are reading history wrong, Mike.

Mr. Wilson (Etobicoke Centre): Here is an example of the New Democratic Party not being able to get their minds out of the 1960s. In 1965, Tommy Douglas, the New Democratic Party Leader— I might remind my hon. friend—in an article entitled, "Douglas Raps Canada-U.S. Auto Pact", stated that the Government should not be moving ahead without certain assurances.

Mr. Broadbent: Right, improvements!

Mr. Riis: We are saying the same thing today.

Mr. Wilson (Etobicoke Centre): Just relax.

Those assurances were put in the Auto Pact in the 1960s because we were not confident then—

Mr. Broadbent: Now you are taking them out.

Mr. Wilson (Etobicoke Centre): We were not confident then of our capacity to win business in this country in competition with other countries.

In the 1980s we on this side of the House have that confidence in the people of Canada to win business against the Americans, against other parties, and that is why we can move into this agreement with confidence that we are moving into the future, not resting in the past.

Some Hon. Members: Hear, hear!

ELIMINATION OF TARIFFS

Mr. Steven W. Langdon (Essex—Windsor): There is a certain sense of sanctimonious idiocy—

An Hon. Member: Yes, indeed.

Mr. Langdon: —about a Government that has just sold this country out and comes to us to talk about confidence.

Mr. Blackburn (Brant): Speaking of confidence, who has confidence in you guys?

Mr. Speaker: The Chair has been fairly patient. Hon. Members will know that a preamble is setting facts upon which to ask a question; it is not only assertions. I would also ask Hon. Ministers when they are answering to direct their minds to the question and not reply by assertions.

Mr. Langdon: I wish to direct my question to the Prime Minister, since he is responsible for this deal. Why is it that he has accepted the elimination of tariffs which will have the effect of stripping away the safeguards which protected and extended the jobs of thousands of auto workers right across Ontario and Quebec? Why that sell-out? Why was it done?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member referred to me as being "sanctimonious".

An Hon. Member: We want Carney.

Mr. Wilson (Etobicoke Centre): I do not think that I have ever been sanctimonious.

I was trying to demonstrate to the Hon. Member that this Government has the courage, the conviction, the vision, and the understanding of where this country can be—

Mr. Riis: That's the problem.

Mr. Wilson (Etobicoke Centre): —looking into the future and not into the past.

Mr. de Jong: It's a nightmare.

Mr. Wilson (Etobicoke Centre): The Leader of the New Democratic Party asked a question this morning in his remarks, and I listened carefully.

He stated that there is a major question that must be answered—what type of country do we want to have? I think the line was drawn this morning. We have indicated the type of country that we want to have is looking forward into the future—

Mr. Riis: The fifty-first State it's called.

Mr. Wilson (Etobicoke Centre): —and not being mired in the past and all the shibboleths of the past.

Some Hon. Members: Hear, hear!

[*Translation*]

FREE TRADE AGREEMENT—ALLEGED CONTRADICTIONS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is directed to the Prime Minister. Any Parliament worthy of the name will not tolerate agreements that would put restrictions on the sovereignty it is supposed to maintain. My question is specifically concerned with one major aspect and that is investment. In the documents we received, the section on investment contains some glaring contradictions. For instance, at page 7 of the document— in English— published by the Prime Minister, we read the following:

[*English*]

"Canada retains the right to review the acquisition of firms in Canada by U.S. investors".

[*Translation*]

In the document published by the United States, we see the following:

[*English*]

"Under this agreement Canada commits to make permanent the present policy of not screening new business investment".

[*Translation*]

According to the Americans, after the agreement Canada undertakes to maintain its policy not to review American investment. My question to the Prime Minister is: Since this is an agreement signed by two countries, and we seem to have two contradictory versions, who is telling the truth?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I would suggest that the Hon. Member not go to the Americans—

Some Hon. Members: Oh, oh!

Mr. Gauthier: You went there, Mike.

Mr. Blackburn (Brant): You don't trust them?

Mr. Riis: Look whose talking.

Ms. Copps: You signed the agreement.

Mr. Wilson (Etobicoke Centre): Yes, I signed the agreement. I say to the Hon. Member from Hamilton that I did sign the agreement. That is what I wish to quote from rather than from what the Americans may have said, or from what we have said. Let's go to the truth. Let us go to the agreement.

Mr. Blackburn (Brant): Who has got the real agreement?

Mr. Wilson (Etobicoke Centre): The agreement states that we will continue to screen, and we set out the thresholds of screening. We also say that the parties agree that all existing laws, regulations, and published policies and practices not in conformity with any of the obligations described in the agreement shall be grandfathered. The protections that we have had in the banking system, in transportation, in energy, in culture, all of these will continue to be protected by the agreement, not by anybody's interpretation.

[*Translation*]

INQUIRY WHY GOVERNMENT PERMITTED PUBLICATION OF A DOCUMENT PRESUMED FALSE

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, if we look at the document to which the Minister is referring it becomes clear who is telling the truth . . . I would very strongly suggest that the United States is telling the truth in this case because, on page 24 of his document, it is clearly indicated that after the third year following the signature of this agreement there will no longer be any kind of investment review concerning what they call the review of an indirect acquisition.

Mr. Speaker, I am asking the Minister of Finance why he allowed the Prime Minister's Office to publish a false document.

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I agree with what the Hon. Member states that for indirect acquisitions after the third year there will be no review. For direct acquisitions there will be review. This illustrates a fundamental difference.

Mr. Gray (Windsor West): What value?

Mr. Wilson (Etobicoke Centre): The Hon. Member for Windsor West will never understand the response that I am going to give now, so I will direct it to the Hon. Member for Laval-des-Rapides.

Mr. Foster: Don't be sanctimonious.

Mr. Axworthy: That is because you are never very clear.

Mr. Wilson (Etobicoke Centre): What this does is demonstrate the difference between his Party and this Government.

Mr. Tobin: The difference between your statement and the American agreement.

Mr. Wilson (Etobicoke Centre): We are saying that this country must become more outward looking, more forward looking, and not look inward and into the past.

There is a significant amount of Canadian investment going to the United States these days because people do not have the confidence that we have the access to the U.S. market. For that reason, investments are being made in the United States rather than in Canada.

This agreement will give them that confidence, they will invest their money in Canada, creating a stronger Canadian economy and moving forward.

AGRICULTURE—ELIMINATION OF SUBSIDIES

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, the document tabled by the Prime Minister today states that the parties have agreed "to achieve, on a global basis, the elimination of all subsidies which distort agricultural trade and agree to work together to achieve this goal".

Have the Americans now agreed to cease selling their grain into world markets, and into the Canadian market, at less than half the cost of production? If so, how soon, and what assurances do we have with respect to this?

• (1450)

Hon. John Wise (Minister of Agriculture): Mr. Speaker, this is one of the many achievements which will benefit Canadian agriculture in the bilateral trade arrangement.

I am sure the Hon. Member knows that our most urgent and pressing problem in Canadian agriculture is the state of Canadian grains and oilseeds as a result of the continuing high level of support by the U.S. and the EEC, and the trade war continuing between the two.

This is a commitment to consult with us prior to extending the Export Enhancement Program into our traditional markets. It is also a commitment to work with us to bring about some common sense and some sanity in the international market-place through working together in the multinational trade negotiations.

Mr. Althouse: An agreement to talk.

WESTERN GRAIN TRANSPORTATION SUBSIDIES

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, as well, the agreement tabled today talks about Canada agreeing to eliminate its Western Grain Transportation Act subsidies on agricultural products shipped to the U.S. through western Canadian ports.

Why did Canada give up this last vestige of the Crow rate? Does this mean the end of a subsidy and the end of a program which have existed in this country for nearly 90 years?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, it does not mean anything of the sort. It means that because of the quality of Canadian product, particularly canola, we will have a chance—and the Americans have said that by agreeing that they will not invoke Section 22 of their Agricultural Securities Act—at a multibillion dollar market in the United States.

The Hon. Member should know, because he comes from an area which produces very high quality oilseed, that Canada presently has less than half of one per cent of that market.

We have the capacity, the knowledge, the people, and the product. We have everything that is needed to increase our market there, except we have not had to date an assuredness that the market will be open.

This agreement gives us that assuredness, and it gives us very much of a future for our oilseed industry on the Prairies.

Some Hon. Members: Hear, hear!

POWERS OF CANADIAN WHEAT BOARD

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is for the Minister for International Trade, although she does not seem to be answering many questions today.

Canadians know that the Government has sold out farmers by removing all tariffs, by reducing quotas, and by removing transportation subsidies. Why has the Government taken away the power of the Canadian Wheat Board to restrict imports of wheat, oats, and barley?

Could the Minister explain why this power of the Canadian Wheat Board, which is essential to it continuing its invaluable role to Canadian farmers, has been taken away by this agreement?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, the Hon. Member should know that this agreement does absolutely nothing of the sort. It preserves our import permitting responsibilities. It maintains the integrity of the Canadian Wheat Board for exports. It keeps the ability of the Canada Grain Commission to preserve our licensing agreement and our varietal distinctions, which are second to none around the world.

It gives the Canadian Wheat Board a chance to be truly competitive in the American market with our wheat.

Some Hon. Members: Oh, oh!

Mr. Mayer: They laugh at the quality of Canadian wheat. They should talk to some of our American customers. They like the quality of our spring wheat. They like the quality of our Durum wheat for pasture products. This agreement will give the Canadian Wheat Board a chance to sell unfettered in that market, which is good news for western farmers.

DOMESTIC PRICE FOR WHEAT

Mr. Maurice Foster (Algoma): Mr. Speaker, the Minister knows that if we take away the power of the Canadian Wheat Board to limit imports of wheat, oats, and barley from the United States, we destroy the power of the Canadian Government to have a domestic price for wheat.

The domestic price for wheat has provided some $300 million per year in benefits to Canadian farmers. Why has the Government taken away the power to provide that much benefit to Canadian western farmers?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, the Hon. Member should know that this agreement does absolutely nothing of the sort.

Mr. Axworthy: Oh, yes it does.

Mr. Foster: Read Yeutter's statement.

Mr. Mayer: They laugh, but they should listen to what it does. It provides that when support levels across the border equalize, import permit restrictions will be eliminated, which makes entirely good sense.

If Canada had the opportunity right now, we would sell in the American market where their support prices are higher. The Americans are preventing us from doing that.

Just to say it again, so that the Hon. Member understands, the agreement provides that the Americans will not reintroduce Section 22 of their Agricultural Adjustment Act which, up to now, has been like a lever over our heads so that we cannot sell into that market unfettered.

The Hon. Member should know that the Canadian Wheat Board is a very good sales agency. With the elimination of Section 22, as I said, it gives the Wheat Board a better chance to sell additional quantities of our high quality wheat in their market, which American consumers would very much like to get.

FILM DISTRIBUTION INDUSTRY—FILM IMPORT LICENSING

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question is for the Prime Minister. I should like to focus on the cultural area where the giveaways have been particularly devastating to Canadians—

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member is laying the groundwork for a question. However, while these assertions are interesting, may very well be the subject of debate, and, may well be the tactics of debate, this is Question Period.

I would ask Hon. Members to respect the long-standing approach to questions in this place, that is, that the preamble should set the facts upon which the question is asked, not just be an assertion. As I said, I expect that Ministers when responding will exercise the same good sense.

Ms. McDonald: Mr. Speaker, is Canadian ownership in the film distribution industry an objective of the Government and, if so, will the Prime Minister say so?

If outright ownership is not an objective, is film import licensing at least an objective of the Government and, if so, will the Government prove it by bringing in a Bill on film import licensing, a Bill which is ready, or must we believe that the Government has reneged on this policy?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, from the outset the Prime Minister, the Minister for International Trade, and the Government have stated that our cultural industries would be protected in any trade negotiation, and indeed they have been.

I thought the Hon. Member would be congratulating us on the fact that Bill C-58 has remained intact, that our Canadian content regulations have remained intact, and that our simultaneous substitution has remained intact. All these things have stayed intact as we said they would.

The Government has indicated that it is prepared to create a Canadian market for film distribution rights and that Canadian independent distributors should have access to those rights. There is nothing in this agreement that prevents the implementation of that policy.

BOOK PUBLISHING INDUSTRY

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my supplementary question is on book publishing. Would the Minister tell us if the so-called Baie Comeau declaration is still operative, including the ban on indirect takeovers? If it still is operative, is all cultural investment to be exempted, without any exception, in takeovers of Canadian corporations?

If so, would the Government show some good faith on this issue by implementing that Baie Comeau declaration in the cases presently under study of American takeovers which have been sitting there and have not yet been turned down?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, once again I thought the Hon. Member would be moving to congratulate the Government—

Some Hon. Members: Oh, oh!

Miss MacDonald: —and I mean that quite seriously.

The document says that the parties agree that cultural industries are exempted, excluded, from the investment chapter. However, it goes on to say with regard to indirect acquisitions in the cultural field that the Canadian Government will, at a fair market value, buy those industries and then resell them to a Canadian purchaser. That is a big step forward. It really is.

• (1500)

UNITED STATES ANTI-DUMPING LAW

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, Members are witnessing the strange spectacle today of seeing the Prime Minister, the Minister of Finance and the Minister responsible for the Wheat Board disavowing and disowning the American interpretation of what was arrived at Sunday night. That causes Members to worry a great deal.

The U.S. trade representative in his document released today says:

> The U.S. anti-dumping law—defined as U.S. statutes, legislative history, regulations, administrative practice and court decisions—will remain intact and unchanged. Hence, U.S. petitioners will retain all their rights under existing U.S. law—

Does the Prime Minister agree with that interpretation of what was signed on Sunday night?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have not read the U.S. interpretation of our agreement.

Some Hon. Members: You better.

Miss Carney: I prefer to read our interpretation of the agreement, and I prefer to read our agreement itself.

Some Hon. Members: Oh, oh!

Miss Carney: Members have waited 45 minutes for me to speak, Mr. Speaker. Possibly they would like to hear me at this time.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Chair has heard some whispered desire by some Members to hear the Hon. Minister. The Hon. Minister is answering a question and I think the usual courtesies should be extended. The Hon. Minister.

Miss Carney: Mr. Speaker, the point of the dispute settlement mechanism is that any decision, in the area of countervail and any decision in the area of anti-dumping and also in safeguards, can be taken to an impartial and binding hearing. That is what is important.

Earlier a question was raised in the Question Period about a statement of mine on March 16 saying that we would seek to eliminate these laws. That is where the negotiations broke down because neither side could develop the new laws in time to be effective for us.

What we have done in this case is to agree to give both countries time to develop this new law that is historic, that is unique, and that has never been done. In the meantime in the seven years—five years with a two year extension—each country will use its own law. Our problem is not in the law. We have good Canadians laws in this area. The Americans have good American laws in this area.

Mr. Riis: Remember the softwood deal.

Miss Carney: Our problem is when we believe that they are unfairly applied. Canada wins more anti-dumping cases against the U.S. than the U.S. does. We want to preserve that right. What we have done is to agree that during the period we develop this new law—that has never been done anywhere—we will each use our own laws and we will have binding impartial review to ensure that the application of the trade laws in both countries is fair.

Some Hon. Members: Hear, hear!

Mr. Tobin: Mr. Speaker, I hope the Minister will not mistake the applause of her colleagues for the approval of the people of Canada. I can't say she was worth waiting for because she has just now formally admitted in the House of Commons that Canada, quoting her own criteria and the Prime Minister's, did not get a binding dispute resolution mechanism.

Some Hon. Members: No.

Mr. Tobin: In fact Canada continues to be subject to U.S. trade law.

SCREENING OF BUSINESS INVESTMENTS

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, I ask another direct question. The U.S. trade representative said in his briefing document this morning with respect to investment:

> —Canada commits to make permanent its recent policy of not screening new business investments and it agrees to reduce screening of direct acquisitions"—

Does the Prime Minister intend to make permanent his Government's investment policy when in so doing he will deny the right of future administrations and future Parliaments to exercise, in a sovereign manner, any Government's right to make investment policy? How does he intend to do that?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the reasoning behind this is not to discourage new investment. This country likes new investment. Trade needs new investment. One of the things that we have agreed to do is to phase up the thresholds for monitoring direct investment over time. Those levels will increase.

An Hon. Member: After three years there will be no review.

Miss Carney: It is our hope that billions of dollars of new investment will come into Canada. The fear of the Americans, that driving fear of the Americans, is that a future Government will reimpose those terrible investment controls that led to the outflow of investment money in this country.

Mr. Axworthy: Right.

Miss Carney: Should any future Parliament wish to get away from this, it can break the treaty.

Mr. Axworthy: Tell us how you can bind us.

Mr. Speaker: I regret to advise the House that we are now well over the time for Question Period. I hope that the Hon. Member who is rising will be able to rise tomorrow, and I will be very pleased to recognize her during Question Period.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures

or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

And the amendments of Mr. Turner (Vancouver Quadra) (p. 9585), Mr. Broadbent (p. 9586), Mr. Caccia (p. 9644), and Mr. Allmand (p. 9644).

Mrs. Sheila Finestone (Mount Royal): As each Member of this House rises to speak to this Meech Lake Accord we, the federal legislators, are not addressing an ordinary Bill. We are not examining credits or settling the social or business issues of the day. That is why the process of this statute is so important and should be subject to the most open and democratic process, but it is not being so treated by this Government, amendments are being lumped together and there is no real debate for the Government. The Prime Minister (Mr. Mulroney) and the Minister of Justice (Mr. Hnatyshyn) have said that it is irrelevant what Members have to say. Their minds are made up. We cannot strike or add one word or change a comma. The fragile web could fall apart, say they. It is my profound belief that this is wrong for we are talking about our vision of this country, Canada, and Quebec did not ask for all that. The Constitution is a reflection of our heart and soul as a people. It is what distinguishes us as a sovereign nation.

I would suggest to you, Madam Speaker, that what we are concerned about are rights, and rights are rights for all Canadians across this land. No individual Canadian should be placed in a situation of doubt as to his or her rights and freedoms in our Constitution under our Canadian Charter. This is why we cannot be silent. We are not indifferent, and so call upon the Government of Canada to honour its obligations to all legislators. Its lack of openness to amendments diminishes it in the eyes of all fair-minded Canadians and its actions deny justice and reasoned truths.

I have followed with close interest the Meech Lake proceedings. I very much feel that Canada wanted to say yes to Quebec and that we need Quebec as a full participating partner. I feel that way profoundly. Quebec is the key dimension to this bilingual, multicultural, unique country of Canada.

• (1510)

At first blush, I was absolutely delighted at the very significant accomplishments of the Government. I felt that all the political and personal heart and soul that I had invested as an Yvette along with billions of other Quebecers in May of 1980 during the emotional referendum period would finally bear fruit.

I was very proud of our Liberal Leader and our Party for the preparatory groundwork we had laid out as the first federal political Party to propose positive answers to the five conditions for signature laid down by Quebec. Our resolutions seemed logical and fair for all Canadians. Meech Lake was flawed, but I felt sure that reasoned improvements through amendments would be considered, that logic and fairness would prevail, and that Quebec would then become a full partner, which I wanted as much as anyone in Canada.

I make no pretense at being a constitutional expert. Nonetheless, I followed these discussions closely. There is great ambiguity and division of opinion. I am not so naive as to suggest that the Constitution of Canada attempted to spell out in detail each and every item within it. To do that would make it as lengthy and incomprehensible to read as our Income Tax Act. I am suggesting that the Constitution must be clear on basic structural matters and clear as to its intent on the fundamental principles and values, and Meech Lake fails that test.

After reviewing the testimony given before our joint committee and that of the Quebec National Assembly, after listening to and reading the comments of those intimately involved in the negotiations like Mr. Gilles Remillard, Senator Lowell Murray, Premier Robert Bourassa and the Prime Minister (Mr. Mulroney), one thing became clear. Either they have not agreed on certain basic principles and have resorted to ambiguity in order to achieve a so-called historic agreement, or they have agreed on certain principles but, fearing public reaction, have chosen to obscure these principles, or worse still, both.

As to structural matters, the spending power concerns me, as does what would happen if there was a deadlock in Senate and Supreme Court appointments because we are effectively making it almost impossible to change. As my time is limited and I want to make some very important points, I would like to move to the next level of my concern outside of the structural ones, the level of values. Let me raise four issues.

First, with respect to economic values, it is astonishing that while the Government views free trade with the United States as fundamental to the future welfare of Canada, Meech Lake is totally silent on the strengthening of the Canadian economic union. I find that unusual and unacceptable.

Second, with respect to aboriginal people, the 1982 constitutional amendments called for a series of conferences to deal with the status and rights of aboriginal people. The conferences ended in failure. Why would Meech Lake, which sets forward an agenda, not include aboriginal rights on that agenda? I think that needs to be reviewed.

Third, with respect to the status of our official languages, Meech Lake stipulates in Article 2(1)(a) that the Constitution of Canada should be interpreted in a manner consistent with the recognition that the existence of French-speaking Canadians centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada. The Government has explained that this embodies its commitment to so-called linguistic duality and it describes this characteristic as fundamental to Canada and that Meech Lake then defines the role of the federal Government and all the provincial Governments in Section 2.2 as being to preserve this fundamental characteristic.

It is essential to note that the choice of the word regarding a fundamental characteristic is mere "preservation", not "promotion". Meech Lake is therefore saying with respect to a fundamental characteristic of our country, that is, linguistic duality, that we can agree on nothing more than its preservation, not its promotion. I say that that is for pickles and jams, not for people.

One need only read the annual reports of the Commissioner of Official Languages of Canada. Our linguistic minorities, be they French-speaking or English-speaking, are under serious pressure. In some instances, certain communities face challenges to their very survival. Others face challenges as to their vitality or ability to remain stable, to say nothing of growth.

Over and over again, I heard *un cri d'alarme pour les francophones hors Quebec*. These groups, and it is well documented, are under-served and undernourished. It is also well documented that the English-speaking community of Quebec over the last 10 years, has suffered an over all population decline in excess of 150,000 people. That is more than the population of Prince Edward Island.

If our 11 First Ministers could agree that linguistic duality is a so-called fundamental characteristic, how is it that they could not agree to promote that which is fundamental to Canada? Does national unity not depend on our will to support, encourage and promote those qualities which are fundamental to our identity and make this country so special? The answer to that question is, obviously yes. It is our responsibility as Members of the national Parliament to do just that. If Meech Lake is adopted as is, we will have failed in this responsibility.

Why would the role of promoting our fundamental characteristic not be enshrined in Meech Lake? It is possible, in fact probable, that there are certain provinces that are less than enthusiastic about bilingualism. This political reality may have caused the Prime Minister in negotiating the Accord to decide that he was not prepared to risk losing the agreement by forcing the issue of promotion. Perhaps that was not so wrong, but why does the Accord not at least recognize the role of the federal Government in promoting this fundamental linguistic duality?

In the wake of the tabling of a very progressive reform of the Official Languages Act, this question becomes all the more acute. Undoubtedly, this must and should be one of the federal Government's roles if linguistic duality is really a fundamental reality in Canada. On the face of it, therefore, it would appear illogical for the Prime Minister to resist amending Meech Lake to recognize this role.

The answer to this mystery lies in a closer analysis of the effect of the proposed amendment. It would mean that the provinces would be agreeing to the role of the national Government to promote linguistic duality across this land, including not just the preservation but the promotion of linguistic minorities within the various provinces.

Did the provinces refuse to recognize the role of the federal Government in promoting official language minorities? This is

truly unacceptable. As Members of the national Parliament, it is our role to promote the fundamental characteristic of this country. In the current context, the silence of the Meech Lake Accord puts into question the legitimacy of this role, and that is unacceptable.

Finally, there is this question of fundamental rights. Here I reach my absolute bottom line. The litmus test of a democratic society is how it treats its minorities. The balancing of the democratic principle of majority rule with the protection of the rights of the individual is always a sensitive issue. Once you have a society that agrees to govern itself by the democratic vote of the majority, what safeguards have been provided for the rights of the individual? As I see it, the primacy of individual rights is fundamental to democracy. Individuals may choose to exercise their rights with others to address collective concerns. This is legitimate so long as these collective concerns are not then invoked to justify the withdrawal of fundamental individual rights. The right of individuals lie at the roots of collective action. Undermining individual rights undermines the ability of a free society to respond to the changing needs of its constituents. Believe me, I heard plenty about that as I travelled across this land in committee when we dealt with Section 15 of the Charter of Rights.

• (1520)

In 1982 we chose to counterbalance majority rule by enshrining a Charter of Rights which protects basic freedoms such as expression, religion, association, mobility, equality and non-discrimination. We gave the individual redress to the courts when Governments representing the majority interests infringed upon those rights.

It is true that the Charter is not perfect. I have noted in this House Section 33, the notwithstanding section, which allows the Government to override the Charter. That is an aberration and should be repealed. Mr. Eric Maldoff, to whom I am indebted for his help, put it so succinctly:

> That is precisely when those rights are most needed.

Downgrading of rights is rarely justifiable and we have the protection of Section 1 of the Charter for just such a situation. There have been many significant decisions in this respect and I would be pleased to list some of them if a Member asks me to.

Meech Lake undermines the whole principle of equality rights. Clause 1 stipulates that the entire Constitution, including the Charter of Rights, is to be interpreted in light of Meech Lake. Clause 16 provides that only multicultural and aboriginal rights under the Charter shall not be affected by Meech Lake. These specific exemptions lead to the clear conclusion that the remainder of the rights under the Charter may be affected by Meech Lake.

Senator Murray and other witnesses argued that the courts already take Quebec's distinctiveness into consideration in interpreting the Charter. Yet it is a well-known principle of constitutional interpretation that the legislators are deemed to have meant something when they speak. Consequently, if it is true that the Charter was already being interpreted in light of the distinctiveness of Quebec, then Clause 16 must have meant something else. It is because of this that virtually every minority group who appeared before the committee expressed grave concern. The experts who appeared were divided. I find it unacceptable that an amendment to our Constitution should render basic rights more uncertain rather than clearer and stronger. In Clause 1 the amendment says:

> (4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces—

Unlike Clause 16, the operative word is "derogate", not "affects". In other words, the Governments have gone out of their way to ensure no diminution of their prerogatives but they have not done the same for ordinary Canadians. Yet a Constitution is for the people. That was also why women's groups, visible minorities and unions were worried, and rightly so. Neither Meech Lake, nor the Government, nor the process, has provided any tangible assurances.

Senator Murray stated in his testimony that neither the Charter nor the duality distinctiveness provisions would be paramount one over the other. Unfortunately, if that is true, there is an egregious error. The amendment in Clause 1 clearly states that the entire Constitution, which of course includes the Charter, is to be interpreted in a manner consistent with this part. If neither is to be paramount, as the Senator says, then this motion should be amended according to the proposals tabled by my Leader.

Furthermore, we must either amend Clause 16 to make it clear that the Charter and the amended Section 2 are on an equal footing and are to be interpreted one in light of the other, or amend the amendment to Section 2 to state that the Constitution shall be interpreted in a manner consistent with the recognition of the commitment of Canadian society to the fundamental rights and freedoms and equality of all Canadians.

To those who argue that Meech Lake does not diminish the rights of Canadians, I refer them to the report of the joint committee, page 51, paragraph 91, which says that Meech Lake is unlikely to erode in any significant way the existing entrenched constitutional rights of the English-speaking minority in Quebec. The committee says "unlikely". It does not say "does not erode". It does not say "unlikely to erode any rights". It says "significantly" erode any rights. Shall we debate the meaning of the word "significantly"? Absolutely not. The price of Canadian unity must not be the erosion of the rights of any Canadian.

That finding by the committee is all the more shocking in light of the proposed Section 2(1)(a) which says:

> The Constitution of Canada shall be interpreted in a manner consistent with
>
> (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

The Constitution is to be interpreted in this light. How is it possible for the document to recognize duality as constituting a fundamental characteristic of Canada on the one hand, while on the other, as found by the joint committee, permitting the erosion of the rights of English-speaking Quebecers? It is totally illogical. If this is not an egregious error, then perhaps the word is devoid of meaning and should be striken from the Canadian vocabulary. One could also conclude, however, that perhaps it was intended. If that is the case, it is unacceptable to me.

If the proposed Section 2(1)(a) does not have the meaning the Government tells us it has, that it does not really stand for the equality of our two official languages and the right of English and French-speaking Canadians to feel fully at home and secure across Canada, then that, too, is unacceptable.

There are those who have attempted to stifle debate by branding all those who question the Accord as being anti-Quebec. I resent this tactic. I am a Quebecer as much as any other person who lives in my province. I have fought for my province and my country. The linguistic community of which I am a member is as integral to our province, its social, cultural and economic fabric, and well-being, as any other individual or community.

It may not be popular these days to speak to the concerns of my English-speaking community, but when dealing with the Constitution and individual rights it is principal which must take precedence. It seems many are unaware of the evolution of my province. They still believe English-speaking Quebecers are a privileged and pampered minority whose rights may be sacrificed on the altar of so-called political imperatives. Is this the spirit of Meech Lake?

The past is past. Let us deal with the future. It is time this myth was put behind us. You must understand that English-speaking Quebecers are in rapid decline. It is inconceivable to me that in my province, my language, one of Canada's two official languages, is prohibited for use on public signs even when accompanied by the French equivalent. In a country that prides itself on multiculturalism, the use of languages other than the two official languages is also prohibited, with few exceptions. It is totally inconsistent and unacceptable to entrench linguistic duality and at the same time to permit the erosion of rights of the official language minorities in Quebec.

• (1530)

There are those who have argued that Quebec should be as French as Ontario is English. Look at the facts. Ontario is becoming increasingly bilingual in its courts, legislators, school system, government and health services. This is no time to consider the possibility of erosion of minority language rights in Quebec. Furthermore, if our goal is the achievement of linguistic equality throughout Canada, let there be no misunderstanding—the erosion of minority language rights in Quebec will do nothing to advance French language outside Quebec. On the contrary, it will undermine the efforts to improve linguistic rights outside of Quebec.

In conclusion, Quebec is strong, Quebec's society is strong, Quebec's culture is strong. It has provided Canada with outstanding social, political, and economic leadership. While the challenges to the French language in North America are great, Quebec society is not so weak as to require resorting to the erosion of basic rights to meet that challenge. We must not encourage the use of such measures by amending the Constitution so as to permit them.

Mr. Waddell: Madam Speaker, I agree with the Hon. Member for Mount Royal (Mrs. Finestone) in that those who are opposing the Meech Lake Accord, as I am, are not anti-Quebec. Indeed, we all think that we need a strong Quebec. I, personally, think that we need a distinct society clause for Quebec. We just have to be careful that we do not overrule the Charter of Rights and the rights of minorities which are protected in that Charter, including the English-speaking people of Quebec.

Is the Member voting for the Accord? I think there is a little hypocrisy going on in the House, although I am not accusing the Hon. Member of that. People are putting forward amendments, as tokens. In fact, they are not prepared to follow them up with real jam, if I can use that term, that is, to vote against the constitutional proposal because it is flawed. Instead they are moving amendments knowing that they will not be accepted because the Government said from the beginning that it would not accept any amendments.

Would the Hon. Member tell me whether she agrees with my latter analysis? Would she tell us which way she will be voting on this motion?

Mrs. Finestone: Madam Speaker, I pointed out that I hoped we would accomplish the goal of nation building and making Quebec a signator at the constitutional table without in any way reducing the rights of any Canadians. Although I am aware of the narrow-mindedness and mean-spiritedness with which this debate was brought to the House, it remains my hope that the amendments moved by my Party, particularly the first amendment moved by my Leader, will be given serious consideration and will be voted on in the affirmative. If it is not and if the minority rights of English-speaking persons in Quebec are in jeopardy, I, as their spokesman, will vote no.

Mr. Berger: Madam Speaker, the Hon. Member for Mount Royal (Mrs. Finestone) is probably familiar with the speech made by Gil Remillard, the Minister for Intergovernmental Affairs in Quebec, at Mont Gabriel in the spring of 1986. In that speech he set forward Quebec's conditions for signing the Constitution.

He stated that the Government of Quebec had three objectives, one of which was to try to improve the situation of French-speaking minorities outside Quebec. In particular, he referred to Section 23 of the Constitution and expressed the hope that it would be possible to remove the qualifying

provision which says that minority language education rights would only be provided where numbers warrant.

He also expressed the hope that it would be possible to strengthen that section additionally by giving minorities the right to manage their own schools in addition to having the right to an education. English Quebecers have this right, notably through the Protestant School Board system.

I am astounded that the Quebec Government was presumably, therefore, willing to promote the rights of minorities. I imagine this would also have been the position of the federal Government. Given this position of the Quebec Government, how is it that the Government of Canada was able to accept an agreement which did not provide for a strengthening of French-language minority rights?

Mrs. Finestone: Madam Speaker, there was a sense within the document that it was the first time that French-language minority rights were being accepted as a right by the other provinces. The best that the Prime Minister could do was to preserve the status quo and, I presume, use the official languages and a little bit of encouragement and coercion so that it would be improved.

I see across the floor my hon. colleague who was at that time co-chairman of the official languages commission. He was with me in Saskatchewan where we spent two and one-half days talking about francophone rights outside of Quebec.

[*Translation*]

We have all heard cries of alarm, and cries for help for francophones who have no services at all.

[*English*]

In response to the question of my hon. colleague, I suggest that giving minorities the right to manage their schools is an absolutely fundamental procedure. We in Quebec remember Camille Laurin and Bill C-40 through which, less than 10 years ago, Quebec tried to unify the school system and remove English rights to it. I recall to this moment Section 23(1) which says that English-speaking children from anywhere in Canada who come to Quebec may not attend English-language schools. I believe that is a matter which could have been negotiated and which a government of good will in Quebec should adopt because it is waiting to be adopted.

It is vitally important that while we rejoice in nation-building, it cannot be predicated on linguistic duality being suppressed anywhere. No official minority can accept the price of the reduction of its rights at any time. If Mr. Gil Remillard is prepared to promote that I am equal as an English-speaking Canadian in Quebec and that I contribute to the fabric of that society along with the Greeks, Italians, Vietnamese, Hondurans and El Salvadorans who live in my riding, I am all the more comforted. However, let them say it and let them put the Charter into the Constitution.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The Hon. Member for Charlevoix (Mr. Hamelin), for questions or comments.

Mr. Hamelin: I have a question and, of course, a comment.

The Hon. Member has stressed, and I think she is one of the Members of this House who has taken a very broad view of Canada's linguistic duality and the need to promote—not just protect but promote—that duality. In the Joint Committee of the Senate and the House of Commons, we put the same question to various witnesses, and some of them felt that this Accord was the most we could obtain at the present time, considering the state of mind of the provinces.

We must not forget, in fact, that is the question I wanted to ask the Hon. Member: Isn't it true that considering the present situation in Canada, it would have been almost impossible to require our provincial partners to be realistic and promote Canada's linguistic duality on equal terms?

Mrs. Finestone: Madam Speaker, I thank the Hon. Member from the bottom of my heart for asking this question. In my view, the rights of Canadians are the same for each and everyone of us across Canada. It makes no difference where we happen to be, and that is what I was driving at. You were on the committee. Look at page 52, item 91, and read it carefully It says:

> "The Joint Committee accepts the advice that the "linguistic duality" clause is a constitutional step in the right direction for French-speaking minorities outside Quebec and that in law the "distinct society" clause is unlikely to erode in any significant way the existing entrenched constitutional rights of the English-speaking minority within Quebec."

I don't want to be eroded at all.

The Acting Speaker (Mrs. Champagne): Resuming debate. The Hon. Member for Kamloops-Shuswap (Mr. Riis).

• (1540)

[*English*]

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is a real delight to have an opportunity to participate in this historic debate. I remember vividly the debate of 1981-82 when we patriated the Canadian Constitution, which included the entrenchment of the Charter of Rights and Freedoms. Seven years ago we participated in a very positive way with the political Parties of the House of Commons co-operating to a large extent. We rose above, in a sense, partisan political differences to address the needs before us at the time. Of course, that was with respect to the patriation of the Constitution.

I recall from the joint committee hearings into the Meech Lake Accord, and certainly from studying the transcripts of the hearings, that what became very evident, in pointing out the very positive nature of the committee work was, again, the non-partisan nature of the discussions and of the work. The committee members, on balance, set aside petty, and perhaps

not so petty, political differences to ensure that a thorough hearing was conducted and an excellent set of recommendations was provided.

I must say it was with a somewhat heavy heart that I listened to the Minister of Justice (Mr. Hnatyshyn) make his opening speech on behalf of the Government. Essentially, he ignored the thoughtful recommendations put forward by the joint committee. He gave us the impression that perhaps he had not even read the text of the very thoughtful committee report. That was a bit disappointing. The first speaker for the Government failed to react to the recommendations. Perhaps we can look forward to the Prime Minister (Mr. Mulroney) when he makes his speech to indicate just what action the Government plans to take in terms of those thoughtful recommendations.

I believe that when one sees something that results in a consensus on behalf of the three political Parties and the fact that the 10 Premiers unanimously agreed to the Meech Lake Accord, that really says something. While we all have concerns about what it does not include, or what it did not include, or what it overlooked, and perhaps even some flaws within the existing Constitution, that is the reality. This is not a perfect document. I do not think constitutions are ever perfect documents. They are fluid documents, ongoing documents. They are alive and everchanging.

I think that what we must do now is to identify those areas within the Accord and the Constitution that are still lacking and that require further work in the future. Of course, that is the primary reason why we put forward some amendments. We did so in the hope that the Government would accept them and include them. But if that does not take place, if the Government decides not to do that, it should at least see these areas of amendment as flags for the First Ministers to consider at the earliest opportunity.

Again, some have indicated that the process could have been better. Indeed, it could have been. But I think we are now in a position where we must make the best of it, which is what we are attempting to do.

It is important that we see the Meech Lake Accord as not the final decision, that there will be other opportunities. This is only the second opportunity we have really had to consider the Constitution of Canada. I think that what has been accomplished here will be recognized by historians as providing a major building block in the building of our Constitution.

You will recall, Madam Speaker, in 1982 when we finally agreed, at that time there was a major flaw in the agreement. There was a major gap in the agreement. Quebec did not sign it. Here was a fundamental part of the Canadian family not part of the constitutional signatures that went on to the final document. That has now changed. Quebec has now indicated that it is willing and prepared, and perhaps even enthusiastic, to become part of the Canadian family, both constitutionally as well as politically. I suppose as an ongoing result it will also be emotionally and psychologically.

I must say that when I look through the debates, and while I was not there physically on that particular day, I think one of the most moving witnesses was Madame Solange Chaput-Rolland. She said the following about the Meech Lake Accord:

> I think none outside Quebec knew the reality of the referendum. I travelled throughout Canada, about a few months after. It was all over, eh? Good. It was not exactly all over. Families against families, towns against towns, fathers and mothers not speaking to their children.
>
> (During the Referendum) we spoke with thousands of Quebecers. Women wanted to leave their children a country as big as the one they had received from their father. That was mainly the article that reached the heart, because you are right: In this country if we put a little more heart into what we are doing, maybe we would be aware of the hurt we inflict on others.
>
> And then we came home. We went back to the National Assembly, back to our villages, back to our houses, back to the friends that were no more friends; they were on the "yes" and we were on the "no". It was not a picnic, it was not a social gathering, it was not a think-tank, it was a battle between brothers, a dangerous, divisive battle, and we still feel it. It was not 100 years ago, it was seven years ago that we lived that referendum.
>
> English Canada could not care less one month after, and it stung me and it stung all of us who fought so hard to remain in Canada and to find ourselves outside of Canada. You know, it was a very dramatic gesture when Mr. Levesque put the flag of Quebec at half-mast on the day you were all celebrating here.
>
> But our hearts were at half-mast too that day, because we were out of a country we had chosen to remain.
>
> So the Accord of Meech Lake brought us something *incroyable* as a gesture of friendship—
>
> And I would really like people to know that for us Quebecers, as for all the others here and everyone else, the Meech Lake accords are not an end, but the beginning of a grand process, I think. But I must tell you that for me it is really the first time that I have felt, YES, I won that referendum.
>
> But surely by now, surely, you all know that if Meech is to fail for whatever reason, there can be no more negotiations, no more justifications.
>
> If Quebec is once again to realize that it is more difficult to opt in Canada than to stay out of Canada, then surely, you know that the roads of tomorrow can only lead to another form of independence, but this time not chosen by any political party in Quebec, maybe chosen and imposed on Quebec outside Quebec.

This testimony was very moving. It explains the situation that existed during the period of the referendum. At that time, as we all recall, on May 20, 1980, the people of Quebec, as others have said, said "yes" to Canada. We now have the opportunity to say "yes" to Quebec.

• (1550)

On May 22, 1980, two days after the referendum, the New Democratic Party placed the following motion before the House of Commons:

> That this House welcomes the result of the referendum in Quebec and pledges itself to interpret that vote as a clear call for constitutional change.

In my estimation, the Meech Lake Accord provides an opportunity for that constitutional change that was promised back in 1980.

We welcome Quebec's return to the constitutional family. Since its very beginning, our Party has always recognized Quebec as a distinct society. We have always recognized and acknowledged the linguistic duality of Canada, and the fact

that Quebec plays a key and vital role in our country. We believe that not only does the Accord reunite Canada, but it does so in a spirit of co-operative federalism both in the manner in which the Accord was reached, and in its provisions.

As a geographer by profession, I am always cognizant of the difficulties of governing a country as large as Canada. In many ways we are fortunate to live in the second largest country in the world geographically. As a result, we live in a country that is extremely complex, complicated, diverse, and consequently requires the type of genuine federal system that we have in Canada.

To make a federal system work requires federal and provincial level governments to be able to work together in a spirit of consultation, negotiation, and of course, compromise. Compromise is almost inevitable in a country as complex as ours when it comes to reaching national objectives. It is for that reason that, on balance, we believe that the decision that was obtained that became the Meech Lake Accord not only reflects the reality of Canada, but reflects a major building block in the development of the Constitution.

My support for the Accord is not only because we have now closed the gap and are happy that Quebec is part of the constitutional family, but because of other positive aspects. With Quebec now being part of the constitutional family, the log jam that has held up so many decisions in the last little while is no longer there. This blockage has been broken, and enables us to address in a very serious manner a whole number of related issues for which we have concern, not the least of which would be the concerns of the aboriginal peoples and their advancement of self-government. This now enables us to address these other issues in terms of constitutional change, and that again has to be seen as a major and positive step forward.

I am also pleased to see that the spending powers are now enshrined in the Constitution. There are no changes in the relative powers of the federal Government, and there are no changes in the authority of the federal Government to spend in areas of mixed jurisdiction. Now for the first time in our Constitution the federal Government is able to spend in areas of provincial jurisdiction.

Our Party feels that now is the time to initiate and launch a comprehensive child care policy across Canada. This particular aspect of the Accord provides us with that opportunity.

If a province wishes to opt out, it will only receive federal financing if it develops a program that is "compatible with national objectives". That means that if the provincial program is as good as that proposed by the federal Government in terms of objectives, the province would then receive the appropriate funding. In some cases, we can assume it may even be better. As an example, we may look at the Canadian Pension Plan and the Quebec Pension Plan. The Quebec Pension Plan has better provisions for Quebecers than the Canada Pension Plan. Rather than being gloomy or pessimistic, we ought to see it as a real positive step in enabling the federal Government to take national initiatives.

However, there are problems. In something as complicated as this is, when a consensus is built by the First Ministers, and there is the general support of all three political Parties, we do not wish to suggest that are no problems that must be faced. Indeed, there are a number.

At the top of the list is the whole matter of equality rights for women. Interestingly, Section 28 of the Charter follows Sections 25 and 27 that are included in Section 16 of the Accord. It is fair to say that during the discussions on the Accord, the First Ministers forgot about women. We recognize the sexual equality rights as transcending language rights and cultural rights. Why were they not mentioned in the Accord? Why were they not placed in the Accord? Of course, we have been asked to have trust and faith in the Ministers. We heard that in 1981 and 1982 when we were told that collective bargaining would be protected under the freedom of association clauses. In retrospect we find out that that was not the case, and that those rights were not protected.

At the top of the list there are some serious improvements to be made in terms of ensuring sexual equality in our country. It is certainly clear that the Charter of Rights and Freedoms is not totally paramount when it comes to rights because of Clause 1 of the Charter which allows for reasonable limits on those rights.

We suggest that Section 28, the equality of rights section of the Charter, should be restructured in Section 60 of the Accord. This was recommended by both the National Advisory Committee on the Status of Women, and *la Fédération des Femmes du Québec*. It is something that we feel ought to be a top priority when the First Ministers meet again.

We also support the fairness for aboriginal peoples. There was a deep disappointment felt by many when we put forward the recommendation that a conference on self-government ought to be enshrined in Section 50 of the Accord. A major shortcoming of the agreement is that there is no real commitment or statement that is included in the Accord to guarantee to aboriginal peoples an obvious advancement of their concerns, especially in terms of self-government.

There is a also a lack of fairness for northern Canadians. Canadians who live north of 60° have been left out of the process. They were left out of the discussions, and it is certainly not fair that it now requires unanimity to create a new province north of 60°. A number of people or groups, such as the aboriginal people, have suggested changes for the territories, and perhaps we ought to retain the present amending formula since these issues ought not to require the necessity of unanimity.

We also must flush out the fact that 30 per cent of Canadians are not of Anglo-Saxon, Francophone, or native heritage. In fact, 30 per cent come from other countries and they reflect

the ethnocultural reality of Canada. There have been some major oversights when it comes to the area of the ethnocultural reality as a fundamental characteristic of Canada. I reflect that with a heritage from Norway. Yet we have the feeling that while we recognize the advances made by the Accord and the Constitution in terms of reflecting the various fundamental characteristics of our country, the ethnocultural reality has yet to be addressed.

We must address the future of the overriding part of the Charter. Section 33 certainly ought to be reviewed, especially when it comes to minority rights. We all feel that any discrimination on the basis of sex, colour, or ethnicity ought not to be the subject of an override. Again, much work must be done in this area.

Finally, in terms of identifying concerns, we certainly must identify the process as a major concern. We have been rushed in terms of dealing with this matter. Canadians feel that they have been left out. I would only hope that future changes to the Constitution will not be left only to First Ministers, Members of Parliament, MLAs, MNAs, and MPPs, but in fact to the people of Canada as well. It is for that reason the committee suggested that a joint House of Commons and Senate committee should exist on an ongoing basis to hold hearings across the country so that suggestions could be made on constitutional changes in the future, including changes to the Senate, changes to the rights of aboriginal peoples, changes to the equality rights of all groups, and so on. Someone must do it in an ongoing way which involves more people than were involved in the last round.

• (1600)

We all feel uncomfortable with the process, but it is history now. We must get on with dealing with the future. While we have concerns about some of the shortcomings of the Meech Lake Accord, on balance we believe that it is a major step forward. We want a commitment to constitutional change in the future which involves all Canadians.

I believe that a very important page in the constitutional history book of Canada is about to be turned.

Mrs. Finestone: Madam Speaker, I have a question for my hon. colleague and friend. He is prepared to say "let Quebec sign on now and we will fix it later", if I heard him correctly. I also heard a series of real concerns in his comments in respect of the Northwest Territories and aboriginal peoples. He also talked about equality.

We are talking about nation-building, and it is predicated upon linguistic duality as a fundamental aspect of Canada. I am sure the Hon. Member is well aware of the article in which it is indicated that the rights of English-speaking Quebecers may be eroded in some significant fashion.

As the Hon. Member does not live in Quebec and is not an English-speaking Quebecer, I wonder whether he gave some thought to how, where, and in what way he might be able to define "significant", "may", or "erode".

It may be too late to fix that if we do not do something about having a sense that this is a true, egregious error. One cannot have an imbalance on one scale. If one is part of a linguistic duality of a country, and there is a potential for erosion of rights, then there is not fairness across the land, according to the analysis of the committee.

Turning to whether we can fix it later—and my hon. colleague says that we should sign them on right now—is he aware that point nine amends Section 40? Section 40 allowed for compensation of provincial legislative powers when they related to educational and cultural matters. Now, with the amendment, it will allow such compensation for any transfer of legislative powers. Is the Hon. Member not concerned about the implications of that transfer of legislative powers and compensation?

Does the Hon. Member believe that it is important for English Quebecers to have the same rights and for minorities to have the same rights, and that they can be protected adequately without the total Charter being alluded to as on an equal footing with Clause 2?

Mr. Riis: Madam Speaker, those are very thoughtful questions. I suspect that I will not respond as thoroughly as the Hon. Member would like. However, let me do my best to say a few things at least.

Regarding the matter of fixing the Constitution and fixing the Accord, it is important that we view this process as a major step forward in terms of the recognition of Quebec and the role of Quebec and the recognition of our linguistic duality. It is not so much that we "fix" things but that we recognize some of the shortcomings with which we must deal in the future.

I notice that the committee placed a great deal of emphasis upon recommending how this would be accomplished in the future in terms of the process to ensure that some of the concerns the Hon. Member has raised would be addressed.

I recall the committee recommended that one of the first items the First Ministers might address when they come together again is not only to preserve the linguistic duality, which is part of the Accord, but to promote it.

According to my recollection, the transcripts of the hearings included a number of points that people made regarding the fact that it was important that it be promoted, not only preserved in terms of the *status quo*.

While I am not from Quebec, one of the surprising elements of the process—quite frankly, it amazed me and gave me a great deal of encouragement in terms of supporting the Accord—was the position of the Premier of British Columbia. Some of us might recall some of the views he held not long ago in terms of complaining about the fact that there was some French on his corn flakes boxes in the morning which aggravated him. He was involved in some editorial cartoons

which were uncomplimentary to the French-speaking people of Canada. This individual sat at the table and agreed to the Accord to preserve—

Ms. Jewett: French on corn flakes boxes.

Mr. Riis: —French everywhere. I think it is an amazing step forward.

Mr. Berger: Doesn't it make you suspicious, Nelson?

Mr. Riis: No, it does not make me suspicious. It gives me a great deal of encouragement because here was an individual, whom I had given up on in a whole variety of areas, who had been moved considerably to join with his fellow Premiers to preserve linguistic duality in the Accord.

I am encouraged, but it does not mean that it is the end. This is why I am encouraged by the recommendations in the joint committee which say that the next step is to promote linguistic duality. Certainly I am a strong advocate of that, as I suspect all of us are.

I think I forget the other questions, but I hope I have at least made a reasonable effort to answer the points raised by the Hon. Member.

Mr. Waddell: Madam Speaker, I rise with some trepidation because the Hon. Member for Kamloops-Shuswap (Mr. Riis) and I are close friends—

An Hon. Member: Were.

Mr. Waddell: No, we are close friends. We have been in the House of Commons together and have agreed on everything so far. However, we disagree on this issue. We come at it from different aspects.

I think we both believe in recognizing the five conditions or demands of Quebec and the distinct society. However, quite frankly I think the Prime Minister (Mr. Mulroney) gave away the store. He went far beyond recognizing the five demands of Quebec and made it so fundamentally flawed in my view that it is not worth supporting. I know my friend has a different view which he enunciated today, and I respect it.

However, I should like to ask him about something related to that. He is a westerner, and I am wondering whether he is familiar with the argument made by Don Braid, a western journalist, when he talked about the serious erosion of federal authority and how it would affect the West.

What Mr. Braid said was very interesting. He said that if we in fact give too much power to the provincial Governments and take some of the power which the federal Government is exercising to kind of equalize things for weaker provinces, it would affect the West. He even went so far as to say that in fact the West could suffer as a result, and he gave some examples. I quote:

> Westerners need to think very carefully about that message . . . If federal authority wanes and the provinces take on the full authority offered by the new agreement, they will sooner or later be left to fight each other directly when problems arise. There will be no federal mediator powerful enough to intervene.
>
> Imagine what would happen in a direct fight between Ontario and Alberta over oil prices . . .
>
> Imagine, for instance, that Ontario decided it didn't like a new program to aid grain farmers . . . It could simply withdraw, set up its own policy to help Ontario farmers, and demand full compensation from Ottawa.
>
> Westerners would face competition funded with their own tax dollars.
>
> Imagine too the fate of a federal policy meant to distribute industry evenly across the country. Quebec and Ontario would opt out in an instant and use federal money to maintain their advantage.

• (1610)

What Mr. Braid goes on to say is that westerners have objected to federal power because it has been exercised by this Government capriciously by patronage and so on. In fact, federal power is needed for western Canada if the federal Government is to act as a mediator because some of the strong provinces like Quebec and Ontario could damage some of the weaker western provinces. It is a novel and a very interesting argument. The Hon. Member is very thoughtful about western Canada. What is his response to that question?

The Acting Speaker (Mrs. Champagne): The Hon. Member for Kamloops—Shuswap (Mr. Riis). Unfortunately there is only a short period of time left.

Mr. Riis: Madam Speaker, I am glad there is a short period left because I must admit that I did not totally comprehend the question. When I look at the Accord I certainly appreciate that no legislative powers have been given away. In terms of setting national objectives for various programs, it is clear that provinces will have to be meeting them to receive funding.

Somewhere there was probably a good question but I think I missed it, with all due respect to my hon. friend. No doubt questions are posed. However, having read most of the journalistic views from western Canada on the Meech Lake Accord, on balance they come out in support of it. While Mr. Braid and others point out what could be problems—I suppose what he says is possible—

An Hon. Member: Hypothetical.

Mr. Riis: And as my friend says, very hypothetical, we should to be cognizant of that. Again, this is not a perfect document. Constitutions never are. We have to see it in that light and be committed now to identifying ways and means of improving the Constitution over time. The committee has recommended a procedure to accomplish just that.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Algoma (Mr. Foster)—Agriculture—Loss of meat inspection stamp at Kitchener plant—Reduced number of inspectors; the Hon. Member for York East (Mr. Redway)—Visible minorities—Acknowledgement of injustices—Amendment of War Measures Act; The Hon. Member for Broadview—Greenwood (Ms. McDonald)—Hazardous substances—Presence of dioxin in paper products—Departmental responsibility.

GOVERNMENT ORDERS

[*English*]

CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the

Constitution Act, 1982, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"Part VI

Constitutional Conferences

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

Constitution Amendment, 1987

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

And the amendments of Mr. Turner (Vancouver Quadra) (p. 9585), Mr. Broadbent (p. 9586), Mr. Caccia (p. 9644), and Mr. Allmand (p. 9644).

Mr. Pat Nowlan (Annapolis Valley—Hants): Madam Speaker, I cannot say that I am overly happy to participate in this debate because in view of what I am going to say, about which many of my colleagues in caucus know, I am taking a position which does not find favour with my Leader or my Party. Listening today and following the debate in part last week, I appreciate the different comments of various Members. As has been said here in the House this afternoon already, the debate has basically not been partisanly political.

I have not felt so exercised about an issue, I do not think, since I have been a Member of this august Chamber as this one. If there was ever an issue where all Members, regardless of political stripe should have their input, it is on the Constitution of the land. While I know I cause distress and some embarrassment and frankly feel uncomfortable myself with colleagues with whom I have worked for many years and many other colleagues in my caucus whom I have met in the last three years and who perhaps find it even more difficult for a veteran Member to speak out on something, I do not apologize in any sad sense. I must say that I am not happy but I feel very committed in what I am going to say about the Constitution.

This morning I heard the statement of the Prime Minister (Mr. Mulroney) on the fundamentally historic trade arrangement and new agreement with the United States. I, too, with other Members will be interested to see the agreement's fine print. The Prime Minister made a tremendous contribution here.

We heard, I thought, one of the better speeches from the Leader of the Opposition (Mr. Turner) which I think so flummoxed the Leader of the New Democratic Party that he did not get on track on the free trade debate in the way he has been doing this last little while. I was glad for the interest in the free trade issue and I hope that interest will continue.

While the free trade issue is fundamental to the economic fibre of the land and affects the pocketbook of taxpayers, the constituents and Canadians from coast to coast, the Meech Lake Accord affects the constitutional framework of the land and is not quite as exciting. I am the first to admit that because of all the factors that have been combined—I will not say there has been deliberate collusion—in a most interesting way that they almost prevent meaningful debate on something which to me is even more important than the economic trade arrangements with the United States.

It is somewhat ironic that we have these two parallel pieces of legislation or resolutions before the House at the same time, one affecting the Constitution forever and a day. Without casting stones—I will not get political—I respect my colleagues who worked hard during the slumber of summer on the joint committee, but I really believe that many who have spoken and many who participated on the constitutional committee have forgotten that what we are proposing here is not a law or a statute that can be changed by another Parliament. We are, however, already talking about changing a free trade arrangement by breaking a treaty. You can do that in another Parliament relatively simply with a vote but you cannot change the Constitution easily because it is in constitutional stone.

For instance, the Meech Lake Accord has a unanimity rule, something which has been the plague of constitutions all over the world. Again, it is ironic 200 years after what the Americans did at Philadelphia with their Constitution. One of the reasons the 13 colonies came together at Philadelphia, having tried something before and after the Revolution, called the articles of Confederation, was the rule of unanimity. A big state and a little state completely boxed themselves in because they could not move to the changing times.

Quite frankly, I listened to what I thought was a very considered address this afternoon by the Hon. Member for Mount Royal (Mrs. Finestone). Then came the more political, in the best sense of that word, but thoughtful address by the Hon. Member for Kamloops—Shuswap (Mr Riis). He reasoned that he would support the Accord. Some of us used to think NDP meant no damn principles but I will not get political on that, but now NDP means "No one disturbs polls. Nothing disturbs polls". The House Leader for the NDP from Kamloops—Shuswap in a most even way—I will not get partisan here because I am more against my own people than anyone else in this House—gave the generalities of what was good about the Accord. Constitutions are not perfect. We know that. They are supposed to be living documents. That is what the BNA Act has been. That is what Lord Sankey said in the Person's case of 1931 when he compared the BNA Act to a living tree.

Members have talked about the rights problem, be it women, the aboriginals or the multicultural people who have made this country into the country it is to help complement the two founding races. I have fought battles on that and supported every bilingual Bill that has ever been in this House. We have all that. Yet we have the Constitutional amnesia of the Person's case which went through the Supreme Court to the judicial committee of the Privy Council as to whether a woman was a person to be appointed to the Senate of Canada under the BNA Act. That was just 1931, I believe. That was a pretty

definite word. Yet in the Meech Lake Accord, my friend from Kamloops—Shuswap and others take their generalities and try to hide their inner selves with naivety, to put it kindly, or for other political reasons.

• (1620)

They can pretend that in the justified afterglow of Meech Lake, there was a miracle. There was a mild miracle, and I give full credit to the Prime Minister for bringing together 11 First Ministers and coming up with a unanimous agreement on principle. However, they are getting away from the principles of Meech Lake.

Yes, groundwork had been done and had been done well by Senator Murray, Senator Tremblay and officials who went across Canada talking to Premier Bourassa and other premiers. The groundwork was done and perhaps that is why there were not the expectations for the Meech Lake Agreement.

There was agreement on principles and that is a mild miracle. I am prepared to call it that because there is not usually unanimous agreement. How contradictory are we, though? If we think it is a mild miracle to have 11 agree at Meech Lake when there had been years of preparation, how can we stumble into the strait-jacket of a rule of unanimity that will affect federal institutions and sterilize them?

Oh, yes, provinces are equal because they all have a vote. Without trying to cast any aspersions on the Chair, Madam Speaker, eunuchs in a harem are equal too but they really cannot produce very well. I suggest that there will be the same sterility in any meaningful constitutional amendments under the rule of unanimity.

Any premier worth his political salt who thinks there will be meaningful Senate reform under a rule of unanimity is whistling Dixie and had better get on his horse and head for the Rockies. There will be no such reform.

I know that my time is limited. I have so much to say and there is so little time in which to say it. I would like to point out to the House, though, that we are not talking about a law or a statute that can be changed by Parliament. Three of my friends from the committee spoke to me during the hearings as though we were discussing a labour contract. They said that they knew it was not perfect now but that they could change it next year. They meant that. I told them that this is not a labour contract or a statute and that we cannot change it that easily.

I have a fundamental problem with the Accord. I have mentioned the problems with aboriginal rights and with new Canadians who have made this country the way it is, thank God, but I suppose there is one fundamental aspect of the Accord over which I go the other way from my Party and my leader. It is not about protecting the distinct society or preserving the distinct society. I am all for that and have voted in this House for Bills that do that. However, what I cannot do and am not prepared to do because I think it inadvertently sows the seeds of separatism is to promote a distinct society.

As far as I can see, aside from what professors, academics, Senators and Members have said, one never knows what the Accord will do. In Philadelphia, 55 founding fathers met for over three months, not for 20 hours in the Langevin Block in the locker-room camaraderie of that intense, incestuous atmosphere. They were not exhausted and did not come up with decisions they thought and believed would be good for the country but perhaps did not quite have the crystal light of purity, fresh air and time to digest what they had done in principle.

How many Members appreciate that the words "We the people," the first three words in the United States Constitution, took three weeks to debate? Before Hon. Members vote on this Accord, I would ask all Hon. Members to read the book written by Catherine Drinker Bowen entitled *Miracle at Philadelphia*, a narrative history of what the founders wrestled with.

I have heard in committee and in debate well-intentioned academics speak. Professor Bill Lederman taught me constitutional law many years ago. I got 98 per cent in it. It was the best course I ever took. He is still teaching constitutional law because in some ways Constitutions do not change.

Bill Lederman has never been on the Supreme Court. Would he have thought that the founders of the American Constitution would have had the Supreme Court of the United States interpret the commerce clause which has fundamentally changed the American economy? Would he have thought in terms of rights of people and women, that the right of privacy of papers would be extended to the right of the privacy of the body so there could be qualified or restricted abortions? Would he or any other professor, academic, Senator or lawyer have thought that what the American founders said 200 years ago about due process is the fundamental tenet for the gender-equality rights that are slowly coming in the United States?

I have the highest of respect for Eric Kierans who appeared before the committee, but the mythology he put before the committee really bothered me. We all know of the great clause in the American Constitution, "all men are created equal". However, for over 100 years, there was legal segregation in the United States. People were equal but were separate. We all know that. That is sad history, but do not blame the United States.

Mr. Kierans has said that Meech Lake puts things back the way they are supposed to be. Only one columnist is following this debate, Mr. Johnson of *The Gazette*. He has analysed this in a most logical way. He has analysed the comments of Eric Kierans. I read them earlier and could not believe it.

This has nothing to do with the original concept of the BNA Act. I am not saying that there should not be changes to the BNA Act. We do live in a different world today, but do not let reputable people come before the committee and buffalo the

committee with statements they should know better than to make.

Certainly Mr. Kierans of all people should have known that the fundamental premise of the BNA Act, fortunately changed by law, was that Sir John A. Macdonald wanted a strong central authority. One of the reasons the regions came together was to ensure that the perfidious Americans south of the border could be contained and/or restricted. That is why the four colonies got together in the first place.

One of the great clauses that was supposed to provide the supreme federal power was the "peace, order and good government" clause. Who at that table in Charlottetown would have thought that Viscount Haldane would have restricted that clause, perhaps correctly, so that it was meaningless except in emergencies?

I have already mentioned the case of *Edwards vs. the Attorney General of Canada* of 1931, an appeal case in which Lord Sankey talked about the living tree.

Then there was my friend and colleague, the former premier on whom everyone relied. Initially we all relied on ex-Senator Forsey. The Prime Minister used his name when referring to the euphoria we all wanted when Quebec got into confederation. Will Quebec be out at the next conference when some suggestion it places on the table is not approved?

My friend, Mr. Stanfield, referred before the committee to the slippery slope of *deux nations*, a concept in which he had never believed and never followed, or words to that effect. Yet some of us in the Chamber were there in Montmorency when the Conservative Party adopted that because Marcel Faribeau was Quebec's lieutenant then. We adopted that and then it became a factor in the leadership campaign of 1967.

All Conservative Members should recall the speech of John Diefenbaker about one Canada and about not using the *deux nations* concept. Mr. Diefenbaker's idea about one Canada may have been different from Mr. Pierre Elliott Trudeau's but they both talked against *deux nations*. Then the election of 1968 was held.

There has been a lot of hocus-pocus. I am concerned about the promotion of a distinct society. It really bothers me that it sows potential seeds of separatism. If one promotes a society well enough and is successful in that promotion, does it not then become a more definite society? If it becomes a more definite society, is not the most definite society a separate society, particularly when that distinct society is given the tools to do the job? Because of the question of rights, people have almost overlooked this.

In 1983, I said in this Chamber that every candidate for the leadership of the Tory Party except the Right Hon. Member for Yellowhead (Mr. Clark) was totally against what the PQ wanted then, fiscal compensation when opting out of a program. I do not know how many Members have read René Lévesque's book *Memoirs* but it is a darn interesting book for any political person to read, given his inimitable style. I want to quote from that book with respect to fiscal compensation and opting out. René Lévesque, the expert on how to have two societies or two nations or sovereignty association, said he was not really bothered by the amending formula requiring unanimity. He was like Bill Davis who said that Ontario does not need a veto power. Lévesque said he did not need to have a veto power. At page 325 of his book he said:

• (1630)

> But Quebec would be deprived of its right of veto. I should perhaps admit that this old obsession has never turned me on. A veto can be an obstacle to development as much as an instrument of defence. If Quebec have it, Ontario and perhaps other provinces would surely ask for it, too. And, as in Victoria in 1971, it would be possible to block change and in protecting oneself paralyze others, leaving everyone way ahead—or behind.

Then we have this footnote:

> On this subject, as everyone remembers, the Supreme Court ruled in December, 1982, that in its opinion the right of veto did not exist and had never been more than a fiction.
>
> But no matter how hard one might try to revive it politically, I can't see the Anglophone provinces, and even less the federal government, renouncing this judgment, which is right down their alley. At all events, going down this path does not appear to me to be the most promising direction for our political future.

He is talking there about Quebec and the PQ. The main objection he had to any amending formula was the omission of financial compensation where a province wanted to opt out. On that same page he said:

> For Quebec, which in all likelihood would have to use it more often than the others, the exercise of the opting out provision should be made as easy as possible. This way, I speculated, might we not, little by little, be able to build the associate state we had been refused?

He says on page 326:

> On the other hand, the right to opt out, which we had learned to use in the sixties—the best example being the creation of the Caisse de Dépôt—is in my view a much superior weapon, at one and the same time more flexible and more dynamic. "You wish to take this or that path we are not ready to follow? Very well, my friends, go ahead. But without us." From stage to stage, I repeat, we could create something very like a country in that fashion.

You are indicating that I am running out of time, Madam Speaker. That is unfortunate because I have not gone into all the things I wanted to. There are so many things I could say about the "seamless web", that great architecture of the Senator. You cannot touch anything because it is a seamless web, he says. The only webs I have seen belong to spiders or caterpillars in trees. This is not a living constitutional document. It smothers debate and discussion. That is the sad part about Meech Lake. The principle of agreement among the 11 First Ministers was there to start with. It should have then percolated through the political process so that legitimate concerns could be illuminated and responded to. Unfortunately that has not happened.

In conclusion, I want to point out that Lévesque himself says we have the worst of both worlds now. We have a unanimity formula which will be a great sterility. We have a fiscal compensation for opting out clause which will allow the incremental construction of separate programs.

The irony of Meech Lake is that we are left with the 1982 Constitution with a Charter of Rights about which there are many questions, and a Supreme Court which will in effect legislate as it works its way through that Pandora's box.

On the other side we have annualized constitutional conferences where everyone will end up fatigued or the public will be turned off because those conferences will fail from time to time. All they will amount to is a showboat photo opportunity. Those are built in to the Constitution. At the same time Parliament will in effect be mute in so far as contributing anything to the processes concerned before the First Ministers sign on the dotted line. I am saddened by that. I want Quebec in but, quite frankly, I am looking at it in the same way that Premier Bourassa did in 1971. He was not anti-Quebec when he walked away from the Quebec formula. He was pro-Quebec. I want Quebec in but I want it in a new Confederation that will be able to meet the challenges of this world, not a federation emasculated by all these other things in the Meech Lake Accord, some of which I have not touched upon.

The Acting Speaker (Mrs. Champagne): Questions or comments.

Mr. Waddell: Madam Speaker, I congratulate the Hon. Member on his speech. He and I share opposition to this Accord and we are in a small minority.

If Canadians really understood this debate, does the Hon. Member think they would favour a Senate controlled by the provinces, one which will be able to veto the laws of this House? Do Canadians favour a Supreme Court chosen by the provinces when it will be the referee between the federal Government and the provinces? Does he think Canadians favour this veto power which puts us in a constitutional straitjacket? Does he think Canadians favour the notion that future federal spending programs may be limited, as witnesses such as Professor Jack London of the Law School of Western Ontario said in committee? We may not have a national daycare program but a series of checkerboard programs or none at all. Does he think Canadians favour an immigration policy checkerboarded across the country with the provinces controlling it? Does he think Canadians favour leaving native people out, or women, who fought so hard for their rights in 1982? Does he think they favour leaving the multicultural reality out? I do not think so.

When Canada was playing the Soviet Union, it was not Team Alberta with Gretzky or Team Quebec with Mario Lemieux. It was Team Canada. Does he not think Canadians share a greater vision of Canada where the central Government plays a greater role, not just one of 11 equal Governments? That is the true vision of Canada that Sir John A. Macdonald, Laurier, Mackenzie King, Diefenbaker, Pearson and Trudeau had. That view is the view of the majority. That is why we have a country, not a bunch of provincial dictators trying to run the country through these conferences, which amount to another level of Government. How do we get that message out? I think they are on our side.

I agree with the Hon. Member, we want Quebec in. I am prepared to recognize the distinct society. I would go further than he and accept the five suggestions of Premier Bourassa. However, this goes way beyond that. Add that to free trade and you have a double whammy.

I think we are losing this country and I would like to know how we are going to get the message out to Canadians.

Mr. Nowlan: Madam Speaker, I will be very brief because I obviously agree with almost everything the Hon. Member said. I could go along with the five conditions as well, more or less the way one Party did. Former Prime Minister Trudeau gave evidence before a committee and he was asked about who in Quebec really cares. He said other than some professors and politicians about 95 per cent of the people really are not aware or do not care. Quite frankly, as a Tory wondering about our standing in Quebec, because we are all so conscious of polls, I am amazed that if this great concern has filtered down to the people why is it not reflected in our position in that province?

I am afraid that the Canadian public, anglophone and francophone, are bored to tears with the Constitution. The message has not gone out. I do not think they really appreciate the way this process has come about. It has happened so quickly without public debate. Yes, it went to committee but that was in the summer. Our summers are so short that no one really pays attention to politics then.

• (1640)

The Member spoke out. I saw a little blurb in the paper while I was flying back to Ottawa on Sunday. I did not know that he was going to do what he did. I have received responses on the very strong position that I have taken. I think that people do not yet care because the message has not got out.

The Editor of *The Globe and Mail* who appears on *The National* every so often is such a pontificator as to make the infallibility of the Pope pale by comparison. Yet that paper has not led the debate. If I was from Quebec I would be all for this. If I was a francophone outside of Quebec I would be very concerned. I am concerned for Canada.

Mr. Berger: Madam Speaker, I want to compliment the Member on his magnificent speech. I hope other Members of Parliament will take the opportunity to read his speech or, even better, watch a videotape of it. You will agree with me, Madam Speaker, that very few were present for the Member's speech.

With regard to the interest of Canadians, Jean Marchand, who used to represent a riding in Quebec City, used to tell the story about the marine worker in his constituency who came home at the end of the day. When his wife asked him what kind of day he had he said that he had had an awful day, that he had a headache and could not concentrate on his work all day because he was worrying. When she asked what he was worrying about, he said he was worrying about the Constitution.

The fact is that the Constitution is not the kind of thing about which the average person worries. It is the responsibility of legislators to interest themselves in this question, particularly Members of this Chamber who have responsibility not only for the interests of their particular province but for the interests of the nation as a whole.

With regard to the national interest, the Member mentioned that the three words "We the people" in the U.S. Constitution were argued about for three weeks. After the referendum at the end of May, 1980, the Liberal Government proposed a declaration of principles to be included in the preamble of the new declaration. It starts off with the words "We the people of Canada" and that—

[*Translation*]

And this provoked the ire and rage of Quebec Nationalists who objected to the use of the words "the people of Canada" because, as they said, it was a negation of their Quebec nationality.

[*English*]

Mr. Trudeau replied to that in a rather famous open letter to Quebecers.

We all say that we want Quebec in the Constitution. I was one of the Members from Quebec who voted for the constitutional resolution in 1981.

[*Translation*]

Seventy Quebec Members voted for the constitutional resolution in 1981 because it was in the interests of Quebecers and Canadians.

[*English*]

Mr. Nowlan: The two questions of the Member for Laurier (Mr. Berger) really prompted the answer to the first question. I will throw out, not in a pejorative way, that there really has not been a debate in the House of Commons. When all three Leaders and Parties are together on principle and have a hearing during the summer there is not time for it to percolate out from coast to coast. It is very politically astute to get the measure through, but that is not the way to have a meaningful debate and a better Constitution.

Mr. Waddell: Madam Speaker, I want to point out that the Hon. Member is from Nova Scotia, that the Member for Laurier (Mr. Berger) is from Quebec, that I am from Vancouver, and that we all share the same views. There is a feeling stretching across 8,000 kilometres that this is wrong. Since I took my stand, support for it has been running at about 98 per cent. Aside from some bureaucrats who do not like it, the people like the stand. There is that feeling for Canada.

The Member is absolutely right. Due to the process the story is not getting out to the public for debate. I hope to God that somehow, in some way, it will get out and we can fix up the Meech Lake Accord and have a decent Constitution for Canada.

Mr. Dave Dingwall (Cape Breton—East Richmond): Madam Speaker, I, too, want to congratulate my colleague from Nova Scotia on his remarks made here this afternoon. I want to begin my remarks with regard to the Meech Lake Accord by stating very clearly and unequivocally that I have great respect and admiration for all those Members who have spoken out in favour of the Accord. I have great respect for the enthusiasm with which they have launched their views. I would hope that in turn and in kind, although my views may be very different from the views of those individuals, they would have the common courtesy and the decency to respect my views which are shared by some Members, albeit not by the majority.

In the short time that I have I will make a few comments about process and about substance. With regard to process, it is difficult to accept that in 1987 11 men would meet into the early morning hours and consummate an agreement and consensus with regard to the most important and fundamental statute affecting our nation.

I have some difficulty with that. I believe, not that that process is inherently wrong, but that it has major omissions. This is not the consummation of a collective agreement. This is a fundamental tool of nation building. I emphasize that it was 11 men who gathered to consummate that agreement. Even more important were the comments made by the Right Hon. Prime Minister (Mr. Mulroney) in July. He said to Members of Parliament and Canadians at large that those 11 had come together to consider the Constitution and that there would be no amendments and no improvements allowed to this particular agreement.

I think by any standard, particularly the objective standard, that one would have to agree that the process of debate, the process of challenging, expanding, exploring, and defining the substance of that most important document has taken a major step backward because Ministers, the Prime Minister, and others have come to the conclusion that, no matter what, these 11 men have made an agreement which can in no way be reformed, improved or amended. Madam Speaker, objectively speaking, that is a wrong process for us to be following in Canada in 1987.

• (1650)

I would now like to talk about the substance of the Accord. We have heard a great deal about it. I have heard the Minister of State for Federal-Provincial Relations say the following, and I do not wish to quote him, but I think I am paraphrasing him correctly. If I am not, then I am sure Hon. Members will jump to their feet to correct me. He has led us to believe that the provisions within the constitutional Accord of 1987, particularly as they relate to the phrase "distinct society", do not really mean anything. That is one thing. Fortunately, or unfortunately, Members and individuals of the Province of Quebec have put a different interpretation on it.

Let me come to another area, and I will come back to the previous one. Let me come to the area of the Accord which stipulates that Canada must provide reasonable compensation to any province which rather than participate in a future national shared-cost program chooses to establish its own program "compatible" with national objectives. I have had great difficulty in trying to define and to distinguish as to what "initiative" means, what "compatible" means, what "national objectives" mean.

Who is to set the national objectives? Like all Members of this Chamber, I thought that the Parliament of Canada was the place where national objectives would be debated and discussed. That does not preclude consultations with provincial Governments—not at all. But what are we doing with regard to this particular amendment to the Constitution? Why have we not as a nation spelled out as to who will set the national objectives?

One may say, "Well, we understand that it will be the Parliament of Canada". Well, if one understands it to be the Parliament of Canada, then it should state that. I quote to you, Madam Speaker, some words which were used by a provincial colleague of mine in June of 1984. I refer to the words of the former Minister of Education who is now the Attorney General of Nova Scotia. This is what he had to say about national objectives. At that time he was the Chairman of the Council of Ministers of Education. He said this: "Given that provincial jurisdiction in the field of education, provincial Ministers of Education would contend that national purposes can only be understood in terms of provincial purposes".

Where is the role for national objectives? Where is the role for Parliament to set those national objectives? Some, if they wish to be politically mischievous would say: "Oh, you are just bashing the provinces". I am not bashing the provinces at all. This is a democratic institution which covers the geographical mass of our country. This is the rock of democracy in Canada. Surely, this rock of democracy ought to have in its Constitution that the national objectives affecting nationhood should be decided by the Parliament of Canada. As you know, Madam Speaker, there is a major omission within the Accord that does not stipulate that.

I have grave difficulties, some historical in their context, when someone tries to weaken a national Government and give more powers to provincial Governments. That is not to suggest in any suspicious way that they will do evil things. That is not my intention. But history will tell us, at least in my province, and for those provinces on the peripheral regions of this country, that the biggest ace was a strong national central Government. Our history tells us that. For those who argue that because Parliament has given up more duties and responsibilities to the provincial Governments that there will not be any effect, I think that is being somewhat, maybe, intellectually dishonest, but certainly naive at best, because we need a strong central Government. The poorer regions of the country more so than others need a strong central Government.

I made reference to the phrase "distinct society". The Minister of Federal-Provincial Relations said it does not mean anything. The Premier of Quebec has a different view, a very different view. He said this in the National Assembly on June 18, "First of all, we note that with the recognition of a distinct society we are achieving a major gain, and one that is not merely symbolic, because the country's entire Constitution will from now on have to be interpreted to reflect this recognition. The French language constitutes one fundamental characteristic of our uniqueness but it has other aspects such as our cultural, our political, economic and legal institutions. As we have so often said, we did not want to define all these aspects, precisely because we wanted to avoid reducing the National Assembly's role in promoting Quebec's uniqueness". It goes on for several other sentences, which I am sure most Members have read.

So we have the federal Government saying it does not mean anything but yet we have, and rightly so, legitimate, admirable men and women in different parts of Canada saying that it does mean something. I take offence, great offence, that the federal Government will not stand in its place and spell out what it believes distinct society means. If it does not mean anything, then come out and say that, be honest with the people of the Province of Quebec, never mind playing these games.

The Minister of Federal-Provincial Relations said, and quite rightly, that on the distribution of powers there is no change in the listing of those powers from provinces to the federal Government. But what he did not say is what effect that will have on the peace, order and good government clause, which is not in the Constitution *per se* but is done through the common law, through judicial interpretation. That is where it is done. Many constitutional lawyers will tell us that it does have an effect.

I would have hoped that the Government of Canada would have been a little bit clearer for me, and for Canadians generally speaking, on that particular point. If it means something, then spell it out as to what it means, never mind trying to camouflage it. In my view it is not symbolic; it is a substantive phrase. It is no longer in the preamble of the Constitution; it is in the body of the Constitution. That is a major distinction in itself. People can argue against it saying that it does not really mean anything; it is just the acknowledgement of an historical fact.

Who is any more distinctive than the people of Newfoundland? Who is any more distinctive than the people of Cape Breton Island, in terms of their history? This has the potential, I believe, if not spelled out clearly by the Government as to what it means, to be very confusing and very frustrating. In the years to come the judicial interpretation may go well beyond the good intentions of those individuals who consummated what they thought, in good conscience, was a good deal for Canada. But there are other major concerns that I have.

• (1700)

In the time remaining, let me talk about the fact that now we will have institutionalized First Ministers' conferences. On the agenda of the First Ministers' conferences we will have the discussion about the jurisdiction of fish. I do not know, Madam Speaker, if you have ever gone fishing, but when the fish come to the borders of Nova Scotia, they do not stop and look for a red light. They do not stop and look for a green light. Now we will have on the agenda, not next year, but the year after, the year after, and the year after, the jurisdiction of fish. What could be worse than that? Where is the stability that that will provide to the industry and the inshore fishermen, if every year at the constitutional conferences will be debated the jurisdiction of fish? If it were not so serious, it would be funny. I represent a constituency in Atlantic Canada, and what we are saying to the fishermen of that region in particular is that we will allow instability and uncertainty to prevail in the fishing industry by putting this item as a permanent agenda item at the First Ministers' conferences on the Constitution.

What about the concept itself of First Ministers' conferences being constitutionalized? Is that not now a new form of government in Canada? We have seen what happened here. Eleven men come together and agree on a particular constitutional Accord. Now they are reluctant and have stated that they will not accept any amendments. That is not good for Canada. I say sincerely to Hon. Members who support the Accord that that is not to suggest in any way that we do not consult with, talk to, or listen to our provincial legislators. I am not suggesting that. But to institutionalize another form of government called the First Ministers on the Constitution every year from now on seems to me to be usurping the role that Parliament, and Parliament alone would be doing in that regard.

The amending formula was rigid before the Meech Lake Accord, and most people have attested to that. Now there must be unanimity. People say, is that not great for the provinces, they can now say yes or no. But what about the people of Canada? Is it right for one province to be able to say no to something that is in the best interests of Canadians? Imagine the leverage that allows provincial Governments. If Newfoundland wishes funding for the Come-by-Chance oil refinery, it just withholds its support. We are institutionalizing a structure that will come back to haunt us. I sincerely believe that it is not in the best interests of Canadians that we follow that route.

My comments on the Charter will be very brief. We have heard a lot of discussion on the Charter. Although there are sections within the Meech Lake Accord that make specific reference to two sections of the Charter, it omits reference to other sections of the Charter. Any lawyer will tell you that the rule of interpretation by the courts has been laid out very clearly. If reference is made to something, as has been done in the Meech Lake Accord, and is does not make reference to the others, they will interpret that it is not to have an effect. In my view, and in my judgment, as subjective as it may be, but I have attempted to be objective, that is wrong because it will have negative effects with regard to the equality of men and women in the Constitution. It throws our Charter into question, which I do not think any Canadian wishes to see. We wish to have something which is clear and unequivocal.

Finally, I believe that we have done a great disservice in the Meech Lake Accord by abandoning our aboriginal people. We have abandoned the concept of a multicultural Canada, without even a reference within the Meech Lake Accord.

I wish to close with the words of Tennyson, "I am a part of all that I have met". I have met Canadians in Quebec, in Nova Scotia, in western Canada, and in Ontario. I have met young people, senior citizens, and veterans. They have all aspired to a strong national Government. I sincerely believe that in the short term and in the long term that this Accord will affect that dream of a strong, united Canada from coast to coast. For those reasons, I must say that if the amendments of our Party are not accepted, I will have to vote against the Meech Lake Accord.

Mr. Kindy: I wish to congratulate the Hon. Member for his excellent speech and analysis of the Meech Lake agreement.

In today's *La Presse* there is a Gallup Poll on whether Canadians would favour an elected Senate. The majority of Canadians say that they wish an elected Senate.

What is the feeling of the Hon. Member? Does he believe that with the Meech Lake Accord it will be possible to bring amendments to the Constitution and have the agreement of all the Premiers of Canada to have an elected Senate? Or will the Premiers have a vested interest in maintaining the *status quo* because they will more or less name the Senators? What is the feeling of the Hon. Member?

Mr. Dingwall: I have two points in response to the question of the Hon. Member.

Historically we ought to recall that the number of Senators that the federal Government is allowed to appoint in the peripheral regions of western Canada and Atlantic Canada is quite different from the Provinces of Quebec and Ontario.

In my thesis, I say that we are giving additional powers to Provinces like Ontario. The question then becomes where is the incentive in the Meech Lake Accord for the Government of Ontario to relinquish 26 Senators that they will now be able to appoint, as opposed to down to a Triple E Senate which is advocated by the Premier in the Province of Alberta to say 10 per province or region on an equality basis? What is the incentive? There is no incentive. If the Government is going to appoint 26, why would it only appoint 10? There is no incentive in the Meech Lake Accord.

The third point is the rigidity of the amending formula. If Peckford does not get his fish, do you think he will agree to Senate reform?

• (1710)

We have institutionalized a structure or a set-up which will be virtually impossible. I say "virtually impossible", but they may come down from the heavens to get agreement. That is the problem with the Meech Lake Accord. I do not think, under the auspices of the Meech Lake Accord that the objectives which the Hon. Member is espousing and which I am espousing in terms of an elected Senate will be achieved. In fact, I think it will be a step backward and that it will be even more difficult.

Mr. Kindy: Madam Speaker, I thank the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall) for his excellent analysis of the situation as far as the Triple E Senate is concerned. However, what does he think about a system wherein we must approve the Meech Lake agreement which has been cast in stone, and Parliament cannot even debate it, or, if it debates it, it cannot amend it because it has been said that it must remain the way it is?

What does he think about this process? Does he think that powers are being taken away from us because it has been said that it cannot be amended, that it must be as it is?

Mr. Dingwall: Madam Speaker, the Hon. Member should have no doubt whatsoever that the institution which we now know as Parliament and the role we play as Members of Parliament will be lessened and lessened substantially. That role will be usurped by the Conference of First Ministers which will be convened yearly with regard to constitutional and other matters. They will be the ones, and we will not have the effective voice we ought to have as national parliamentarians.

The brief answer to the Hon. Member's question is that I do not believe it is very appropriate or in Canada's best interest for 11 men to come together to consummate a deal in the darkness of night and without a very lengthy, exhaustive, and detailed process to examine every issue affecting the Meech Lake Accord.

[*Translation*]

The Acting Speaker (Mrs. Champagne): It being 5.14 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

CANADA ELECTIONS ACT

MEASURE TO AMEND

Mr. John R. Rodriguez (Nickel Belt) moved that Bill C-237, an Act to amend the Canada Elections Act (leave of absence), be read the second time and referred to a legislative committee.

He said: Madam Speaker, the purpose of my Bill is to amend the Canada Elections Act in respect of leaves of absence. One must understand that the Act now applies to all employers who fall under the jurisdiction of Part III of the Canada Labour Code. The Act allows an employer to permit an employee to have a leave of absence to seek a nomination to represent a political Party or to be a candidate in a federal election. That is where it begins, and that is where it ends.

It does not deal with what happens if a candidate is successful and serves two years or four years in the House of Commons.

Mr. Angus: Or nine months.

Mr. Rodriguez: It could be nine months, as in the case of 1979. The law is silent. When an employee presents himself, the employer can therefore say that he is sorry but that there is no longer a job in the corporation or operation.

What I simply want to do in my Bill is to amend the Canada Elections Act for all employers who come under the jurisdiction of Part III of the Canada Labour Code to make it law that if an employee is successful in a federal election he has the right to a leave of absence. Therefore, when he is no longer in public office, he has a right to come back to his employment.

Why have I considered this issue so important as to present a Private Member's Bill on the matter? In my 12 years in the House of Commons I have observed—and I think it is important—that the House of Commons is an expression of what it is that makes our system different from other systems. The fact is that in this House sits those who have been chosen by the citizens of Canada to represent them. This is the very essence and heart of the democratic process. If this is the essence of the democratic process and the expression of the democratic will of the people of Canada, Parliament must be representative of the people who make up its citizenry. It must be representative of the diverse nature and characteristic of the nation, ethnically, gender-wise, regionally, and occupationally.

I am sad to say that Parliament has historically been open to an elite. Those composing the House of Commons in the past have usually been white, Anglo-Saxon protestant men of relatively high incomes. Research will confirm that. Statistics indicate that most Members of Parliament come from the professions, particularly the legal profession.

Mr. Angus: Really, lawyers?

Mr. Rodriguez: Yes, absolutely. According to two Canadian political scientists, Michael Whittington and Richard Van Loon, 20 per cent of the Members of Parliament elected in 1984 came from the legal profession.

Mr. Gauthier: How many?

Mr. Rodriguez: Twenty per cent, while 60 per cent came from other professions.

To put this in some perspective, one must keep in mind that, as a percentage of the whole population lawyers represent less than 1 per cent. Yet, as a result of the 1984 election, 24 per cent of the House of Commons comes from the legal profession.

Why is Parliament not more representative? I have asked myself that question, and I think the reason lawyers are over-represented in the House is that it is very easy for them to leave their practices and, after serving their term in politics, whether they are defeated or they leave voluntarily, it is relatively easy for them to move back into practice. Politicians from other forms of employment or other professions would not find it so easy. Working class people just cannot leave their jobs and expect to return and pick up where they left off. That sort of easy to and fro is not available to working class people.

• (1720)

Similarly those Members of Parliament who are very wealthy can step into lucrative patronage positions or corporate directorships once they have left this House or have been defeated. There are myriad examples of that around. Indeed, many who have served on the Government front benches after they have been defeated are welcomed into the corporate lawyer boardrooms of the nation because it is very important for law firms to have prominent ex-politician representation. There are many examples. The former Prime Minister for one. I hardly think he goes into a courtroom to practice law. I read of him leading a delegation of corporate representatives to China so that they could make entrées regarding trade with China.

A former Minister of Finance who came out today in support of free trade sat on the front benches of a former government and was welcomed into boardrooms. Those positions are not available to working-class people. Again, to quote Van Loon and Whittington: "Not the least amount of disincentives of political life in Canada is the difficulty many MPs find in returning to private life. Stories of MPs requiring two years to find employment are not uncommon. This problem suggests another reason for the heavy concentration of professionals not only in Canada but presumably in the U.S. and British legislatures as well".

In short, the lack of job and financial security in politics discourages average Canadians from getting involved. That has been my concern, Madam Speaker. I have sat in this House for 12 years and I have seen it. I have experienced the difficulty of being able to return to a job once one has served one's nation and it may be that your representatives, Madam Speaker, feel that they need someone else.

What can we do to help other average Canadians get involved in the political process? That is what my Bill speaks to. It goes in some small way to complete the Canada Elections Act. It completes the process. It is not just to get a leave of absence to seek a nomination and to campaign for election to office. The process must be complete. But what happens after? That has been the disincentive for many excellent candidates who might have otherwise been elected to this House.

We have other Acts of Parliament which deal with our electoral process and which provide fairness. For example, we have an Election Expenses Act which tries to even out and to make politics in Canada fairer and less dependent upon one's pocketbook, making things more accessible and more democratic. It is an attempt to get away from the old practice of people attempting to buy a seat in the House of Commons. Before we had an Election Expenses Act I recall candidates for office to this House who spent $95,000 and lost. There were candidates who spent $150,000 to win office. This place was a hiding place for the wealthy. That is why we brought in the Election Expenses Act. It was an attempt to provide a level playing field so that it was not one's pocketbook that determined whether one got here or not.

We have also a Freedom of Information Act, an Act which ensures access to information. The Government has proposed legislation for a lobby registry Act. We have heard of and we are waiting for the conflict of interest legislation. All of these Acts tend to make our system more open, accessible and democratic.

My little Bill is one page long, but I appeal to Members in this House not to talk out this Bill because I think it is a small opening in the right direction. Not all the employers in Canada will be covered by this Bill, just those under Part III of the Canada Labour Code. It is a beginning and it is a leadership role which the federal Government would give if the Bill were approved. There are concerns by some who would say it would be open-ended, that a person could be here 15 years. I think if you look at the statistics, Madam Speaker,—and I know my hon. colleague from the Liberal Party knows that very few Members are here 15 years or beyond—then it is a question of negotiation between the employer and the employee. It may be that some arrangement would have to be made for retirement or placement in a position within the operation more commensurate with the skills and experiences as a Member of Parliament.

Surely the skills one learns in the House of Commons are skills that can be accommodated in any enterprise. Surely the reward for having served one's country—and I consider this to be a part of that, a commitment to serve our fellow citizens in the House of Commons—ought not to be a kick in the butt after six or three years. Many of us who are affiliated and identified with the particular ideology of a particular party would find it very difficult to be hired in the workforce. There is often a tendency that one is too closely identified with a particular political Party, that one is too hot to handle, that we cannot touch you.

I appeal to Members not to do the traditional thing which has been done around here with Private Members' Bills of talking them out. I do not mind that, but for God's sake if

Members think this is a good idea and a step in the right direction, then they ought not to. I make that appeal to all Members on all sides of the House. Give democracy a chance. This is a small opening, a step in the right direction and I ask Members to support my Bill.

Mr. Moe Mantha (Nipissing): Madam Speaker, I welcome this opportunity to join in the debate on Bill C-237, an Act to amend the Canada Elections Act, which deals with the terms of leave of absence which certain employers grant their employees who run for election to the House of Commons. As all Members of Parliament are aware, Subsection 23(14) of the Canada Elections Act is the existing rule. It provides that employers to whom Part III of the Canada Labour Code applies, which section does not apply to the Public Service, must grant a leave of absence with or without pay to any employee who requests such a leave in order to seek a nomination and to be a candidate for election to the House of Commons. Under the terms of leave of absence, if a candidate is not elected, he or she can return to his or her job. If elected, the individual must resign from his or her job with the previous employer. What the Hon. Member for Sudbury is now proposing in this Bill is that those employers should be—

• (1730)

Mr. Rodriguez: I rise on a point of order, Madam Speaker. The Hon. Member has referred to me as the Hon. Member for Sudbury. I am the Hon. Member for Nickel Belt.

Mr. Mantha: I apologize.

The Acting Speaker (Mrs. Champagne): I am sure the Hon. Member for Nickel Belt (Mr. Rodriguez) also occasionally, and it does happen to the Speaker too, makes a mistake on the correct appellation of a riding. I am sure the Hon. Member for Nipissing (Mr. Mantha) stands corrected.

Mr. Mantha: I did not know he was the Member from Nickel Belt. I will say the Hon. Member for Nickel Belt (Mr. Rodriguez) is now proposing in this Bill that employers should be requested to continue leaves of absence, albeit without pay, for those candidates successfully elected as Members of Parliament for the duration of their careers as Members of this House.

When Members resign or are defeated, they would have a guaranteed right to return to their previous job. While I am sure that all Members of the House and indeed all Canadians would appreciate such a guarantee when they take up new positions during their careers, this proposal is not one which I feel is appropriate or desirable.

I am against this proposal in principle. We in this House have a privileged role in contributing to the Government of this country. Our experience should stand us in good stead when we need to seek new employment. Members of this House are provided for in salaries and benefits. We should not need or want the kind of guarantee which the Hon. Member for Nickel Belt is proposing if and when our careers in this House come to an end.

I am also against this proposal because of its implications. The impact on employees, for example, would be significant. Under Part III of the Labour Code, a wide range of businesses, both large and small which are within the legislative authority of the Parliament of Canada would be affected. These would include businesses in shipping, the railway, the airlines, the banks, radio broadcasting and any other business which does not fall within the exclusive legislative authority of the provincial legislatures.

In all, some of the 10 per cent to 15 per cent of Canadian businesses would be required to keep a job open for any employee who was elected as a Member of Parliament for as long as he or she remains as a Member of Parliament. Under the Government's conflict of interest guidelines, a Member of Parliament who is a Minister could not return immediately after an election to work at a company involved in activities related to his or her ministerial responsibilities.

I would argue that even from the point of view of Members of Parliament, the extended leave of absence would have its disadvantages. It would certainly apply unevenly to some MPs. I am sure that our constituents would agree that this proposal is going too far. There is room, however, for reasonable reform related to the election procedures and the political rights of Canadians. That is what the Government is proposing.

In one of the major initiatives of this Government, the Deputy Prime Minister (Mr. Mazankowski) introduced Bill C-79, an Act to amend the Canada Elections Act, on June 30 of this year. In this Bill, the Government is proposing among other reforms to improve the fairness of the election process by permitting previously excluded individuals to run as candidates for election. These include people who are involved with certain contracts with or for the Government of Canada; members of provincial and territorial legislatures; individuals who hold the office of sheriff, clerk of the peace, county or district Crown attorneys; paid government-appointed individuals who work in the services of the Government of Canada and others who have in the past been excluded from running for Parliament. All these individuals will now be eligible to run.

In addition, the Government is presently reviewing how it can expand the political rights of the Public Service within the limits necessary to maintain a politically neutral Public Service. This Government is taking strong and progressive interest in the reform of the election process and the expansion of political rights. This is the kind of reform which we encourage.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I welcome this opportunity to take part in the debate on Bill C-237. I believe this is the first time the House is considering this question, and I think the Hon. Member for

Nickel Belt (Mr. Rodriguez) is to be commended for presenting a Bill that would enable individuals to obtain from their employer a degree of job security in the event that they participate in the election process.

Madam Speaker, if we are prepared to pay the price of democracy, we must be willing to let those people who wish to take an active part in the democratic process have certain guarantees. After listening very carefully to what the Hon. Member for Nickel Belt was saying earlier, I must say I agree with him on most counts—I don't very often—but I mostly agree when he says that Canadians who offer their services should be given some measure of security. However, I think the Bill should be amended. I think it may be necessary to add a provision—

[*English*]

—A sunset clause, Madam Speaker. I cannot think of the translation so I will use my second language. I really think this is an interesting proposal put to us by the Hon. Member for Nickel Belt. As I said, I would like to address it very briefly, and if it is going to committee, to bring in an amendment at that stage to put in a sunset clause.

The Bill contains a clause which enlarges upon the existing paragraph, Section 23(14) which states that every employer or employees to whom Part III of the Canada Labour Code applies shall upon application to him by any such employee grant to the employee leave of absence with or without pay to seek nomination as a candidate and to be a candidate for election for such period during election as may be requested by the employee. My friend for Nickel Belt wants to amend the Section and add the following: (b), upon application to him by any employee who is elected to the House of Commons, grant a leave of absence without pay to the employee for the duration of his term of the House of Commons.

I could return to my personal experience and state that seeking public office has been a difficult and frustrating experience for many public servants. I can remember when the former Member for Ottawa Centre, John Evans, stood for election, he had to forgo his job in the Public Service and ask for leave even to be a candidate in the election. At that time, he was refused because he was a middle management person, a senior public servant, who did not obtain the required permission.

The Public Service Employment Act is very clear. Upon election to the House of Commons, Subsection 5 of Section 32 states that an employee who is declared elected as a Member described in paragraph 1(a) thereupon ceases to be an employee. He is immediately struck from the list and cannot be considered for any future employment unless he starts from the bottom. That has caused some difficulty over the years for many public servants.

• (1740)

I say to my hon. friend from Nickel Belt, hoping the Bill will go to committee, that I may want to present an amendment which would include an amendment to the Public Service Employment Act so that we would strike this section from the present legislation. That would make sure that public servants, if they stand for and are elected to the House of Commons can, within reasonable limits, go back to the Commission following their leaving this place for whatever reason and have the right to be considered for employment on a continuing basis by their former employer.

An argument can also be made concerning the effect of Part III of the Charter of Rights and Freedoms which says that every citizen has the right to vote in an election of Members of this House or a legislative assembly and to be qualified for membership therein. That gives all Canadians the opportunity to present their candidacy. I think it would be appropriate for us to see to it that the Canada Labour Code be amended so that people working for federal undertakings would be eligible for continuing employment once they leave an elected position here.

As I said, I see two possible amendments. One concerns the restrictive section in the Act which should be removed, and secondly, possibly a sunset clause where the member could go back to his employer but not necessarily ask to be reinstated in the position he left. For example, I think of teachers or professionals in the health care field, nurses, doctors, chiropractors, osteopaths and so on. Possibly they would not be able to keep up with the state of the art and would have to go back for a retraining course. These are all things that could be worked out by the employee and employer. They could even be negotiated in a contract.

I would like to enlarge upon the scope of the Bill and include all people, whether they come under the Labour Code or under the Public Service Employment Act. That would include many hundreds or thousands of Canadians who at this time have to take very serious risks with their future and that of their families if they give themselves up to elected office.

I commend the Hon. Member for his Bill. I will sit down now and hope that it passes through second reading and goes to committee. I think we should look at this very closely with the hope of improving upon it because I think it is a good idea.

[*Translation*]

Mr. Charles Hamelin (Charlevoix): Madam Speaker, I rise to comment on the Bill introduced by the Hon. Member for Nickel Belt (Mr. Rodriguez). As Hon. Members would know, it is basically aimed at giving any federal employee in Canada an opportunity to run and be a candidate in a national election. It brings in an amendment, because this provision already exists in the Canada Labour Code. Indeed any employee may run and be a candidate in an election, but the existsing statute provides that as soon as the individual is elected or defeated, if elected he is no longer employed by the Public Service of Canada, but if he is defeated he can of course resume his duties immediately.

Not only would Bill C-237 sponsored by our colleague maintain this practice, but it would add a new provision: upon application to the employer by any employee who is elected to the House of Commons the employer would grant a leave of absence, without pay, to the employee for the duration of his term at the House of Commons. In other words, if ever this Member of Parliament were defeated, he would automatically return to his job at the same level.

At first blush this proposition appears to be quite generous and acceptable. My colleague from Ottawa Centre, I think, suggested introducing a sunset clause, in other words a temporary provision which would apply for a limited time and enable an employee to return to his job, but this option would be open to him only during a certain period of time.

Let me give an example. Let us suppose that, after being elected to Parliament, because of various circumstances, a former postal worker is defeated a year or two later and that there is, as suggested by my colleague, some provision saying that if you are a Member of Parliament for four years, you are unfortunately no longer considered an employee of the Public Service and you cannot get your old job back.

The problem with such a proposal is that it would affect only a very small group in Canadian society, namely federal employees. It would create a distortion. Why them and nobody else? This is an argument which should be considered.

My colleague said: Give a chance to democracy. Would applying this legislation only to federal Government and Crown corporation employees not be less than democratic? I know that when he asks us to give a chance to democracy, it is because he would like the federal Government to play a leadership role in this regard. However, I believe that this proposal could cause distortions, and there are already many of them in our system.

It is true, as he said, that there are too many lawyers and professionals who, because of their social standing and the guarantees provided by their profession, can return to this profession if they are defeated. They acquire a prestige which they then, rather generously, offer usually to other businesses, and so on.

It should be noted however that the possibility of conflict of interests is there. We know that under the law Ministers or former Ministers are prohibited from returning immediately to their own business or to a previous employer to avoid a situation where they might divulge information to which they had exclusive access. So the law does contain a kind of ethical code to prevent such situations.

To my colleagues I would also suggest the case of a CBC employee, for instance, a political writer and commentator who would be known under a given label for two, three or four years, be elected and become a Minister, and who on the day after his defeat would stick a microphone in the face of his opponent, availing himself of the provisions of this private Member's Bill. I do not know whether Canadians would appreciate my immediate return as a Radio-Canada reporter where I would interview and comment on the political activities of somebody who would have just defeated me. There are some particular consequences that would require special provisions.

One could consider the extreme case that someone from within the expanded federal Public Service and its agencies would be elected for a specific purpose, to defend special interests. For instance, a person supported by certain interests could get elected to defend proposals or policies concerning transportation or shipping. In any case, without wishing to prejudge a person's intentions, I maintain there might be a conflict of interests due to the unconditional guarantee that one goes back to one's previous job. The Bill does have its merits. Its purpose is to broaden the pool of candidates and to create a situation where we have what is referred to in the United States as the President concept, which means that anyone can become president of the United States, and so forth. I agree that, whatever people may say, and despite our laws by which we may run for election and eventually become ministers, it isn't easy and it is not exactly reassuring. Today, at least for young MPs, there is nothing that provides us with any security, considering that the mandate we receive from the people is only temporary, since many of us may be faced with possible defeat. Eventually, if this Bill is passed, we might see some rather extreme situations where someone who has been elected for 10 or 12 years finds that his job has disappeared. The labour market changes and situations change.

So if the Bill is adopted or is referred to committee, Madam Speaker, I would certainly add a sunset clause, a time limitation, as the Hon. Member said. That would certainly be one of the amendments we would have to add. Furthermore, we would have to look into all possible causes of conflicts of interest. We would also have to consider the somewhat elitist and anti-democratic aspect of a measure that would use taxpayers' money to help only a small segment of the population.

For these reasons, Madam Speaker, I am not sure at this time that the House should devote its energies to considering Bill C-237, unless it is prepared to make an exhaustive study of all the consequences.

• (1750)

[*English*]

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I was pleased to have the opportunity to second the motion of my colleague, the Member for Nickel Belt (Mr. Rodriguez), whose riding, incidentally, is 700 miles away from mine. Despite that I know the name of his riding, unlike the Hon. Member for Nipissing (Mr. Mantha) who lives next door.

Before I begin my comments I would like to respond briefly to the remarks made by two of the government Members. I think they really missed the boat. The Hon. Member for

Nipissing is probably a good spokesman against this Bill as he has a private sector involvement to return to when he is defeated in the next election. It is obvious why he does not want protection for others.

There is an inference that the Bill is aimed at federal government employees. In fact, it is aimed at employees who are covered under federal labour law. That includes private as well as public corporations throughout the country.

This Bill is important to me as someone who has been elected twice to a legislature or parliament, has been defeated once in a legislature, and knows the reality of both systems, that is, having and not having a leave of absence. When I was elected to the Ontario Legislature in 1975 a minority government was in power. I ran with the permission of the City Council of Thunder Bay. After I became the MPP for Fort William I had to apply to City Council and endure a two-hour public debate on whether or not I should be given an unpaid leave of absence for the term of that legislature. Council decided to be fair and allow me a leave of absence for that term.

While I was a member of the legislature the city developed a policy to deal with future situations of this type. The policy was that leaves of absence would not be granted other than for people to seek nomination and run for office. Once elected they would not be granted a further leave of absence. Luckily for me, after my defeat in 1977 or, as I refer to it, my forced early retirement, I returned to a position at the same level with the City of Thunder Bay parks and recreation department. For a variety of reasons, none of which are now important, I became a union member and was, therefore, covered under the collective agreement of the Canadian Union of Public Employees Local 87.

That agreement was very good in terms of electoral prospects. It allowed me a leave of absence in order to stand for election while protected by the collective agreement. There was also a provision which allowed me an unpaid leave of absence to serve in either the Parliament of Canada or the Legislature of Ontario.

In the 1979 and 1980 election campaigns I ran knowing that I and my family—and I emphasize "my family"—would have income security despite my decision to continue to play a part in governing the Province of Ontario and this country. It is one thing for a single person with no dependent family to take a chance and run for public office with the chance of later being defeated, but it is quite another for a person with a family, particularly in the situation of a minority government. Many politicians in Ontario this fall found themselves out of a job, wondering what to do next.

That protection exists for those who have a collective agreement, but what about those who are not covered by such an agreement? I found myself in that position once again because prior to the 1984 election I was arbitrarily promoted out of the bargaining unit and was, therefore, no longer covered by the collective agreement. I was subject to the city council policy that I could have an unpaid leave of absence to run but if and when elected had to resign.

• (1800)

If I was defeated or decided to leave the House of Commons or the legislature, wherever it may have been, I could come back and for a year apply as an interim applicant. It really sounds great, except I do not know of any organization that has such a thing as interim applicants for non-union positions. There is no seniority list. There is no provision to provide protections. In effect, I am here without a leave of absence.

I recognize that my colleagues' Bill does not deal with a municipality which, in this case, is covered by Ontario labour law. But the principle is extremely important. As my colleague said, when we provide the leadership at the federal level then the provinces will follow suit. In this regard I refer to the Election Expenses Act. The federal Parliament led and the provinces followed suit. Some were slower than others, but they certainly did follow.

In addition to ensuring equality of access between the various employment sectors, shall we say, whether it is the professions or people who work for other people I believe, although I do not have statistics to back me up, that one of the reasons we do not have as many women seeking public office at the federal level, or at the provincial level for that matter, is because of security. Let us consider, for example, a single parent. If a single parent knew that whatever job she had at the moment would be protected in the event that she got caught in a minority government situation, then there might be a better chance that she would take the chance to go public, as they say, and stand for public office. There is that added incentive to accept my colleague's Bill and to refer it to a legislative committee. In this way we can deal with some of these real questions about what its impact will be on employers.

My colleague from the Liberal Party raised a good point with respect to the federal Public Service and automatically being terminated. I know what that is like. I walked into my office the day after the election thinking that I would negotiate the completion of my employment, the transition. I was informed that I had been terminated three hours before. I can appreciate what federal public servants go through. They have to go home and say, "Dear, I don't have anything to go back to. All my eggs are in the parliamentary basket". I do not think that that is good for the country.

We want as broad a cross-section as possible represented in the House of Commons. This is done regionally where it is a conscious decision. We consciously do it to ensure that the larger, less-populated areas have the type of representation that allows for communication. Let us now take the next step to ensure that those in all walks of life who desire can have the opportunity to run for office, to take the chance to represent the people of Canada in this great institution.

I encourage my colleagues to get this matter into a legislative committee so that we can have a thorough examination of the issue and bring in legislation that is deemed acceptable to all sides of the House.

Mr. John Oostrom (Willowdale): Madam Speaker, the Bill before us today addresses a very serious aspect of our democratic system. I thank the Hon. Member for Nickel Belt (Mr. Rodriguez) for bringing it to the attention of the House.

Democratic governments are governments of the people and for the people. If a government is to remain strong and vibrant with a solid vision of the future, then it must have among its decision-makers the brightest and the ablest individuals in the country. There can be no higher calling except that in the service of one's country. The Bill we have before us today proposes to extend the leave of absence provisions respecting a candidate in a federal election to a candidate who is successfully elected as a Member of the House of Commons. The Bill will ensure that they can return to their previous employer after they leave the House of Commons.

By ensuring that an individual can return to his previous employer, the Government of Canada increases the talent pool from which people can seek public office. Seeking public office is a very serious undertaking. When making such a decision you must consider your family, the time, your economic future, and your commitment. Once you commit to seeking public office and become elected you belong to the people. Your decisions and actions will be geared to making Canada a better place in which to live. Your personal life, due to the time commitments, becomes neglected because the greater good of the people will be the priority. You are put under a microscope with millions of eyes observing and analysing your every move and action. Your statements will be analysed. You will receive criticism and praise. Yet, when you make a commitment to seek public office, you are expected to be able to perform under pressure. With everything that an individual has to contend with once elected to office, there should not be the added worry of having to think about the economic well-being of the family once the elected term is over.

• (1805)

If one is a wealthy individual, there are no economic concerns once the elected term is over. However, if you come from the segment of the population which is accountable to an employer then concerns are of major importance. The employer is not obligated to take you back after your term as a Member of Parliament is over. I wonder if this is right.

There are two schools of thought in this area. There are those who say that the employer should not be responsible for an individual once elected to public office and to give an extended leave of absence. Once the individual leaves a company, that person is no longer contributing to the economic health of that corporation. In many instances, the company has to go out and hire one, perhaps two individuals to staff the vacated position. The employer may have spent a great deal of funds and time to train you, and now the company feels that their investment has not yielded any benefits. The company may not find anyone with the skills or knowledge to fill the vacant position, and consequently that affects the well-being of the company and also the other employees which are dependent on it. Technology may have made these individuals redundant, then the company has a non-productive person on staff to hinder its operations.

There is another major consideration and that is conflict of interest. Individuals who hold public office could be seriously compromised should decisions have to be made which would affect the company from which they have an extended leave of absence. For example, what type of pressure would be applied to an individual whose career is in the banking industry if Parliament had before it a Bill affecting that industry? That individual could face some very serious choices. He could declare conflict of interest, much the same as municipal politicians do whenever they vote on an issue which they, their families, or business could profit from. However, municipal affairs have a very narrow spectrum of issues. A piece of legislation in the House of Commons will affect millions of Canadians.

If an individual refrains from participating in a piece of legislation because of a conflict, is that individual being fair to the constituents who elected him? The legislation may have a major impact on their lives. Members of Parliament are expected to make very tough decisions, decisions which will be fair to all. Yet if the elected Member declares conflict of interest and does not participate in the process, then the people lose their voice and interests in the decision-making process. I wonder if that is fair or right. Certainly, in this instance, there is a major dilemma for the elected Member. Should the elected Member participate in debate? How could he ensure that the involvement will be non-partisan? How can the employer be prevented from applying subtle pressure on this individual? Certainly, the conflict of interest possibilities leave many areas which need to be addressed for Bill C-237 to be effective.

• (1810)

With all the legislation the Government and the committees discuss, individuals will have the very difficult task in many instances of being able to identify a potential conflict of interest. There is the possibility that elected individuals would always be looking over their shoulders for accusations of potential conflicts of interest.

This brings us to another disadvantage. With possible conflicts of interest always being present, the effectiveness of elected individuals as legislators could be impaired. They may become timid and non-committal, thus leaving the Government in the hands of the bureaucrats and the electorate, without a voice in Parliament. Democracy would not be served if this occurred.

The opposite point of view is that by an employer guaranteeing an elected Member his position once he ceased to be a

Member of Parliament, the House of Commons would naturally attract individuals from a larger cross-section of society. The Hon. Member for Nickel Belt has ably pointed out that individuals, who are leaders in their field but cannot pursue elected office due to financial restraints, could now seek it, for their future would be secure. Thus, the electoral process would be fairer and the brightest individuals would seek public office, which would ensure that innovative ideas could be brought to the forefront. In addition, ensuring that an individual has something to go back to allow Canada to have a better across-the-board representation, since it would free up more individuals to seek office.

As I stated before, serving one's country is the highest honour for an individual to attain. By ensuring that their financial future is secure, more people can make a contribution to Canada. However, before we proceed the implications must be more thoroughly examined, for both positions I have discussed are valued and deserve merit.

Certainly Bill C-237 makes an attempt to address an issue with which all democratic countries have constantly wrestled. There is no doubt that Bill C-237 needs further discussion but its thrust is logical, for it would indeed make elected office more accessible to more people. That is what democracy is all about.

I commend the Hon. Member for Nickel Belt for bringing the matter to our attention today. There are some very good points in the piece of legislation. In fact, I was faced with making such a decision myself. I had been employed by a company for 23 years, and I cannot go back to it. However, I think the individual must make the decision.

I thank the Hon. Member for bringing the matter before us today. I think we should talk more about it and look at it from more angles, and perhaps the Bill will eventually go forward and result in a system which is open to many more Canadians.

The Acting Speaker (Mrs. Champagne): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

AGRICULTURE—LOSS OF MEAT INSPECTION STAMP AT KITCHENER PLANT/REDUCED NUMBER OF INSPECTORS

Mr. Maurice Foster (Algoma): Madam Speaker, on September 28, I raised an issue concerning the integrity of the Canadian meat packing and meat inspection system of the Government of Canada. This was brought on by two concerns. First was that in late August or early September a meat inspection stamp was lost at the J. M. Schneider plant in Kitchener. There does not seem to be any clear answer from the Government on whether or not the stamp has been found.

There are reports that there is a very slipshod and loose mechanism for maintaining the security of stamps in that plant, but I was seeking reassurance from the Government that action was being taken to recover the lost stamp, to ensure that it was not being used in a fraudulent and counterfeit way, and to ensure that necessary security steps were being taken. The matter has been reported in the press, and there was general public concern about the integrity and security of the entire system. I did not receive anything very specific as to whether the stamp was found, whether it had been replaced, used fraudulently or whether a police investigation was carried out or what had happened. He only responded in a general way.

• (1815)

The second area and my supplementary question concerned the Government's program of cutting back the number of meat inspectors across the country. On October 1, just two days after my question, the Government implemented a new program in the Province of Ontario which will cut back the number of inspectors in poultry plants, at least in two pilot plants, to 85 per cent of what we had in the past. In one very large plant the number of inspectors is being reduced from around 35 to around 30 and turning over that inspection to plant personnel who do not have the same objectivity or responsibility that a government inspector has. The more concerning aspect is that the program is being implemented in two plants and will ultimately be implemented across the entire country, as I understand it, on January 1. I am seeking reassurance that this system of rapid or streamlined inspection of broilers and poultry meat will pass the test of quality.

In the United States the system has been highly discredited. The subject has been raised on popular programs like *60 Minutes* on several occasions showing it is totally inadequate. When we are adopting a program of that nature in Canada we should have the reassurance from the Minister of Agriculture (Mr. Wise) that the system will meet the high standards set in the past and will not become a mirror image of the highly discredited American system which is being copied by the Minister of Agriculture and the Government of Canada.

I hope the Parliamentary Secretary in responding tonight can provide some reassurance not only to me and to this House of Commons but to Canadians that the system is intact, that there are adequate controls in place, that the integrity of the system is being maintained both in the inspection of poultry-killing plants and in the case of the lost stamp which is an important instrument for insuring the integrity of our meat inspection system in Canada.

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, the inspection legend on the

Department of Agriculture's meat inspection stamps gives Canadian consumers the assurance that meat products have been declared fit for human consumption by a federal Government inspector. That is why stamps bearing the inspection legend are kept under secure conditions at all times.

There have been no changes in the regulations for the use and maintenance of these stamps in recent years.

The use of federal inspection stamps is subject to very strict surveillance. They are kept in a locked cabinet, and the key is always carefully guarded by a Government of Canada inspector.

It seldom happens that one of the stamps is lost, but when it does happen, the situation is taken very seriously and an investigation is started immediately, with the help, if necessary, of the local police force.

At Establishment 35 of J.M. Schneider's Inc., a stamp was reported missing on September 3 this year. Following a short investigation conducted by the veterinarian in charge and the Establishment's management, the stamp was quickly found but was, unfortunately, ruined beyond repair.

On September 10, 1987, another stamp was reported missing in the same location. It has not yet been found.

However, federal employees are now conducting an investigation, and according to their initial findings, it seems the stamp was accidently dropped on a grinder used to grind non-edible food products.

The possibility that the stamp was used by unauthorized persons was ruled out by the investigators, whose findings showed that control of inspection stamps in this particular establishment was very satisfactory and conformed to standards that are judged to be very strict in Canada.

The Kitchener-Waterloo police and the OPP were informed and asked to intervene in the course of the investigation, but the Minister of Agriculture has not yet received the official report. As soon as we have this information, we shall be glad to forward the findings to the Hon. Member.

• (1820)

[*English*]

VISIBLE MINORITIES—ACKNOWLEDGEMENT OF INJUSTICES—AMENDMENT OF WAR MEASURES ACT

Mr. Alan Redway (York East): Madam Speaker, I hope you are aware that on April 27 of this year, Masumi Mitsui was buried in Hamilton, Ontario, at the age of 99. Masumi Mitsui was a Canadian of Japanese origin who was born in Tokyo in the last century. He came to Canada in 1908 and volunteered for service in the First World War. He served in the Canadian army and at the Battle of Vimy Ridge, was awarded the Military Medal for bravery.

The Battle of Vimy Ridge was the battle which many considered to be the birthplace of real Canadian nationhood. Masumi Mitsui was there and won the Military Cross for his bravery on that occasion.

After the First World War, Mr. Mitsui served as President of a branch of the Royal Canadian Legion. At the beginning of World War II when Canada declared war on Japan, he again volunteered for active service again against Japan.

In spite of that, after Pearl Harbour, Mr. Mitsui was interned, deported from British Columbia and all of his property in Port Coquitlam was seized. All of his possessions, his home and his 17-acre poultry farm were seized and he was compensated for all of that by being paid $2,291 less legal costs.

Masumi Mitsui was only one of 184 Canadians of Japanese origin who served in the Canadian Armed Forces in World War I. Fifty-three of those Canadians of Japanese origin were killed in action and 91 were wounded. In spite of that sacrifice they made for their country in World War I, in spite of the bravery of Masumi Mitsui, he and his family and all of those surviving veterans and their families and some 22,000 Canadians of Japanese origin were interned, deported from the West Coast of Canada and had their property seized.

All this occurred in spite of the fact that no Japanese Canadian was ever charged with aiding or abetting the Japanese during World War II. No Canadian of Japanese origin was ever convicted of aiding and abetting the Japanese nation during World War II or after it for that matter.

How did Canadians of Japanese origin feel about that situation? My wife's doctor, Dr. Toguri, has described to me her feelings as a teenage girl in a letter she wrote recently. She wrote:

> The methods used in confiscating the assets of the Canadian Japanese were scandalous. For example:
>
> (a) Farms on Saltspring Island, Main Island, Delta Island, Surrey and Richmond were rich lands that supplied vegetables and fruit to Vancouver and other cities. These were boarded up and sold for a song, without consent of the owners.
>
> (b) Fishing boats—Diesel powered Seine boats were brought down from Prince Rupert with the Canadian Japanese fishermen still on them. They were not allowed to get in touch with their families, were not given any food and had to hand over their ownership registrations to the Custodians and were never able to see their boats again.
>
> These were also sold at auctions for very little, also without consent of the owners.
>
> (c) Individual businesses were lost without recompense.
>
> (d) Homes—Some families were given 24 hours' notice to vacate and to take two suitcases per person. Most just boarded their windows and placed padlocks on their doors. These houses were either sold for the taxes or for very nominal amounts, again without consent of the owners.
>
> 3. Losses of incalculable value:
>
> (a) Loss of friends, especially school friends. The great psychological damage done to a great number of bright children who felt isolated and deserted, like prisoners in a land they were born into.
>
> (b) Loss of education. Many, including a brother of mine taking premedicine at UBC, were asked to leave and turn in their COTC uniforms. Can you imagine the psychological trauma to a young boy of 20. Curiously

> enough, another brother of mine was in a medical school in Tokyo at the same time as a Canadian student and was allowed to finish his course.
>
> (c) Loss of earnings for the years in the camp.
>
> (d) Loss of self-worth, being treated like prisoners, having to carry photographs and ID cards with fingerprints and the necessity to get permission slips to move anywhere in the city.
>
> (e) Loss of dignity and being forcibly ghettoized in tarpaper shacks.
>
> The blatant truth and the bottom line of this so-called "black mark" against the government is that many people, including politicians and relatives of politicians and custodians, profited from this mass wholesale evacuation by being able to buy many of the lands and the houses at sidewalk sale prices—to buy boats and businesses for pittance, and all in the name of "Emergency War Measures Act". Shame!
>
> This is supposed to be a land of oppo. unities. We will never become prosperous unless our mentality progresses to the point where we are all treated equally.
>
> It is not easy to put myself back to those bewildering, painful years of my burgeoning adolescence, when morality and justice taught to me by my church was in full conflict to what Canada was doing to me as a Canadian of Japanese origin!

• (1825)

What are we going to do about this? The Minister of Multiculturalism indicated in the House that the Government was prepared to offer an apology to Canadians of Japanese origin and make changes to the War Measures Act so that this sort of thing would never happen again. However, the question remains: What about compensation? Is the Government prepared to pay compensation in this case?

Before the election campaign, in May of 1984, the Prime Minister (Mr. Mulroney) was quoted in *The Globe and Mail* as saying:

> I feel very strongly that Canadian citizens whose rights were abused and violated and trampled upon indeed should be compensated.
>
> If there was a Conservative Government I can assure you we would be compensating Japanese Canadians.

You are aware that just recently the U.S. House of Representatives passed a Bill not only offering an apology to Americans of Japanese origin but also providing for $1.2 billion in compensation to those same Americans of Japanese origin.

We know what the Prime Minister said before the election. We know what the American House of Representatives is prepared to do. Tonight I want to know from the Parliamentary Secretary what Canada is prepared to do for Canadians of Japanese origin.

Mr. J. M. Forrestall (Parliamentary Secretary to Minister of Regional Industrial Expansion): Madam Speaker, I rise to respond to the three basic questions which the distinguished Member has just laid before the House. The first concerns an apology to those very seriously affected; the second concerns the intention of the Government with respect to the War Measures Act; the third concerns the question of compensation.

The Secretary of State (Mr. Crombie) already indicated very clearly in this House some months ago, as indeed had his predecessor, that this Government indicated to the National Association of Japanese-Canadians its willingness to acknowledge publicly the injustices suffered by Japanese Canadians, meeting the first demand of the NJAC. At this time, however, the association has asked us not to proceed with an official apology.

• (1830)

The question of changes to the War Measures Act is much more clear-cut. When the Minister of National Defence (Mr. Beatty) tabled his White Paper on defence policy he spoke very clearly on this matter. He said in part:

> We will replace the War Measures Act with new emergencies legislation which will both better protect civil liberties and provide greater flexibility in dealing with emergencies.

As Hon. Members are aware, this has now been done with the tabling in the House on June 26 of two separate Bills, C-76 and C-77, designed to provide for the continuing security of Canadians in a changing world and to create a regime to deal with emergency situations. Bill C-76 fully meets the second demand of the NAJC taking an historic step to try to ensure that what happened, repugnant as it was to all Canadians, will never happen again.

The new defence legislation has benefited from considerable input from the several ministries which have responsibilities in this particular area. The input has been part of a thorough review of our defence policy which the Government promised the Canadian people in the Speech from the Throne opening the first session of this Parliament. We are not a militaristic nation and as the White Paper clearly states:

> The legislation will include adequate safeguards to protect fundamental rights and freedoms and to limit both the duration and the substance of exceptional measures to no more than is needed.

The sole remaining issue is compensation. The Government has offered a $12 million compensation package to be administered by representatives of the various Japanese-Canadian communities across Canada. The NAJC has rejected this offer, demanding instead individual per capita grants to people irrespective of loss or need. This would, as has been indicated to the House in the past, collectively exceed $400 million. The Government does not consider this position equitable for reasons fully explained to the NAJC.

It is indeed regretted by all Canadians, not only those here in the House, that this important matter remains unresolved. The instances cited by my hon. colleague are important. I know the Secretary of State still stands ready to conclude satisfactorily this important question.

HAZARDOUS SUBSTANCES—PRESENCE OF DIOXIN IN PAPER PRODUCTS—DEPARTMENTAL RESPONSIBILITY

Ms. Lynn McDonald (Broadview—Greenwood): Madam Speaker, I recently raised a question with the Minister of Consumer and Corporate Affairs (Mr. Andre) with regard to

leaked documents which have come to our attention about the presence of dioxin in very small quantities in ordinary paper products. These documents come from the United States. Very small quantities of dioxins have been found in paper products there.

It so happens that the processes in Canada for manufacturing pulp and paper are the same as in the United States. Therefore, we have reason to believe that if dioxins result from the use of chlorine in the production process in the United States our own ordinary paper products such as disposable diapers, coffee filters, bathroom tissue and writing paper must also contain dioxin.

I do not want to be alarmist about this. It is possible that the contamination of this part of our environment by dioxin may be the least of our problems. We know that there are dioxins in other parts of the system. We know they are in the Great Lakes and have been found as a result of other processes on the West Coast. We know that the eggs in herring colonies do not hatch and that very minute quantities of the most deadly dioxins have been found there. While I am raising this particular question regarding dioxins, I do not want to exaggerate it. It is a global problem and there are, of course, cumulative effects from exposure to dioxins. Very, very small quantities can be deadly. We have to be extremely careful about this matter.

• (1835)

We have no reason to believe that there is any safe exposure level in the case of the deadliest of the dioxins. While I do not want to be alarmist about it, I think given the seriousness of the problem this was a reasonable question to ask. In this particular case we are not talking about the general environmental question, the question about drinking water and waste products in the water system, but about paper products, a product which would come under the auspices of the Department of Consumer and Corporate Affairs.

I asked this question of the Minister and the response I received was quite unsatisfactory. It was to the effect that he could not act, that the law did not allow him to act. Indeed, he suggested that somehow I wanted him to disobey the law and that the New Democratic Party was not interested in obeying the law.

If one looks very carefully at the legislation, one will see that it clearly shows that he can act. He can order inquiries. He is responsible for hazardous products. If there is dioxin in paper products, then the products themselves become hazardous products. He can act. So also can the Minister of National Health and Welfare (Mr. Epp).

We have reason to believe that the Minister of National Health and Welfare now has some kind of inquiry going, yet we do not have any details with respect to it. I hope he will provide some details as to what sort of a study is being conducted and when we might have some results. If the results do confirm that there is a danger, what kind of protection will the public be getting? One way or another, we ought to be getting some action on this. So far we have simply got escapism from the Minister who does not want to take his responsibilities seriously.

I think there is a moral in this story. I think it goes to show that we need more serious environmental protection, and we need it in a comprehensive way. Paper products are only part of the problem. If dioxins are present in the process, then they will show up in the products. But if dioxins are present in the process, then they will also be in the effluent. They will get into the drinking water and into the fish and the wildlife.

We need to be dealing with all of these problems, not just the products' one. That is why we need a stronger Ministry of the Environment. That is why we need environmental protection legislation. That is why we need active co-operation among the different Ministers for their particular responsibilities: the Minister of National Health and Welfare, and the Minister of Consumer and Corporate Affairs, in the case of actual consumer products.

I am sorry to see that we have not so far had this kind of action. The environmental protection Bill before the House at present is a very, very weak rendition of environmental protection. We do not have it there. What we need is a much more global approach to what is clearly a global problem.

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Investigations by the United States Environmental Protection Agency and the American Paper Institute have revealed the presence of low levels of dioxin in effluents from some bleach and kraft mills and in certain paper products. Press releases have been issued on these findings by both organizations.

Dioxin was present in low concentration for some products but not in others. For example, it was present at a concentration of 13 parts per trillion in writing paper, four parts per trillion in paper towels, and six to eight parts per trillion in paper plates. Its presence was not detected at all in baby diapers.

Dioxin has also been shown to be present in the effluent and pulp produced by some bleached kraft pulp mills but not in others. Average concentrations of 0.16 parts per trillion were measured in the untreated effluents, 0.04—that is 400 parts per trillion, which is very small incidentally—in the treated effluent, and 13 parts per trillion in the finished pulp.

The federal Government is concerned about the presence of dioxin in these materials, however small they are, as we regard dioxin as a particularly toxic chemical and believe that every attempt should be made to reduce its entry into the environment. I would emphasize that the concentrations measured are extremely low. Nevertheless, the risks they pose need to be properly assessed.

• (1840)

Our competent Minister of National Health and Welfare (Mr. Epp) has already requested that officials in his Department conduct a health risk assessment. Results of the assessment will be provided shortly to the Department of Consumer and Corporate Affairs and the Department of the Environment. National programs to address product exposure and environmental concerns will be developed, as required for this inquiry.

The dioxin problem is national and international in scope. Actions to limit its presence are ongoing in the United States, Sweden, and Ontario. The federal Government is fully aware of this work. The experience of others will be considered in the development of future federal programs.

In Canada, work to reduce dioxin releases into the environment has been underway since 1983, following recommendations made by an expert advisory committee on dioxins established by the then Ministers of National Health and Welfare and the Environment.

A departmental task force has been established recently, and it is reviewing results obtained to date on dioxin levels in pulp and paper mill effluents. This group of experts will recommend appropriate programs to address this problem. As required, programs will be initiated by the Department of Consumer and Corporate Affairs to address product exposure concerns.

We hope to give the results of these inquiries in a very short time.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.41 p.m.

HOUSE OF COMMONS

Tuesday, October 6, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

EXTERNAL TRADE

TABLING OF TEXT OF ESSENTIAL ELEMENTS OF THE CANADA-UNITED STATES COMPREHENSIVE TRADE AGREEMENT

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I am very pleased to table the 47 pages of the text which was agreed to and which includes the essential elements of the Canada-United States Comprehensive Trade Agreement.

[*English*]

Mr. Speaker, this document was not available yesterday, because it had been phoned from Washington on that day. Once it was received we immediately put the translators to work. I want to compliment the translation service for its efficiency in making it possible for us to table this document this morning.

* * *

HOUSE OF COMMONS ACT

MEASURE TO AMEND

Mr. Nelson A. Riis (Kamloops—Shuswap) moved for leave to introduce Bill C-267, an Act to amend the House of Commons Act (estimates).

Mr. Speaker: Is it the pleasure of the House that the Hon. Member shall have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Gauthier: Explain.

• (1110)

Mr. Riis: Mr. Speaker, the purpose of the Bill is to add the Administrator to those offices of the House of Commons that are responsible for preparing the estimates of the sums required for the House. The Board of Internal Economy and the House have now been organized with an Administrator who is doing an excellent job, and we felt that this would be an appropriate person to be responsible for preparing the estimates for the House of Commons.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

CANADA ELECTIONS ACT

MEASURE TO AMEND

Mr. Nelson A. Riis (Kamloops—Shuswap) moved for leave to introduce Bill C-268, an Act to amend the Canada Elections Act.

Mr. Speaker: Shall the Hon. Member have leave to introduce the said Bill?

Some Hon. Members: Agreed.

Mr. Riis: The purpose of this Bill is to allow urban voters to be sworn in and vote on election day when their names fail to appear on the voters' list for urban polling divisions. It is the same procedure that is presently available for rural voters.

The Bill would also attempt to remedy the situation where candidates and their canvassers have been denied entry to apartment buildings, hotels, and the like, which have no soliciting policies in place.

It would also allow travellers and students, who are temporarily resident outside of Canada, to vote in general elections in a manner similar to the Canadian Armed Forces and the Public Service electors who are presently posted outside of Canada.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, it is my duty today to present a petition which meets the

requirements of Standing Order 106 and which bears the signatures of your petitioners, most of them constituents of Ottawa—Vanier. The petition reads as follows:

Whereas since September 1984 the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candies and soft drinks;

Whereas the federal Government in its tax reform proposal is studying the possibility of imposing on Canadians a general tax on goods and services, including food;

Whereas food constitutes a vital element in day-to-day life, and whereas the imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, the unemployed, low-income taxpayers, youth, and so on;

Wherefore, your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

[*English*]

CANADA POST—OPPOSITION TO PROPOSED CLOSURE OF POST OFFICE—BLOOMFIELD, N.B.

Mr. Bob Corbett (Fundy—Royal): Mr. Speaker, it is my duty under Standing Order 106 to present a petition on behalf of the residents of Bloomfield in my riding of Fundy—Royal. They are extremely distressed at the intention of Canada Post to close their post office. This post office has been in existence for approximately 80 years. The petitioners feel that, under the new postal Corporate plan as approved by all three political Parties, if this comes to pass, they will indeed lose their postal identity, and a very important part of their lives as residents of this small rural community.

The petitioners ask that the House provide all possible assistance to ensure that this unfortunate event does not take place.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Monday, October 5, 1987, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*,

the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendment of Mr. Turner (Vancouver Quadra):

October 1, 1987—That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by

resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

and on the amendment of Mr. Broadbent:

October 1, 1987—That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution.—Mr. Broadbent.

and on the amendment of Mr. Caccia:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

and on the amendment of Mr. Allmand:

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms."

Mr. Gauthier: Mr. Speaker, I rise on a point of order.

The projected order of business today indicates that Bill C-55 was to be called at this time. I can understand the Government wishing to change the agenda. However, I wish to once again state that it is difficult for the Official Opposition to organize its work around the committees that are sitting at this time, and the House sitting at eleven o'clock, if we do not have sufficient notice of what is to be called at a specific time. While I understand the strategy of the Government in attempting to debate the Meech Lake Accord in the House and dispose of it, I hardly think it is fair to the Official Opposition to have its speakers on Bill C-55 called into the House, wait here to speak, and then told at the last minute that there has been a change and we are now debating Meech Lake.

The problem is one of logistics and mechanics. I am not complaining about the fact that the Government may wish to call the Meech Lake Accord today, or anything else. All I am saying is that it is very difficult, with a restricted number of Members of Parliament in Official Opposition, to maintain positions in committees, as we are at this time, and to have the same people pulled out of committee to come into the House and speak on specific items for which they have responsibility.

On the Meech Lake Accord, our Member, the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall) was the last Member to speak. I take it that the Government has a speaker to follow up, as does the NDP. This is the type of situation where if the Government would not put up a speaker, the Official Opposition would be caught in the position of having to continue debate—

Mr. Lewis: Oh, oh!

Mr. Gauthier: Well, it has been done before. I would request that the Government House Leader give us fair advance notice in order that we can plan our work accordingly.

Indeed, it is the privilege of all Members of Parliament to know exactly what the business of the House will be and to deal with that accordingly.

Mr. Riis: Mr. Speaker, I appreciate the comments of my hon. colleague. I simply wish to say that I realize that these are turbulent times. I presume the Government is under a lot

of pressure on free trade, and perhaps it is thrown a bit off balance.

However, I did appreciate receiving a call at approximately 10.30 this morning to advise that the Government had decided to change the order, which gave us three-quarters of an hour to attempt to make the necessary arrangements. It was a little tight, but I appreciate the notice. I checked with the Government Deputy House Leader and he indicated that the Government did have a speaker to begin, the Hon. Member for Western Arctic (Mr. Nickerson). In that manner we will be able to get underway, and by that time we will have our speakers in place.

It is a fluid, dynamic situation, but I do wish to say that I appreciate receiving a call from the Deputy House Leader indicating that there had been a change at the last minute.

Mr. Lewis: Mr. Speaker, I appreciate the comments of my colleague, the Whip for the Official Opposition (Mr. Gauthier). I also appreciate his difficulties. But as my colleague, the House Leader for the New Democrats indicated, it is a fluid situation these days. The House has been debating almost concurrently Bill C-55 and the Meech Lake Accord. In fact, there have been informal discussions that we may consider sitting tonight in order to accommodate extra speakers.

• (1120)

I would also say that the Government has been agreeing to a rotation which has allowed as many opposition Members as possible to speak almost on a one, one, one basis, although the numbers in the House would dictate a different speaker rotation basis.

We have been trying to co-operate. I appreciate that this has been a bit of a glitch in everyone's schedule, but we are ready for the Hon. Member for Western Arctic (Mr. Nickerson) to make his speech.

Mr. Speaker: It might be helpful, especially to the public which is listening and watching, if I commented on the intervention of the Hon. Member for Ottawa—Vanier (Mr. Gauthier), which I think was quite appropriate.

As Hon. Members know, sometimes the press reports the fact that during ordinary debate something less than all Members of the House of Commons are in their seats. There is a reason for that. Hon. Members cannot spend all their time in this Chamber during debate. They have innumerable obligations to meet, especially in respect of their own constituents and also especially in respect of the nearly 40 committees which can be sitting at one time or another putting in the work dispatched to them by the Chamber.

The comments of the Hon. Member for Ottawa—Vanier were appropriate. I also appreciate the comments of the Hon. Member for Kamloops—Shuswap (Mr. Riis). In a sense he enforced the comments made earlier by his colleague. I know they have both made efforts to adjust to a change in the schedule here.

However, I think it is especially important that the public understand that a great deal of the work of this place goes on outside the Chamber. It is not always easy to change the commitments of Members suddenly and bring them into the Chamber.

The Hon. Minister of State (Mr. Lewis) in speaking for the Government recognized this, but again it is important for the public to understand that it is the Government's position to set the order each day, as it has done in this case. The Hon. Minister of State has indicated that he would have wished that perhaps more notice could have been given. In any event, that was the decision of Government, and that has always been the way governments run this place.

I think it is very important that the public understand that a great deal of the work which is being done on behalf of the public is not done in this Chamber. It is done in other places and, as a consequence, when there is a change here it puts pressure not only on members of the Opposition but on members on the government side, because it requires a change in plans and a change in schedules. It is important that this is properly recorded and, if I might say so, emphasized from time to time.

Some Hon. Members: Hear, hear!

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, it might be interesting to note that this caught me as much unawares as it did members of the Opposition.

Mr. Speaker: Perhaps unawares but not by surprise.

Mr. Nickerson: When the First Ministers gathered at Meech Lake on April 30, and then again on June 3 at the Langevin Block, they had before them a glorious opportunity to make Canada one, or an opportunity to bring into the Constitution those parts of Canada that had hitherto been without. This opportunity they blew.

They were successful in bringing the Province of Quebec into the Constitution. I do not think anyone could be more appreciative of that or more sympathetic to the wishes of the people of Quebec than the people of northern Canada, because they too were without. They brought in Quebec, but they left out the Northwest Territories and Yukon.

Some 75,000 Canadians would dearly love to be full Canadians the same as anyone else but, because they live north of the 60th parallel, they were excluded completely. Was it necessary not only to injure those 75,000 Canadians but to insult them as well? They said that the circle of Confederation was completed, but 75,000 people were left on the outside, beyond the pale. Meech Lake will be remembered in the North as one of the most shameful events in Canadian history, one from which they were totally excluded, one in which they had no say. It was an event where only representatives of southern Canadians got together in what I have described before as a cozy little club and decided to blackball the people of the North.

My constituents cannot accept this, nor can I. When the time comes I will vote in accordance with my conscience and their wishes. I, Sir, will not desert them. I will vote against the resolution that we have before us.

Even the Government, which is advancing this resolution, knows in its heart that it is wrong. Let us consider the words of the Minister of Justice (Mr. Hnatyshyn) when he introduced the resolution for debate on September 29. He said:

> To impose constitutional reform on any province and its citizens is to deny their rightful participation in Confederation—

That is precisely what has happened to the people of the North. This imposition has been made on them. He continued:

> —and runs contrary to the spirit and history of constitutional development in this country.

Again, that is what has happened in northern Canada. We have had a process of constitution-making in Canada where things have been done generally by consent. This has not been the case at Meech Lake. He also said:

> Canada is a partnership of its peoples and provinces, a partnership which can be willingly embraced but not imposed.

The people of the North were not there. They were not even asked. Their opinion was not considered. Again we have that imposition on 75,000 people who want to be Canadians the same as the remaining 25 million. He went on to say:

> This concept is understood and accepted by Canadians from coast to coast.

It is quite apparent that that concept was not understood and was not accepted by the 11 gentlemen who gathered at Meech Lake.

What are the objections of northern Canadians to the Meech Lake agreement? These have been listed and debated many times. I have spoken on this subject in the House, so I will just give a brief synopsis now. First, it was total exclusion from the process despite repeated requests to the contrary. Everything was done behind our backs. We were unable to protect our rights that were bartered away at Meech Lake. We were treated as expendable pawns in the constitution game.

As objectionable as this might be, if the results had been good, fair, and reasonable, we could have put it behind us and gone on from there. However, that was not to be the case.

Let us look at what we in the North have lost at Meech Lake. Before, we had the same rights with respect to immigration as any other province in Canada. Now we find that we are in an inferior position, although immigration in the Territories is as important as it is anywhere else, probably even more so because of the small existing population base which could easily be swamped by a large wave of immigration.

• (1130)

Before, our Senators were appointed exactly, precisely, as provincial Senators. Now this also is not to be the case. The very wording of the resolution is ambiguous on this point, yet the Government will not even accept a small technical amendment clarifying whether or not Senators in the North can be appointed by the system currently existing. It is crazy to say that Territorial Senators can be appointed only on the recommendation of a province somewhere else. Why is it that that small technical amendment cannot be accepted?

Everyone in the Territories has been denied the right ever to become a judge of the Supreme Court of Canada. Again, we have lost ground. Prior to Meech Lake, a member of the Territorial Bar Association, a member of the Supreme Court of the Northwest Territories could aspire to be seated on the bench of the Supreme Court of Canada. That is now denied us and it is, I understand, one of the points in a lawsuit that has been brought about by the Government of the Northwest Territories. A similar lawsuit has been brought forward by the Government of the Yukon.

With respect to the creation of new provinces, something that is dear to our hearts, prior to the changes in 1982 the creation of a new province was solely a matter between the Government of Canada and the territory or colony involved. That is how Manitoba, Alberta, Saskatchewan and Newfoundland came into Canada. In 1982 the process was changed. At Meech Lake it was changed to make it much more difficult for a territory to ever become a province. Any province in Canada has the right of veto over whether the Yukon, the Northwest Territories, a part or parts thereof should fully enter Confederation. Every province has been given a veto over that, and that, Sir, is wrong. It is not in keeping with the constitutional history of Canada, not one little bit.

I have heard of someone whose birthright was sold for a mess of pottage. What we have here is our birthright being sold for a kettle of fish or whatever else might be on the agenda of the First Ministers' meeting.

I would like to compliment the Members and Senators who served on the Special Joint Committee of the Senate and the House of Commons on the 1987 Constitutional Accord. They listened carefully and sympathetically to the representations made by northerners who appeared before them. It was too much to expect that they would recommend in their report the necessary amendments to the resolution. I do not think that we expected them to do that because the law had been laid down in advance. But they were kind enough to point out the errors that had been made and the necessity that these items to which I have referred previously be placed on an early agenda for meetings of the First Ministers pursuant to the Meech Lake Accord to discuss constitutional matters further.

Apparently we have lost this first battle, we have lost the Meech Lake battle. But we have not lost the war, not by a long shot. The battle will continue until northern Canadians are treated the same as southern Canadians. By working hard now, and hopefully with the support of Members of this House and provincial legislatures across the country, we must make sure the necessary changes are placed on the agenda of the first First Ministers' meeting to be held on the Constitution. It

must be there as a continuing agenda item until the grievances have been properly redressed.

The Territories, because of this resolution, will not have an automatic seat at that conference and those conferences which follow, but there is no prohibition to them being invited. The precedent had been established previously that the Territories would be invited to First Ministers' conferences at which agenda items of direct interest to them would be discussed. This was done in the case of the meetings held to discuss aboriginal affairs. This too was something developing over a period of time but which has been taken back by virtue of Meech Lake. But there is no prohibition against First Ministers inviting the Government leaders from the Territories and the Yukon to be there. That should and must happen at that first meeting.

At Meech Lake, northerners suffered mightily at the hands of an unthinking and unfeeling group of men who were blinded by their narrow perception of Canada. We had no one there to speak on our behalf. But this I can tell you, Mr. Speaker, whether it takes five years, 10 years or 50 years, the Territories will at some time, despite all the obstacles being placed before them, become equal partners in this great Confederation, and they will become full provinces in their own right. This I swear.

Mrs. Blais-Grenier: Mr. Speaker, I would like express some comments and then ask a question of my hon. colleague. I do understand the concerns he has expressed and the feelings that he mentioned and described so vigorously about his part of the country, the region he represents, being left out of the Accord.

I remember that we as Members of the joint committee of the Senate and the House of Commons listened with much sympathy to the representative of the Yukon and the Northwest Territories. At that point I had the feeling that neither of those parts of Canada were ready to become provinces, let us say tomorrow. They still have many things to work out. It was expressed that the views of those parts of Canada and their feelings had not been taken into account as fully as that of Quebec returning to the constitutional family. We pointed out to them that indeed it was really a Quebec round, that it was to make Canada a complete country again. We felt that would help discussions about other constitutional problems in the future.

• (1140)

I would like to ask my colleague if he would not think that, having placed the situation of Quebec in its proper context, having a country that is more united would act as an asset at the time of future discussions, and we would hope they would be undertaken without delay, concerning the status of the Yukon and the Northwest Territories?

Mr. Nickerson: Mr. Speaker, I certainly would like to compliment the Hon. Member on her part on the special joint committee. I know she was a regular attender and her voice is properly reflected in the report we have before us.

The question of whether or not the Yukon, for example, would want to become a province tomorrow, if that was offered to it, is really immaterial to the debate that is going on today. What the the people do not want is for obstacles to be placed in their path to make that eventuality which everybody wants much more difficult.

With respect to this being looked at as a Quebec round, so to speak, and that any other problems with the Constitution or other constitutional changes that other people might want to see being set aside, I could understand that except for the fact that what has happened with respect to the Territories is that things have been taken away from them. Constitutional rights that they enjoyed before Meech Lake they will no longer enjoy. I have mentioned a number of these in my presentation. Just to go through them very briefly, they include invitations to First Ministers' Conferences when agenda items affected them, the question of Supreme Court and Senatorial appointments, the way in which a territory becomes a province—all that has been taken away from them.

If someone had been arguing in favour of enhanced multicultural rights as a number of people have, nothing was given and nothing was taken away at Meech Lake. However, with respect to the Territories, a great number of things were taken away. We were net losers in the Accord by a large margin. One cannot look upon an area of jurisdiction, an existing Government in Canada, doing most of the things a provincial Government would do , as being some kind of special interest group that has to wait in line. That is the wrong way of approaching that question.

As to the final question, whether or not it would be to the advantage of the Territories to have Quebec present as a willing partner in confederation when that matter was ever discussed, I do not know if I can answer that yes or no. It might depend upon the circumstances that will exist when that debate eventually takes place. I do not think people would want to hazard a guess now as to whether that would be advantageous or disadvantageous.

People in the Territories firmly believe that there should not be a provincial veto, it should be strictly a matter between the federal Government and the territory involved, just as it was for every other province of Canada that came in after the initial Confederation.

Just as an aside, an election was held yesterday in the Northwest Territories, a territorial general election. There were 24 seats and 68 candidates. Every single one of those candidates took a position the same as that which I am taking, which is that Meech Lake is not good for the Territories, that it ought to be amended and that it is unacceptable. That surely represents the voice of the people of the North.

Mr. Holtmann: Mr. Speaker, I too would like to express a short observation on my colleague's presentation on the Accord that Canada and the Government has signed with the provinces and the concerns the Member brings from the

North. I too would like to pose a question to the Hon. Member who states that by the 1986 Census, he has ascertained there are some 50,900 people in the Northwest Territories and 22,800 people in the Yukon. Does he base the desire for provincehood in the North on population?

Certainly he could not ask the Canadian public to consider allowing 22,000 people to form a province. We have cities with 22,000 people, though surrounded by not quite as vast an area. But what really is important, is it not, is the number of people who should play an important part in deciding whether a part of Canada that is now a territory becomes a province?

Seriously, what will the Northwest Territories lose? We have a Member here who represents maybe 25,000 people. By the standards of the rest of Canada, they are over-represented. I think I represent some 79,000 people.

The Territories certainly are not losing in that regard. A Deputy Prime Minister was from the Territories. Senators have been from the Territories. I do not think any of this will be discontinued. The Hon. Member could become the Deputy Prime Minister, he could become the Prime Minister, representing only 25,000 people. Certainly it does not look like those people will be worse off because we brought Quebec into the fold.

My question is, quite frankly, does the Hon. Member think that the rest of Canada views the possibility of a province without any increase in population as even a distinct possibility, or should we not consider that? Does he think, if the time came that the population might possibly double in the next 50 years, that the rest of Canada would not give the North a fair hearing? It gave Manitoba one when it joined. And, of course, as recently as 1949 when Newfoundland joined as a province, it was given a fair hearing.

Certainly I think the Hon. Member has to see that the rest of the provinces, when they joined, were treated fairly and squarely and with a great deal of thought. I pose this question to my colleague and wonder if he would like to respond.

Mr. Nickerson: Mr. Speaker, it is a very interesting hypothesis, tying democratic and human rights to the numbers of population. Let me answer it very quickly and very simply. When Manitoba became a province, it had a population of 12,000 people.

[*Translation*]

The Acting Speaker (Mr. Paproski): The time for questions and comments has now expired. Debate. The Hon. Member for Saint-Léonard—Anjou (Mr. Gagliano).

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, I too would like to take part in this very important debate this morning. First I should like to say that on June 3, 1987 the Prime Minister and the ten provincial premiers reached agreement on the amendment to the Constitution. All this, Mr. Speaker, based on the five conditions set by the Government of Quebec for ratifying a Constitution it did not sign in 1982, although legally it was still part of it.

• (1150)

First of all, for the benefit of the House and all those listening to us now, I would like to read the five demands made by Quebec, because we must not forget that the most important aspect of this Accord was to bring Quebec within the constitutional family. The five conditions the Quebec Liberal Party put before Quebec voters in 1985, and on which it was elected, were the same as these demands, which are as follows: explicit recognition of Quebec as a distinct society; a guarantee to extend Quebec's powers with respect to immigration; revision of the constitutional amending formula, so as to recognize veto rights for Quebec; Quebec's participation in appointing judges to the Supreme Court of Canada and restrictions on the federal Government's spending powers.

Mr. Speaker, the first item, which I think received most of the criticism from those opposed to the Accord, deals with Quebec as a distinct society. Although I admit I am not a constitutional expert—I am only an accountant and not a lawyer, and lawyers with respect, seem to be the experts in this field,—I must inform the House that to me, the fact that the Accord says Quebec is a distinct society adds nothing to what Quebec already is. We are merely acknowledging a fact. We often hear people say: I did not come to Quebec or to Ontario, I came to Canada. That is quite true. In 1958, I came to Canada. Perhaps it is Canada's fault for not explaining to the people who come to this country about its geography, its history and its Constitution. I admit, Mr. Speaker, that it would be a very difficult task. However, the fact remains that those who come to Canada for the first time arrive in Canada and not in the provinces. Once they are in Canada, Mr. Speaker, they settle in one of the provinces, in towns and villages. They stay, and they are free to move wherever they want.

A person arriving in Quebec might go on to Ontario, British Columbia. However, the majority, and I would say the vast majority, stayed in Quebec, and we are now part of this distinct society. I stayed in Quebec, and I grew up in Quebec. I started a family in Quebec, I feel comfortable there, and I like living in Quebec. Mr. Speaker, I could also say that as a Canadian Quebecer, I feel different, and I do not see why my Canadian colleagues across this country should feel frustrated because we are recognizing this difference in Quebec.

First of all, Quebec is the only province where more than 80 percent of the population speaks French. They have a French culture. No other province in Canada has those characteristics. Second, Quebec is still the only province that has the Civil Code. Even for the appointment of Senators, Quebec does things somewhat differently from what other provinces do. A Senator must not only reside in the province where he is appointed, but he must also own some property there.

Mr. Speaker, we must recognize that the way of life in Quebec is certainly different from what it is like in other provinces. However, this does not mean that we are not good Canadians and that we cannot be good citizens together and continue to work to build this country.

Mr. Speaker, some have gone as far as saying that recognizing a distinct society in Quebec could reduce the participation of other cultural groups. I would like to reassure the House and say that it is certainly not the case. I believe that Quebec is one of the provinces, but certainly not the only one, which has made the most progress in recognizing cultural communities.

In how many Canadian provinces is the language of the country of origin taught in primary schools, Mr. Speaker? I am not speaking only about English or French as a second language depending on whether the school is French or English, but in Quebec schools, the language of the country of origin is also taught in primary schools from the first grade. In how many Canadian provinces is this possible?

Naturally, there are rather emotional debates in Quebec on the linguistic issue. We only have to look at the newspapers to see all the linguistic debates now going on in Quebec, especially about unilingual signs. There have always been such debates, and even if they can be very emotional, they often help us to understand each other better and they ensure that Quebec is always in the forefront.

At the time of the 1980 referendum, I did not have to stay at home and watch television or read the newspapers to know what was going on, as I was on the front line fighting for a united Canada.

Mr. Speaker, we might read tomorrow in the newspapers that such or such a party supports the Accord or not, but I would like to tell Canadians that, at the time of the referendum in 1980, when the vital issue was whether or not you were for Canada, there were no political parties, but only two sides: yes for Canada and no for Canada.

For my part, Mr. Speaker, I join this constitutional debate in the same spirit. I believe in a strong and united Canada. I am glad that, after a number of years and lengthy discussions, Quebec was finally able to say yes to the Constitution and that we have finally become a united constitutional family. I am proud to have a strong and united Canada and I would also like to have a strong Quebec which will be able to keep its identity.

Mr. Speaker, Canada without Quebec, Canada without a distinct society in Quebec, would not be the Canada we know and love and of which we are all proud. I am sure that we shall continue to improve our country together. It is certainly not the best Accord possible. There were negotiations, and there had to be some give and take as in any other negotiations. The Accord is not perfect.

Mr. Speaker, I would like to take this opportunity to pay hommage to the former Prime Minister, Mr. Trudeau. And he knew very well, when he proposed to patriate the Constitution, that even that agreement would not be perfect, and this is why he proposed the Charter of Rights and Freedoms at the same time. Having rights across Canada gives us a foundation to protect us. And from thereon we can—of course with the passage of time people will change—have negotiations. We can do some give and take—take a right that belongs to a province and give it to the federal level, or vice versa. But the important thing is that our Charter of Rights and Freedoms remains there, so that because of that Charter we may all be equal as Canadians and feel very well protected at home.

That is what is important, Mr. Speaker, and I think it must now be acknowledged that without Mr. Trudeau's determination, courage and devotion, we never would have had the Charter of Rights and Freedoms nor patriation, and then we could not refer to the Meech Lake Accord because indeed our Constitution would still be in England.

• (1200)

Therefore, our Canadian Constitution is following a process that does not stop here. I am sure this will move on. The corrections that have to be made, we will make them in due time. With the same or other people, but some day that will be done, Mr. Speaker. Of course I am also concerned, just as my colleagues, about minority rights. And this is why, Mr. Speaker, we for instance on this side of the House have put forward certain amendments. It would be too long to list the amendments, there are two pages of them. But I would just the same like to stress those of great interest to me, those that affect my community, and I believe they are very important—the recognition of native people as a distinctive and basic feature of Canada. That cannot be denied. It must be enshrined, and during the next negotiations we must reach an agreement . . . The recognition of the multicultural nature of Canadian society—today, we can say that in Canada there is neither a majority nor a minority. We are about one-third Anglophones, one-third Francophones, and one-third from the other communities. But it is time that we recognize that fact. And I am sure we will get there.

Let us refer also to the importance, Mr. Speaker, of developing Canada's economic union. Right now, the issue is free trade. It is important that together with free trade with the United States, we achieve in Canada an economic union; we should start to talk about free trade between the provinces and within Canada.

Mr. Speaker, I am delighted that Quebec has elected to adhere to the Canadian Constitution. In 1980, Quebec had said yes to Canada. In 1985, on the basis of Mr. Bourassa's five constitutional demands, Quebec again said yes to the rest of Canada. I think it is time for the rest of Canada to say yes to Quebec.

Mr. Malépart: Mr. Speaker, I wish to congragulate the Hon. Member for Saint-Léonard—Anjou for his remarks. He was right to mention that a number of people are opposed to

this Accord because it recognizes Quebec as a distinct society on historical and sociological grounds, but as an Italian-speaking Canadian very much involved in the Saint-Léonard area better known as "La Petite Italie", does my colleague from Saint-Léonard—Anjou think that his constituents feel threatened by this distinct society? Together with his community, does he feel that the French speaking majority will take unfair advantage of its new status, or will life in Quebec continue to progress as now, through a greater affirmation of the French-speaking community along with other communities, whether Italian, Greek or Portuguese, and will the English community be able to continue attending to its business as before?

Mr. Gagliano: Mr. Speaker, I would like to thank my colleague for Montreal—Sainte-Marie (Mr. Malépart) for giving me this opportunity to speak about something which I had not mentioned in my short intervention.

The answer to his question is definitely no. In my opinion, all Canadians will have questions to ask about any agreement of this type. However, on the whole, the fact that Quebec will finally sign the Constitutional Act which it had not ratified in 1982 is so positive that nothing else matters. We believe that some of the weakenesses in this Accord can be corrected in due time since this is just a summary and certain points may have been omitted and the interpretation given to certain words or phrases could create unforeseen problems.

I believe that these will come out in due course and that the necessary adjustments can be made.

I come from an area in East Montreal, Saint-Léonard, which is well-known for its linguistic conflicts. These certainly had positive results. We wanted linguistic rights and we won a partial victory. However, another thing that should be recognized about this conflict is that the Francophones were also able to express their views and their wish to have their own language protected. Everytime I speak to my Italian-speaking fellow citizens, I point out that it is important to keep more than two languages in Quebec and important that our children continue to learn Italian. This is why, Mr. Speaker, I support the distinct society clause, and I would like to tell my colleagues who might feel threatened by this provision that Francophones are a minority in Canada, and that if we want to protect our minorities, we must also protect the French-speaking minority. I believe that it is because of this that we have succeeded in Canada, and I think that Quebec is a good example of what can be achieved, if not a perfect example since nothing is perfect in this world. But it is a telling example of the fact that, notwithstanding our numerous linguistic skirmishes, current relations between francophone Quebecers and multicultural communities are perfectly and unbelievably harmonious, that in the end we will continue to prosper as long as people remain objective and ever intent on seeking to do better, but with the understanding that every individual has the right to exist and to protect both his language and his culture.

Mr. Berger: Mr. Speaker, in his answer to my colleague from Montreal—Sainte-Marie (Mr. Malépart) the Hon. Member again referred to this harmony which appears to exist or in which some people would have us believe. He too seems to believe that a new harmony, a new openmindedness prevails in this country. He is not the first Member to refer to this openmindedness. In fact all those who endorse the Accord, practically all of them, mention this openmindedness. But then we ask them this question: Why did the governments not want to commit themselves to promote linguistic minorities instead of simply protecting them? Their answer is that we must appreciate that there are still a few pockets of resistance in this country, and then the governments simply cannot forge too far ahead of the Canadian population.

Well, here is my question to the Hon. Member: Does he believe that indeed harmony prevails, or is this answer . . . Does this harmony upon which the Accord is supposed to rest not make him wonder a little bit? If the openmindedness is genuine, why would they not commit themselves not only to protect but also to promote the cause of linguistic minorities as advocated by the *Fédération des francophones hors Quebec*, the Franco-Manitoban Society, Canadian Parents for French, and others?

Mr. Gagliano: Mr. Speaker, I am sorry the Hon. Member was not in the House or was not listening carefully. In my speech I said that this Accord was not a perfect one, and that we in the Liberal Party had proposed a number of amendments to correct any inadequacies it might contain. I also said that negotiations were started on the Accord because Quebec had not signed the 1982 constitutional Accord, and that the basis for these negotiations was the five constitutional demands made by Quebec, the first being its recognition as a distinct society. I said that nothing was perfect in this world, including this Accord, but the fact remains that it was instrumental in getting Quebec to sign the constitutional Accord and in achieving the recognition of Quebec as a distinct society. I say recognition, because nothing new has been added, no additional powers given. We recognized what Quebec has been, is and will be; a distinct society, different from the other provinces.

As far as harmony is concerned, Mr. Speaker, I would suggest the Hon. Member take a walk down the streets of Saint-Léonard, and he will see for himself. The people of Saint-Léonard do not feel threatened by the constitutional Accord. They may feel threatened by the economy, because many young people are unemployed, but they are certainly not threatened by the constitutional Accord. And when I say harmony, because I live in that area . . . Only yesterday, I was walking down the street, and I can inform the Hon. Member that not a single constituent asked me whether he should feel threatened.

It is not a perfect Accord, I agree, but I think we are making progress by improving our Constitution and by trying, in a society as complex as ours . . . Canada is not the easiest

country in the world to govern. After all, we are a federation, Mr. Speaker. I think that we have at last managed to reunite this confederate family, and I think that is a positive side and that we should persevere in this direction. I am sure we will continue in this vein, and I am thinking of the Francophones outside Quebec, the protection of multicultural groups, and so forth. If we take Quebec's example, as I said earlier, Quebec is the only province that teaches the language of origin in elementary schools. How many provinces in Canada do that? I think we still have a long way to go.

The Acting Speaker (Mr. Paproski): The period for questions and comments has expired. Resuming debate. The Hon. Member for Prince Albert (Mr. Hovdebo).

• (1210)

[*English*]

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, I was a Member of this Parliament between 1981 and 1983 when the Trudeau Government made a successful effort to repatriate the Constitution. The original package would have centralized the power of the federal Government to a greater extent than had existed in the past and would have left the provinces with even more residual powers than before. I was one of many Canadians who objected to such a proposal.

Many of those who were here at the time will know that the final agreement that was signed more closely reflected what some of the provinces had wanted all along. It gave the provinces much more power to make their own economic decisions and determine the destiny of their citizens without having to always appeal to the federal Government for permission to do so.

I give this background for a couple of reasons. First, the federal Government does not corner the market on good economic and social programs. Much of our best legislation came from provincial legislatures, sometimes in spite of opposition from the federal Government.

For example, medicare and hospitalization were the products of the Saskatchewan Legislature. The federal Government did its best to smother those programs but eventually accepted them and emulated them, to make them part of the Canadian fabric today. In recent years Quebec has made many economic decisions which would have required the consent of the federal Government in previous years. I relate these facts because they show the value of lengthy, extensive and involved consultation and negotiation.

The earlier constitutional negotiations were long and involved. Those who were part of the process will recall how the native rights amendment was included, then excluded, then included again. As we negotiated in Parliament and throughout the country, we began to move closer to an acceptable solution until we finally signed an agreement which most provinces found acceptable. However, there was a flaw in the agreement because unfortunately Quebec decided not to be part of it.

Had we taken more time, we could have arrived at a solution that would have included Quebec. However, as we have seen recently with the midnight accord that was hastily put together, the 1982 agreement was flawed and in need of amendment.

The Meech Lake Accord is the attempt to eliminate that flaw. While I compliment the aim and even the results of the Meech Lake Accord, I must say that I abhor the process. I am disappointed that we have a new document which, although it solves the flaw in the original agreement, is itself flawed.

The Meech Lake Accord is also a hurried document, born out of back rooms at midnight. It is flawed because of that haste, and the lack of consultation and negotiation. It is flawed because it did not have the benefit of the wisdom of Canadians.

The Prime Minister (Mr. Mulroney) and the Premiers did not have enough time to consult, review or speculate on what they were planning. Furthermore, part of Canada was left out of the negotiations at all levels.

While it may be possible to settle a labour dispute by locking the doors and demanding a solution, it is no way to decide the fate of a country. This brings to mind another midnight document that was signed recently, and I hope it is not as flawed as the two I speak of here.

This Accord accomplishes what is needed as far as Quebec is concerned, but it may take years before the mistakes in this document are amended in the way most Canadians want. Those requirements need not have been left out of the Accord and even now can still be included. Why is it necessary to force Canadians to have many more years of constitutional negotiations as a result of an amending mechanism that is cumbersome and incredibly unrealistic? The answer is, of course, that we do not have to go through these negotiations. We do not have to go through several more years of negotiations. All we have to do is accept either the Liberal or the New Democratic amendments, or a combination of the two, and we will have corrected the most obvious shortcomings of the document which we have before us.

• (1220)

I would have no difficulty at all in supporting an Accord which has the kind of amendments which could be adopted by this House. These amendments are straightforward and simple. They would protect the original peoples' access to their rights and recognition to self-government; protect the rights of the territories to become provinces with the same, or somewhat the same, alacrity as other provinces had in joining Confederation in the past; give the territories the right to participate as Canadians in the Senate and the Supreme Court of Canada; and guarantee the Charter of Rights in such a way that no group in Canada is endangered. These amendments would

come close to mending that which is most glaring in this document.

It seems that the Government has decided not to allow any amendments and that what we are doing here is playing games in seeming to try to improve the Accord. The reason given for not accepting any amendments is that the Accord may come unravelled if it is opened up in any way. I cannot help but think, and many Canadians agree, that if such an important step in the development of our nation is based on a document that is so fragile that it cannot be opened up, because it cannot stand the light of day, maybe it should not survive. Maybe it needs more negotiation.

So let us be reasonable. Let us be courageous. Open up the agreement by passing one, both, or a combination, of these amendments. Then let us go forward with a constitutional amendment that is strong and secure, and which does not leave out some of the people of Canada who have as much right to be heard as any of us.

The Government has decided to close down the possibility of making changes to this document because of the fear that we will lose this Accord if we open it up for further negotiations. I fear that we may lose this Accord because we are afraid to open it up to improve it. We need more courage and more certainty that what we do in this Parliament is right for Canada. We can only help to build the kind of nation we all want if what we do in this Parliament regarding this Accord is good for Canada. I am sorry that we do not seem to have that kind of courage.

The least we can do is make a specific commitment for this House, this Parliament, this Government—today or before we pass the Accord—that the flaws be righted within two years at the first constitutional conference to be called with the territories and the native representatives there at that time. We also need to make sure that all Canadians have an opportunity to contribute to such a new constitutional development.

Only as we accept the idea that all Canadians are part of Canada and all Canadians should have a say in what Canada becomes can we accept the idea that this particular Accord, which does what it was supposed to do but which leaves out some people, should be followed very quickly by constitutional negotiations which will eliminate the kind of flaws that are in this Accord.

Mr. Berger: Mr. Speaker, I listened attentively to the Hon. Member's speech. I could not help but be struck by the references that he made to the flaws in the Accord and the need to improve it, to change it, and to bring in the people who are being left out of the Accord. If he feels that way how can he support the Accord?

Surely, we are talking here about the fundamental law of the country. We are talking about the Constitution of Canada. If the Accord has so many problems with it, if people feel left out of it, if it does not properly define what our country is all about, then surely our duty is to vote against it.

I would say, to quote what another Member said here yesterday, that he is whistling *Dixie* if he thinks we will get rid of the imperfections, that we will remove the flaws at some future point in time with this horrible rule of unanimity that we are putting into the Accord.

Mr. Hovdebo: Mr. Speaker, I did my best, to point out what I consider to be the flaws in this Accord. I also attempted to put before the House methods by which the flaws could be dealt with in the future. I suggest a commitment by the House to deal with those flaws within a certain length of time. I feel strongly that the time has come for us to recognize that the Constitution needs to be something that we can deal with in the House and in the provincial legislatures in a fashion which is always in the best interests of Canada.

I also have the same kind of doubts as does the Hon. Member that the Accord makes it a little more difficult to do what we would like to see done. I would like to see those amendments accepted now so that we can solve those problems much more quickly than having to go to another series of constitutional meetings.

As the Hon. Member for Western Arctic (Mr. Nickerson) indicated in his speech, I have faith. The Northwest Territories and the Yukon will some day become provinces in spite of the Accord. I also have faith that the aboriginal people will get their self-government, their rights recognized by the rest of Canada. I also feel the need to ensure that we are dealing with a country that has at least 10 provinces, and that maybe an eleventh and twelfth is important at this time.

• (1230)

[*Translation*]

Mr. David Berger (Laurier): As I said earlier this morning, Mr. Speaker, I have listened with great interest to the speeches made during the past few days, and I noticed the large number of Members who supported the Accord and referred to the new openness being seen in this country. However, every time we ask them why the governments refused to undertake both to protect and promote language minorities, the answer is that we should remember there are some pockets of resistance in the country and that governments cannot move faster than their constituents. In fact, this should be a reason for us to take a closer look at the Accord and think about the so-called openness on which it is based. You have known for some time now that I object to the Accord. I shall vote against the Accord, Mr. Speaker, because I believe it does not serve the interests of this country or of Quebec, my own province. I shall vote against the Accord because I do not believe it serves the interests of my constituents in the riding of Laurier. I shall vote against the Accord as a Canadian whose origins are not Anglophone, or French. The values I acquired as a result of my origins include the passionate defence of individual rights, and especially equality rights for all Canadians across Canada.

I will try to explain in my speech some of the reasons that led me to take this position. The honorary president of the Canadian Human Rights Foundation, Professor John Humphrey, gave me the following definition of a charter of rights: "A charter of rights is, or should be, the legal and concrete embodiment of a national consensus on the minimum of rights every man and woman has as a human being, that is, the rights they have because they are human beings and for no other reason. That is why they are called human rights. And since those rights are essential to human dignity, they should be the same for all Canadians, in whatever region of this country they happen to live".

Today, I intend to address language rights which are among those rights that are essential to human dignity. Since 1963, when Mr. Pearson ordered a report on bilingualism, we have been trying in Canada to define the minimum language rights that should prevail across this country.

As far as our official languages, French and English are concerned, we set up a system of linguistic equality. This does not necessarily mean the number of bilingual individuals but concerns our institutions. We defended the right of every citizen to sent his children to school in the language of his choice, English or French. We defended the rights of each citizen to communicate with his governments in his own language, and we also defended the rights of each citizen to work in his own language, at least, within the federal government and the governments of provinces that provide services in both official languages.

Mr. Speaker, if at all possible, we wanted these language rights to apply everywhere in Canada, across this country, because Canada belongs not only to those who speak English but also to those who speak French. French-speaking Canadians were not to be restricted to the territory of the province of Quebec. They were the first to settle this country and to make their home here in Canada. And there are sizeable French-speaking communities everywhere in Canada.

On the other hand, English-speaking Canadians have been an integral part of Quebec's society for quite some time. That was the rationale behind the official languages policy, and that was the rationale behind Charter of Rights and Freedoms Sections 16 to 23. Mr. Speaker, we must keep in mind that these linguistic rights are just as essential to human dignity as the other rights defined in the Charter of Rights. Any Canadian should enjoy such rights.

Normally all Canadians and all governments in Canada, including those which do not claim to be bilingual, should acknowledge these responsibilities in the face of the very nature of this country, for not only are our two official languages a source of enrichment for Canada, Mr. Speaker, they are the very essence of this country. That is the unique heritage which makes us different from other countries, and more particularly from the United States now that we are seeking a free trade agreement.

All Canadians therefore have the moral responsibility to promote our two official languages. That being so, Mr. Speaker, the Meech Lake Accord is an abdication, an unbelievable abdication on the part of the Conservative Government with respect to the basic values which Canadians had developed over the years, namely that the French fact is a fundamental element of the heritage of all Canadians. I am saying it is abdication because Canadians did live up to the challenge. They acknowledge that the two official languages are the business of all Canadians and of all their governments. As evidence, the poll taken in 1985 by the Commissioner of Official Languages shows that the great majority of Canadians willingly accept Canada's linguistic duality; for instance, they support the concept of providing services in the language of the minority, and this applies not only to federal services, but also to provincial services and to the private sector. Moreover, the response in the survey was even more favourable for specific services such as post offices, hospitals and department stores.

Mr. Speaker, something which should be especially emphasized is the attitude of young people in the 15 to 24 age group who proportionately are much more in favour than their seniors of linguistic duality in Canada and of providing services in the language of the minority.

It is not only in the surveys that Canadians support linguistic duality. An increasing number of them live it personally by sending their children to a French school.

As incredible as it may seem, during the last school year, nearly 200,000 English-speaking students were enrolled in French immersion courses throughout Canada. This is five times as many as in 1977-78, only nine years ago.

When I said that, with the Meech Lake Accord, this Government goes against reality of Canada, it is because the Government refuses to recognize in the Constitution what Canadians themselves recognize daily in the choices they make. The Meech Lake Accord is a step backward. At the very moment when we are making progress and when attitudes and behaviours are changing radically in Canada, the Government moves backward. It is a shame to see how far apart are the perception Canadians have of their country and the narrow vision those who signed the Meech Lake Accord share. The Accord promotes French in Quebec, and English in the rest of Canada. The Quebec National Assembly and Government will have the role of promoting the distinct society. What will they promote? Its French identity, naturally, as though the Quebec Government did not have the power to do so already. According to the terms of the Accord, the federal Government and the provinces will protect linguistic minorities, but they have not made a commitment to promote these minorities. I want to remind the House that the President of the Federation of Francophones outside Quebec, when he appeared before the Joint Committee of the Senate and the House of Commons on the Constitution, blamed the Tory Government for its lack of courage and said, I quote: "This Accord is just not good enough to stop the progress of assimilation".

• (1240)

It is necessary to realize that, in spite of their consitutional commitments, a number of provinces put off developing their own French-speaking education System. In its last annual report, the Official Languages Commissioner said: "This apparent deafness (on the part of some provincial Governments) is becoming a major blot on Canada's concept of herself as a decent, forward-looking country that can give lessons to the world in ethnolinguistic tolerance and political self-respect. Self-respecting Canadians should tell their provincial leaders that they are letting us down."

Instead of improving this situation, the Meech Lake Accord has condoned the attitude of the most refractory provinces. With the Accord's blessings, they only have to preserve the *status quo.*

I want my Quebec fellow citizens to understand that the Accord will result in a lack of commitment on their part for national unity. I need only to remind the House of the statement made by Quebec Premier Bourassa when he went to Manitoba in July to meet the French-speaking community. He said that he could not interfere in the internal affairs of Manitoba, for fear the other provinces might interfere in Quebec's own affairs. I understand Mr. Bourassa's position quite well. He must defend the rights and privileges of his province. But does his position serve the interest of Canada as a whole? Is it in the interest of Quebecers when we leave our province? The future of our country is at stake, Mr. Speaker. The interests of French speaking Canadians outside Quebec are our own interests. And inasmuch as the rights of Francophones outside Quebec are lessened, our own rights are lessened.

Remember the heyday of the oil industry, Mr. Speaker. Thousands of Quebecers went west to Alberta, and many stayed there. Under normal circumstances, those former Quebecers would have liked their children not only to be educated in French, but to preserve their French culture. This means not only the schools but also television, radio, theatre, cultural centres, opportunities to speak French in their everyday life. What about the Quebecer who would be called upon to move because of his job responsibilities or economic needs? You will agree that one is not very mobile when one has to sacrifice his family, his language. I say it is unacceptable to put a Canadian before that phoney choice, forcing him to choose between his cultural values, his family and the need to provide for his family.

The Meech Lake Accord does nothing to improve that situation. The Meech Lake Accord, Mr. Speaker, is an anachronism that reflects the lack of vision and leadership of this Tory Government. Our vitality as Quebecers is self-evident. It is there to be seen in every area, be it economic, social, cultural or political. Whether it is the role played by the provincial Government or in the private sector, with the establishment of Quebec multinationals and the young Quebecers' craze for business. Let me remind you that no less than 10,000 students year in and year out attend the University of Montreal's *Institut des Hautes Études commerciales.* From that viewpoint, the Accord ignores those facts about Quebec and is trying to have us believe that we need additional protection.

Believe it or not, Mr. Speaker, at the very moment when Quebecers are assuming their rightful place in Canada, when Quebec companies are extending their activities throughout the world, the Government is proposing that we create a French ghetto in an English-speaking unilingual Canada. The Accord explicitly mentions French-speaking Canadians and English-speaking Canadians. There is no mention of the new generation of bilingual Canadians, nor of those whose speak many languages, nor of the native people who speak only the language of their ancestors. Moreover, there is nothing about those who consider themselves neither French nor English Canadians, but quite simply Canadians.

Mr. Speaker, tomorrow's Canadian citizen will be a man or woman who speaks both languages well and who recognizes that he or she is part of a remarkable family, the family of all Canadians.

I have represented the Laurier constituency for eight years in this House. I have tried to show why I believe that this Accord represents a step backward as concerns linguistic duality. Other aspects should also be of concern to us, such as the option for provinces to withdraw from cost shared programs with full financial compensation.

My constituency, which is going through a complete transformation, includes a great many senior citizens, but as it is located near the *Université du Québec à Montréal* and McGill University, it also includes many students. The constituency has a large artistic population. We also have a large number of single parent families, twice the national average. Two thirds of the population are of French Canadian origins and the other third is made up to a large extent of Portuguese, Greek, Italian, Latin-American, Chinese and Vietnamese Canadians. It has been said that Laurier is a crossroads of ideas. I think it is an appropriate description because there are people from many different countries, from all walks of life.

Unfortunately, Mr. Speaker, so many live in difficult circumstances, and they include artists, young people and mothers who are single parents. Often they do not have regular employment. They are given ten to twenty weeks employment in job creation programs. After that, they go on unemployment insurance and fifty weeks later on welfare, if they fail to get a new job under another government program.

I am convinced that the only solution is a thorough reform of our social programs, which would include, for instance, the creation of a universal income security plan, as recommended by the Macdonald Commission. These issues are very important to my constituents, but the only way to get any results, Mr. Speaker, is through a shared-cost program, and I am

afraid that, under the Meech Lake Accord, this will be impossible.

I would like to refer to the testimony of Professor Al Johnson before the joint committee on the Constitutional Accord. Professor Johnson is an expert on the subject, as a former deputy-minister in the provincial Government in Saskatchewan and with the federal Government. He recalled that it took a long battle to get medicare. At the national level, it was a long hard struggle, especially since the Premier of Ontario launched a full-fledged crusade against medicare. Professor Johnson explained that it was always a risky undertaking for the federal Government to initiate a new national, shared-cost program because of the two jurisdictions involved. It is a fact that any initiative of this sort would meet only opposition on the part of the provinces. Under these circumstances, making it possible for provincial governments to opt out with full compensation, without being compelled to meet national criteria, would frustrate any initiative aimed at setting up new or revised social programs, thereby creating enormous difficulties.

Mr. Speaker, I dare hope that my comments will cause some of my fellow citizens to ponder the impact of the Meech Lake Accord. I dare hope that my Laurier constituents in particular will think over these issues and my comments, and later on advise me of their opinion concerning this vital issue for the future of our country, because this is not an ordinary legislation we are dealing with here today, but the Constitution which is the fundamental law of the land. I, for one, feel that this debate is far from being over.

• (1250)

[*English*]

Mr. Orlikow: I have two questions for the Hon. Member, Mr. Speaker. First, when Premier Bourassa visited Manitoba and talked to the Francophone community he told them that he could not interfere and help them with their problems.

I want the Hon. Member for Laurier (Mr. Berger) to know that in the Province of Manitoba there has been a tremendous growth and increase in the number of students who are getting their entire education in the French language, not only the Francophone students whose parents naturally want them to maintain their language and culture, but Anglophone students who are getting their entire education in French immersion classes. I know something about that because my 11 year old granddaughter who has just moved into grade six is now in her seventh year of school and her entire education has been in the French language. That program is expanding in every part of Manitoba every year. The Meech Lake Agreement will not have injured what is going on in Manitoba and in other provinces.

When the Hon. Member suggests that because of the Meech Lake Agreement it will be difficult for the federal Government to sponsor new social programs, I say to him that there are just as many constitutional experts who reject that argument as there are who support it.

I want to tell the Member also that I resent a member of the Liberal Party lecturing Members of this House and the people of Canada about the dangers of the diminution of the authority of the federal Government and the federal Parliament to initiate programs. In my 26 years in Parliament there was no decision by any government which did so much to reduce the power and the authority of the federal Government in the initiation and expansion of social programs than the decision of the Trudeau Liberal Government to do away with the way in which the share-cost programs for hospitalization, medical insurance and post-secondary education were put into effect.

Some Hon. Members: Hear, hear!

Mr. Orlikow: These were programs which had been developed mostly by Liberal Governments under which the federal Government encouraged provinces to get into them. It promised the provinces that the federal Government would pay a minimum of 50 per cent of the cost of the programs and it would pay more to the have-not provinces. When the Liberal Government under Mr. Trudeau decided it could not afford to continue, that Government told the provinces it was going to change the law and the rules and bring in established programs financing. What did that mean? It meant that the federal Government in any year would not increase its funding by more than the increase in the cost of living. Not only that, Mr. Speaker, it said to the provinces that it would give them this money in a lump sum; they did not have to spend it on post-secondary education, hospitalization or medicare, but could do anything they wanted, even use it to build roads.

Some Hon. Members: Hear, hear!

Mr. Orlikow: The Liberals, having done that, should not lecture us about the diminution of federal authority and federal power.

Mr. Berger: The Hon. Member talked about French immersion. This was the exact point that I made. I said that Canadians in their everyday lives are way ahead of our Governments.

Mr. Orlikow: With or without Meech Lake.

Mr. Berger: Why do our governments not have the courage to catch up to where Canadians are and put into our Constitution that we will not only preserve the *status quo*, protect language minorities, but that we will promote language minorities? The Member helped me, as far as I can see, in making my point.

On the question of social programs, Mr. Speaker, I notice the Member is wearing a rose-coloured tie. Obviously his version of history is probably through rose-coloured glasses.

An Hon. Member: This comes from a guy in a red tie.

Mr. Berger: Mr. Speaker, the previous Liberal Government got out of block funding and gave the provinces money with no strings attached because it was responding to the will of the provinces which did not want the federal Government messing around in their affairs. Therefore we said "We will give it a try. Yes, we will give you the money and we will see what you do". Now we have seen what has happened. The provinces have taken money that was supposed to go into education and it is being spent on roads, sidewalks and other things. It is time that a national government stood up for national priorities.

Mr. Orlikow: Mr. Speaker, just for the record I want to tell the Hon. Member—I see the Hon. Member for Davenport (Mr. Caccia) s here and he will know that what I am saying is correct—that the only party in Parliament which opposed that mistaken, terrible decision of the then Liberal Government to change the way things were done was the New Democratic Party and its members. When the Liberal Government brought forward that proposal, it got the support and the votes of the Conservatives.

Mr. Berger: Mr. Speaker, all I can say is that I was not here at the time that that decision was made. I take the Hon. Member at his word that the New Democratic Party opposed the move at that time. I wish that the New Democratic Party today would have the same principles which it had seven, eight or nine years ago.

Mr. Nunziata: Mr. Speaker, I appreciate the opportunity to ask a question in the last minute remaining before lunch. I would like to congratulate the Hon. Member for Laurier (Mr. Berger) for his speech. The people of Laurier and the people of Canada are well served by the Hon. Member.

There were two points on which the Hon. Member did not touch during his comments; first, regarding appointments to the Senate of Canada and second, regarding appointments to the Supreme Court of Canada. In the 30 seconds remaining, would the Hon. Member for Laurier comment on those two points?

Mr. Berger: Mr. Speaker, in the brief time that I have, I can simply say that there is certainly a case to be made for formalizing the consultation process that has existed for sometime with respect to Supreme Court appointments. With respect to Quebec, which has a different legal tradition than the rest of the country, something had to be done to provide the Quebec Government in a formal manner with input into those appointments.

With respect to the Senate, I feel that there is a need also to ensure provincial input into appointments to the Senate, but the formula that we have come up with in the Meech Lake Agreement really hands over the whole matter to the provinces and leaves no room whatsoever—

The Acting Speaker (Mr. Paproski): I regret that the Hon. Member's time has expired. The period for questions and comments has expired.

S. O. 21

It being one o'clock, I do now leave the Chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2.00 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

TRADE

CANADA-UNITED STATES FREE TRADE AGREEMENT
CATEGORIES OF AFFECTED WORKERS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, given the Free Trade Agreement signed by the Prime Minister (Mr. Mulroney) and the statements he made yesterday, when he admitted there were losers and winners in that Accord, he unfortunately did not name the losers. I would have liked the Prime Minister to name a few categories of Canadian workers he traded off to sign that Agreement. Are they men and women working in the textile industry? Are they workers in the footwear industry? In the knitting industry? In the leather industry? In agriculture? In rail transportation? In shipping, in shipbuilding?

Mr. Speaker, I will conclude with this and I would like to know—the East end of Montreal issue, the *Comité de la Relance* is requesting a special grants committee to modernize Montreal's industrial East end, to designate the East end of Montreal . . . Now with free trade, the East end of Montreal goes down the drain the way that agreement was signed by the Prime Minister.

* * *

[*English*]

DECENTRALIZATION

LABORATORY CENTRE FOR DISEASE CONTROL—OPPOSITION TO RELOCATION

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, in this great city of Ottawa the rumour mill is a stable industry and one of its recent products is news of the potential relocation of part of the Laboratory Centre for Disease Control to Winnipeg.

Ottawa has been the grab bag, to quote Regional Chairman Andy Haydon, often enough in the last few years. Ottawa Mayor Jim Durrell has written to me saying that any potential gain for Winnipeg will be a loss for Ottawa. They are both right.

Ottawa has recently experienced Public Service cuts, project cuts, language training cuts, discretionary spending cuts, total spending freezes, procurement decentralization, National Research Council reallocations, and over the last 10 years part of Employment and Immigration has been moved to Bathurst, DVA has been moved to Charlottetown, parts of DSS have been moved to Shediac and Matane, and the list goes on.

The Child Poverty Action Group on the Hill this morning stressed that the increase in child poverty in the region is alarming. Ottawa is not immune to tough times. We have bread lines and soup kitchens like many other Canadian cities. I therefore ask the Government to reconsider this potential move in the best interests of maintaining the total integrity of the LCDC.

* * *

SOCIAL AFFAIRS

CALL FOR ELIMINATION OF CHILD POVERTY

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, why are people not enraged that one-fifth of Canada's children are poor? Why can we alleviate poverty for the elderly but not for children? Why is child poverty not a political priority?

"Although we say we love children, the only children we love are our own, and I do not mean Canadian children, I mean our very own, the ones in our individual families. Those children we are prepared to do a lot for, but not the children of the poor." Those are the words of Dorothy O'Connell speaking today at the Child Poverty Action Group.

• (1405)

Conservative MPs presently place the blame on parents, moral breakdown, divorce and alcoholism. These are not the causes of poverty. It is the lack of money and other resources to deal with the same problems that middle and upper-income families have. Poor children will not have the same opportunities in life. We must develop the political will to end the senseless waste of all these children who are condemned to repeat the poverty cycle.

If we love our children we must put child poverty on the top of the political agenda now. I call on the Government to make solutions to child poverty the topic of a First Ministers' meeting and the subject of an all-Party committee.

* * *

SOCIAL AFFAIRS

EFFECTS OF POVERTY ON CHILDREN

Mr. David Daubney (Ottawa West): Mr. Speaker, child poverty remains a concern in Canada. This is so despite the fact that the economy continues to grow at a rate of over 3 per cent a year, unemployment has dropped to 8.8 per cent, and 260,000 Canadians have risen above the poverty line in the last three years. Our Government has worked hard to raise the standard of living for all Canadians. However, our task remains far from complete.

Poverty is debilitating, especially so when it hits our children. They are the citizens, workers and parents of tomorrow. Poverty robs them of hope for the future and deprives them of the opportunity to develop fully and express themselves as Canadians. In practical terms, child poverty means a higher incidence of mental illness and a higher rate of law-breaking in adolescence. We must pay particular attention to the problem of child poverty in single-parent families.

The Government has begun to act in these areas, helping to drop youth unemployment from 18.3 per cent to 13.8 per cent, decreasing the rate of unemployed women from 12 per cent to 9.4 per cent, and increasing the child tax credit. We must build upon these efforts and those of groups such as the Child Poverty Action Group and the Ottawa Council for Low-Income Support Services. Together we can give all young Canadians a real stake in the future.

* * *

[*Translation*]

ROAD SAFETY

MANDATORY USE OF CAR SEATBELTS AND OTHER APPROPRIATE MEASURES

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I wish to congratulate the police forces of the Regional Municipality of Ottawa—Carleton which have launched their annual safety belt promotion campaign. Their objective is to encourage 90 per cent of car passengers to buckle up.

You have noted, Mr. Speaker, that during the past year I have been presenting petitions and making statements on car safety, because present regulations do not meet the needs of car passengers.

To that effect, a doctor from the Lower St. Lawrence region, Dr. Robert Maguire, has helped me by distributing his own petition asking the Government among other things to pass preventive measures providing for such things as inflatable bags, three point safety belts and the around-the-clock use of headlights. The purpose of such a drive is to reduce by 50 per 100 the number of casualties caused by car accidents.

I have here, Mr. Speaker, petitions signed by over 30,000 people from the Lower St. Lawrence area and the Gaspé Peninsula who are asking for greater road security. I wish to congratulate Dr. Maguire for his initiative and to thank the people from the Lower St. Lawrence area and the Gaspé Pensinsula for having helped me in this campaign to promote road security.

Before I resume my seat, I wish a tremendous success to the police forces of the Regional Municipality of Ottawa—Carleton in their campaign to buckle up safety belts during the forthcoming two weeks.

* * *

TAXATION

ELIMINATION OF LOOPHOLES

Mr. Guy St. Julien (Abitibi): Mr. Speaker, the former Liberal Government instigated the worst tax fraud in the history of this country with the tax credit to stimulate research in 1983-84. Marc Lalonde, John Turner, Pierre Elliott Trudeau and the Liberals made Canadian taxpayers lose billions of dollars.

At the beginning of 1984, the Liberal Government, through the Department of Finance, came to know that the tax deduction plan for scientific research was giving rise to problems and Marc Lalonde had expected that the plan would only cost $200 million. It did cost $3.5 billion and up to $1.9 billion were lost as a result of frauds.

In Victoria, a 28-year old mechanic registered in a computer course for beginners, launched a research business in data processing and obtained $5 million under the program. According to the last reports, he was in Hong Kong promoting a book on break dancing.

In Calgary, a businessman was granted $30 million. He bought two office buildings, a Jaguar and a 106-acre ranch before he also disappeared.

Mr. Speaker, Michael Wilson was clever and wise enough to axe the program shortly after the Conservative Party came into power in 1984, but the Canadians should be better informed about that Liberal flop.

* * *

• (1410)

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—WATER RESOURCES

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, I rise to protest the sell-out of Canadian water through the Government's trade agreement with the United States. In return for an utterly inadequate trade dispute tribunal U.S. negotiators have obtained the right to future use of Canadian resources as if they were U.S. resources.

The Grand Canal concept of transferring massive quantities of fresh water from the Canadian Shield to the southwestern U.S. has suddenly become likely.

Robert Bourassa, who advocated this idea before the last Quebec election, and Simon Reisman, who lobbied for it before he became the Government's trade negotiator, are understandably pleased. However, the needs of aboriginal peoples, the ecology of the James Bay region, and the weather of central Canada are all to be sacrificed to the greed of U.S. water wasters.

Why did the Government not protest the flagrant subsidy of U.S. vegetable and fruit growers who pay $13 for water worth $350? Why were countervailing duties not used against this subsidy to discourage U.S. interests from lusting after Canadian resources? In the future will Canadians buy more U.S. vegetables and fruits grown with water from the Canadian Shield?

* * *

CONSUMER AFFAIRS

CHILDREN'S NIGHTCLOTHES—INTRODUCTION OF FLAMMABILITY STANDARDS

Mr. W. Paul McCrossan (York-Scarborough): Mr. Speaker, over the last nine years I have regularly raised the fact that each year an average of 20 children under the age of 10 have been severely burned when their pyjamas caught fire and that one or two deaths have resulted annually from these burns. Last May I tabled a Private Member's Motion to require the Government to bring in new standards for flame retardant children's nightclothes.

It is with a great deal of personal satisfaction that I report to the House that effective this week night-gowns, night-shirts, dressing gowns, bathrobes, housecoats, robes, pyjamas, and baby-doll pyjamas up to and including size 14X are subject to stringent flammability standards.

In my view the Minister of Consumer and Corporate Affairs (Mr. Andre) deserves the thanks of Canadian parents for stopping another 20 children a year from being seriously burned and for saving one or two children's lives annually in future.

* * *

CAPE BRETON DEVELOPMENT CORPORATION

PLIGHT OF EARLY RETIREES

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I rise today to offer my support to those individuals who took pre-retirement leave from the Cape Breton Development Corporation as long ago as 1974-75. The purpose of that

plan at that time was to continue to employ the workers affected under a contract of service to the Cape Breton Development Corporation in order that they might be eligible to continue to earn entitlement to various benefits.

The fact is that these individuals will never be rehired by the Corporation but must continue to have unemployment insurance premiums deducted from their income. In addition, these UIC deductions, which in some cases date back 13 or 14 years, are taking much needed income from those Canadians who need it most. Conversely, other individuals under different and new pre-retirement plans do not have this deduction from their income.

I ask the Government to reconsider this unfair situation and treat these needy citizens with compassion and dignity. In other words, stop deducting unemployment insurance premiums from their income and reimburse them for the money they have lost.

* * *

[*Translation*]

YOUTH

CHALLENGE PRESENTED BY FREE TRADE

Mr. Gilles Bernier (Beauce): Mr. Speaker, the challenge presented by free will have to be taken up by our youth. We accepted the previous challenges. Our generation and the previous ones have transformed this country into an industrialized, rich and modern nation. Are we going to ask your youth to rest on our accomplishments! It would suicidal. There is a market to conquer, a country to build. This is a challenge for our young people. They are just as intelligent, willing and eager to challenge the world as we were. We must give them that opportunity, the chance to think and act in terms of a continent and the world. Why limit ourselves to our neighbourhood, when our skills, qualifications and values are in demand on every continent, Mr. Speaker. Free trade is the future and the prosperity of a people, our people.

Experts from the Quebec Department of Agriculture have said yesterday, Mr. Speaker, that our family farm will not suffer extensive changes. I suggest to union leaders that they should not interpret the agreement in their usual negative way as, in fact, our marketing boards and other programs have been protected.

• (1415)

[*English*]

AGRICULTURE

GRAIN FARMERS—DEFICIENCY PAYMENT

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, Canadian grain farmers are beginning to worry about whether they will receive any government assistance by way of deficiency payments this year. Farmers have good reason to be worried.

After meeting with farm leaders in Winnipeg in August, the Minister of Agriculture (Mr. Wise) strongly supported the CFA proposal for a 1987-88 deficiency payment. However, last Friday in the House the Minister backed away from this strong support. He said he might mention the CFA proposal if and when he takes the deficiency payment proposal to Cabinet.

The Minister says that he might have a deficiency payment this year. Why does the Government not act? Why is it stalling? After all, the Government knows the views of farmers. It has consulted them. The Government has some experience in putting together a deficiency program.

With each new day of delay on this issue, farmers begin to wonder if the part of the free trade deal which says unsubsidized grain will be able to move freely between Canada and the U.S. means an end to deficiency payments for the current crop year.

* * *

TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, I am pleased to commend the Prime Minister (Mr. Mulroney) and the Canadian negotiators on their successful negotiations for a free trade arrangement with the United States.

Free trade is good news, particularly for western Canada. It will improve the market in the oil and energy sector. Free trade will reduce input costs for agriculture while strengthening farm markets.

Free trade will also mean the creation of some 350,000 new jobs for Canadians over the next eight years, from which all provinces will benefit. It will boost real wages, increase production, stimulate business investment and revitalize industry.

The free trade agreement is one of which we can be proud for more reasons than the obvious economic benefits. Canada's cultural sovereignty remains protected, social and regional development policies remain intact, marketing boards are not

affected, and a binding dispute settlement mechanism has been created.

The Prime Minister has been committed to securing a free trade arrangement with the United States if it is a good deal for Canada. This free trade agreement is a good deal for all Canadians and yet another example of this Government's vision for the future of this country.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON WINE INDUSTRY

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, American wine interests have won a major free trade victory over the Canadian wine industry in the Niagara Peninsula, Quebec, and British Columbia's Okanagan Valley. Free trade has California's wine interests laughing all the way to the bank, and the rest of the time they are laughing at the Conservative Government in Canada.

The Americans sell about 15.7 million litres of wine to Canada now. Under the free trade agreement they hope to sell about 54 million litres to Canadians. It will mean a loss of over 4,000 jobs in Ontario alone.

On January 1, 1989, 25 per cent of the protection on Canadian wines will disappear. On January 1, 1990, another 25 per cent will disappear and the remainder will be phased out over the following five years.

The Gallo Wine Company in California alone produces in 12 days what it takes Canada to produce in six months. Under the free trade arrangement of the Conservative Government and the Reagan administration, there will be no timeframe to upgrade the Canadian industry.

The economies of the ridings of Lincoln, Niagara Falls, Erie, Welland, and St. Catharines, the Okanagans, and parts of Quebec will be adversely affected by this proposal.

There is nothing quite like cutting the economic feet out from under the areas of Canada that are represented totally by Conservative Members of Parliament. It is no doubt part of the loyalty that the Prime Minister feels toward those Conservative MPs in his caucus and the constituency voters who supported them in those ridings which are affected by this terrible measure.

[*Translation*]

FREE TRADE

APPARENTLY AMBIGUOUS POSITION OF LEADER OF NEW DEMOCRATIC PARTY

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, as was to be expected, the socialist leader cannot find anything good in our free trade agreement with the United States: an agreement negotiated and concluded to maintain one out of five jobs in Canada, to create 350,000 new jobs and to preserve an existing $95 billion market.

The socialist leader hides the real reason for his opposition. The one against the agreement is not the socialist leader but the Hon. Member for Oshawa. That is the riding where Canadian workers enjoy the best working conditions. Why? Because of free trade in the automobile sector since 1965. The Hon. Member for Oshawa does not want to protect anybody else but the workers in his riding. He does not want to hear about better living conditions for Canadians outside Oshawa. If the socialist leader's concerns are confined to Oshawa, let him keep his seat as a Member of Parliament but resign as national leader. All he has to do, Mr. Speaker, is notify his boss, Bob White.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MR. AMERICO SEQUEIRA, PORTUGUESE M.P.

Mr. Speaker: Order! I wish to draw the attention of Hon. Members to the presence in our gallery of Mr. Americo Sequeira, Member of Parliament of Portugal.

Some Hon. Members: Hear, hear.

• (1420)

[*English*]

PRESENCE IN GALLERY OF SPEAKER OF THE CONGRESS OF THE REPUBLIC OF GUATEMALA

Mr. Speaker: I wish also to draw to the attention of Hon. Members the presence in our gallery of Jose Ricardo Gomez, Speaker of the Congress of the Republic of Guatemala.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF MINISTER OF SCIENCE AND CULTURE OF GREECE

Mr. Speaker: I wish also to bring to the attention of Hon. Members the presence in the gallery of Madame Melina Mercouri, Minister of Science and Culture of Greece.

Some Hon. Members: Hear, hear!

Mr. Prud'homme: *Zito* Melina.

PRESENCE IN GALLERY OF MEMBERS OF TEAM CANADA

Mr. Speaker: I would also like to bring to the attention of Hon. Members the presence in the gallery of members of Team Canada, winners of the 1987 Canada Cup.

Some Hon. Members: Hear, hear!

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it is nice to see the Canada Cup team wearing the right colour uniform.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Mr. Speaker, I have a question for the Deputy Prime Minister arising out of the Government's sell-out to the United States.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): In November, 1986, a document issued by the office of the President of the United States stated clearly and publicly the concessions the Americans wanted from Canada. We have recited this document before in the House of Commons. They wanted to open up our wine industry—they got it. They wanted changes in the way we sell and transport wheat—they got it. They wanted to change and open up the Auto Pact—they got it. They wanted to change our drug laws—they got it. They wanted changes in our postal rates—they got it. The list goes on and on.

Why is it that the Americans got every major item they wanted on this 1986 presidential list? Why is that we got nothing worth-while in return?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, for the Right Hon. Leader of the Opposition to say that Canada having protection against the growing force of protectionism in the United States is nothing at all, and for the Right Hon. Leader of the Opposition to say that the very substantial advantages in both access and security of access we have to the massive market of the United States are nothing at all, simply indicates that the Leader of the Opposition is so blinded by his own internal problems that he does not want to see the benefits to Canada.

Some Hon. Members: Hear, hear!

• (1425)

BINDING DISPUTE SETTLEMENT MECHANISM

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the assumption of the right hon. gentleman might be correct if we had got any meaningful exemption from U.S. trade law, which we did not, or if we had got a binding dispute mechanism that would apply a neutral law, which we did not. The exemption from U.S. protectionism does not exist.

Why is that the rules of the game have not been changed at all as they affect American law which applies to Canadian exports? Why is it, for instance, that the Atlantic fishermen get no advantage at all?

Is it not true that in return for selling out to the Americans—I will say this to the Minister of Finance—lock, stock, and barrel, Canada ended up with a dispute mechanism that continues to apply American law and rules, that there is no binding element to that dispute mechanism, that it is not enforceable on the Americans, and is it not about as binding as the Prime Minister's commitment given to the leadership convention of the Conservative Party when he undertook to Canadians and to his own Party that there would never be a free trade arrangement with the United States?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the mechanism that is in place in the agreement is a binding mechanism. I think the Leader of the Opposition knows that.

Mr. Broadbent: Binding in U.S. law.

Mr. Clark (Yellowhead): The question is raised as to whether it should be U.S. law or Canadian law.

Mr. Rodriguez: What do we get to keep, Joe?

Mr. Clark (Yellowhead): The House knows, and people who are seriously interested in the issue and are looking at the documents know that the laws of both countries, Canadian and American law, apply.

Mr. Turner (Vancouver Quadra): So far, so good.

Mr. Clark (Yellowhead): They understand me so far, Mr. Speaker. Let me be venturesome and try the third element.

If the Leader of the Opposition is suggesting that we should have Canadian law apply to circumstances now governed by American law, he must perforce be suggesting that American law would apply to us. That would be a tremendous abandoning of the sovereignty of this country.

Some Hon. Members: Oh, oh!

Mr. Riis: Look who is talking about sovereignty. You are really gutsy to say that.

Mr. Axworthy: No wonder you lost in 1983.

Mr. Clark (Yellowhead): Mr. Speaker, the two Parties in opposition may believe that it is laughable to protect and to assert Canada's sovereignty. We do not believe that that is laughable. We believe that Canadian sovereignty is asserted by acting with confidence in the world. We have done this in the agreement. We have secured protection for Canadian industries and Canadian interests against the protectionist influences in the United States. Any honest reading of the arrangements that have been put in place will make that abundantly clear.

Mr. Turner (Vancouver Quadra): Mr. Speaker, we will have to hold up that labyrinthine answer to the light and see what we can make of it when we have a little spare time.

[*Translation*]

DEMAND THAT GOVERNMENT ANNOUNCE ITS PROGRAMS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, if, as the Prime Minister states, there are no losers in the Canadian free trade agreement, then why did he say last night that massive programs would have to be undertaken to protect Canadians who will lose their jobs as a result of the agreement with the United States? Where are these programs? Can the Minister unveil and describe them right now? And why should our automobile workers, our farm producers, and our textile workers not keep their jobs? Why not leave things as they are now instead of putting many thousands of jobs on the line?

[*English*]

Mr. Gauthier: Is this the pinch-hitter, Mike?

Mr. Rodriguez: Where's Patsy?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, as all Members of the House know, at this moment the Prime Minister and the Minister for International Trade are meeting with the Premiers.

• (1430)

Let me take the opportunity to answer the question of the Leader of the Opposition and say that we do not expect there will be a need for any significant programs of adjustment. We have a number of programs in place right now. The Prime Minister has said that if there is a need for those programs, those programs are in place and those programs will be augmented to the extent that is necessary to deal with the problem. That is very clear.

Let me point also out to the Leader of the Opposition that when the European Community was formed, trade increased within the community by 347 per cent over a 10-year period and at the same time in the United States it increased only about 124 per cent and in the United Kingdom by about 77 per cent. It is clear that as a trade arrangement is agreed on between two countries the economic growth and the trade between those two countries increase substantially, and that is the best type of adjustment that we can expect.

FINANCING OF ADJUSTMENT PROGRAMS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is for the Minister of Finance. In the aftermath of the documents tabled yesterday, reports like the following are coming in: "Trade pact seen costing 20,000 jobs in the auto-parts "industry". "Wine industry 10,000 jobs will be lost."

Some Hon. Members: That is the *Toronto Star*.

Mr. Axworthy: Here is a report from the Quebec Government saying "131,000 jobs at risk in the Province of Quebec." DRIE's own study shows 50,000 jobs at risk in the manufacturing industry of Ontario, yet the Minister of Finance has the nerve to stand up in this House and say that this Government cannot see any jobs at risk. How blind can one Minister and one Government be?

Mr. Speaker: I ask the Hon. Member to put his question.

Mr. Axworthy: Is the Government prepared to live up presumably to another commitment made last night by the Prime Minister of a massive undertaking of necessary money to make sure that there will not be hundreds of thousands of victims in this country due to the ill-begotten, and ill thought out trade agreement which the Government wants to negotiate?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think I said yesterday that the country has a choice to make. We either live in the past with a small Canada as the Hon. Member for Winnipeg—Fort Garry would like us to do, or we look forward to the future and the the opportunities that are there.

The Hon. Member has commented on some people. A non-partisan Ottawa based think tank says that this will usher in higher employment levels, greater productivity, and an improved standard of living for Canadians. The Canadian Federation of Independent Business representing small businesses around the country says—I think the Hon. Member should listen to this because this is the essence of the approach which the Government is taking— "Canadian entrepreneurs feel that they can compete well and effectively in both markets".

What we are trying to do is open up both markets, open up a market of 260 million people to Canadians so they can compete, create jobs here in Canada and encourage the growth that all Canadians want to have.

DISPUTE SETTLEMENT MECHANISM—*WALL STREET JOURNAL* REPORT

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, let me ask a supplementary question. We now know

that there will be many job losses in Canada totalling in the tens of thousands.

I want to recite briefly to the Minister a report that appeared in this morning's *Wall Street Journal*. It said that the Reagan administration, which will brief the Senate finance committee today, argues privately that even if Canada were to win arbitration rulings against future U.S. law, the U.S. could still refuse to change that law. In that event they say Canada's only recourse would be take its own retaliatory action or terminate the trade agreement, action already available to Ottawa under world trade pacts.

Why have we given up our sovereignty? Why are we putting jobs at risk for something we already have under international agreements?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it is simply false for the Opposition to suggest that this country has failed to make a major gain with regard to the dispute settlement mechanism that is in place.

Mr. Axworthy: The U.S. administration.

Mr. Clark (Yellowhead): Of course. The Member is reading the *Wall Street Journal*. That may be a reflection upon the *Wall Street Journal* to be read by the Hon. Member but I suppose in his case any American publication will do.

Mr. Axworthy: At least I can read.

Mr. Clark (Yellowhead): The point that has to be made that is germane here is that our major problem has not been with the nature of American law in trade questions; our major problem has been with the interpretation of American law.

Mr. Axworthy: No binding mechanism there.

Mr. Clark (Yellowhead): The interpretation has been, prior to this agreement, by American tribunals subject to political influence particularly in times when protectionist pressure was mounting. That vulnerability that existed in the past would obviously become more acute given the protectionist pressures and climates in the United States right now. What we have is an agreement by both sides in effect to change the judge, to have an impartial judge, a bi-national judge, with Canadians, to interpret the rules in place.

Mr. Axworthy: You surrender the international one.

Mr. Clark (Yellowhead): To put this into perspective, if a regime like that had been in place in the softwood dispute, there would have been no danger of Canada losing. Indeed, if there had been an arrangement like that, the softwood issue—

Some Hon. Members: Hear, hear!

Mr. Axworthy: You gave it away. You didn't even go to court.

Some Hon. Members: Hear hear!

Mr. Axworthy: A pitiful answer.

Mr. Speaker: The Hon. Member for Oshawa.

ENERGY RESOURCES AND SECURITY OF SUPPLY—ECONOMY OF ALBERTA

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Secretary of State for External Affairs. The Minister just a minute ago called for an honest reading of the agreement. I suggest that an honest reading of the agreement will show for the first time in Canadian history that a Canadian Government has been prepared to give up Canadian sovereignty—the question is serious and I hope it will be taken seriously—over the price of our energy resources and also over the question of security of supply.

An Hon. Member: Nonsense.

Mr. Broadbent: The present Government in Alberta currently sells natural gas to petro-chemical companies in the Province of Alberta at a lower price than it sells to Americans for the sensible reason that it wants to use this tool for diversifying its own economy. Will the Minister confirm under this agreement, which his Government has negotiated, that this tool for development will no longer be available to the Government of Alberta?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, nothing in this treaty which is being mentioned here in the House would prevent the Canadian Government from setting up a surplus monitoring system concerning its future energy requirements. Nothing in this agreement prevents the Canadian Government from doing that.

On the contrary, this agreement does not change anything to others we now have within the OECD international energy system to which Canada belongs, nothing in this agreement or in the other prevents us as a country from operating as we see fit.

[*English*]

EXPORTS OF GAS AND OIL

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I do not know whether the Minister was tuned into Radio Peking or what, but the question I asked had absolutely nothing to do with the answer.

Some Hon. Members: Oh, Oh!

Mr. Broadbent: The Minister knows that what I said is absolutely true. The Government of Alberta and all our resource producing provinces have lost the right to diversify their economies by selling gas to their own citizens at a price lower than to the Americans. That is shameful and the Canadian Government ought never to have done that.

I have another question on the important matter of security of supply and energy to which I would like the right hon. gentleman, the Secretary of State for External Affairs, to reply. When he was Prime Minister the then Conservative Government introduced a Bill in the Parliament of Canada that would have given us the right to curtail exports of gas or oil to the United States in an energy crisis on the grounds that when there is a crisis Canadian needs ought to be met first with Canadian resources. Will the Secretary of State for External Affairs now confirm that the Government wants to enter into the kind of an agreement with the United States which would stop it from ensuring that gas and oil when in crisis supply ought to be left to Canadians? Will he admit that?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I will say as clearly as I can to the leader of the socialist party that there is nothing in this agreement with respect to sharing our resources, even with the United States, nothing in this agreement differs from the agreements signed by the previous Liberal administration pursuant to FIRA guidelines. That is clear and precise!

[*English*]

CURTAILMENT OF EXPORTS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I listened with care.

[*Translation*]

Mr. Speaker, I heard the Minister's answer. I would sincerely suggest to him that he read the document carefully because what I said this afternoon is in the document, and his colleagues are the ones who negotiated this agreement with the Americans.

• (1440)

[*English*]

I want to ask the Secretary of State for External Affairs, who as the senior Minister is responsible for these negotiations, if he is in agreement with what his colleague, the Minister, has just said.

Is the Minister right when he says that Canada still has the right to curtail completely exports of gas and oil to the United States under the terms of the proposed agreement?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Hon. Member should read the agreement. He should also bear in mind that for years one of the major problems we faced in western Canada was to achieve the capacity for economic diversification. We now have as a result of this agreement a great opportunity to achieve diversification in that region. If the Hon. Member wants to debate that on any election platform in western Canada or anywhere else, I would be delighted to take him on.

Some Hon. Members: Oh, oh!

HOUSE OF COMMONS

PRESENCE IN GALLERY OF FORMER SPEAKER FRANCIS

Mr. Speaker: I will exercise a certain prerogative here and do something a little unusual. We have with us to my right a distinguished colleague and long time friend and former Speaker of the House of Commons, the Hon. Lloyd Francis.

Some Hon. Members: Hear, hear!

Mr. Speaker: I want all Hon. Members to know that I have some help.

Some Hon. Members: Oh, oh!

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—OIL EXPORTS

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is directed to the Minister of Energy, following up what the Hon. Member for Oshawa has said. There is a change and the change is for the worse.

Last year in Canada we sold an average of 807,000 barrels a day of oil to the United States. Now there is no limit on what we can sell to the United States. Even if we are short of oil ourselves, we have to sell a portion of that oil to the United States, in exchange for which the Americans only have to sell us 50,000 barrels of Alaska crude oil.

Why, when we are running short of very necessary light and medium crude and do not have enough for our own needs, do we have to give away our precious oil to the United States in exchange for a pittance?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, the tentative agreement with the United States will be a boon to the energy sector, and all those who are responsible for this sector see it that way, be it Premier Getty who has been saying that free trade is very beneficial to Alberta oil and gas producers, be it Premier Robert Bourassa who is saying that, in the energy sector among others, the agreement will benefit both countries, be it the Saskatchewan region where even the producers . . . Mr. Speaker, this agreement favours energy producers and consumers alike, on both sides of the border.

[*English*]

REGULATIONS GOVERNING OIL SHIPMENTS

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, what the Minister of Energy says is not correct because we will not have any light or medium crude, we will only have the more expensive heavy oil, tarsands and offshore oil. Who will pay the extra price to bring this oil to production,

the Americans? In the United States, there is the Jones Act which regulates the shipping from port to port.

Mr. Speaker: The Hon. Member will put his question, please.

Mr. MacLellan: Now, shipping of oil from Alaska to Canada has to be in United States vessels. Why has the Government brought the Jones Act to apply to Canada under this very, very harsh agreement?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, the Hon. Member is repeating the same questions and obviously, he will get the same answers. There is nothing in this Accord—

[*English*]

—that will prevent us from instituting a surplus test if we foresee a potential shortage in Canadian supply. This notion of sharing available supply the Hon. Member mentioned is no different from the agreement already signed by the previous Liberal Government with the IEA countries on this question of sharing oil supply.

ECONOMY OF ALBERTA

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is directed to the Secretary of State for External Affairs who will recall as an Albertan that Peter "Low-heed" fought for many years to establish—

Some Hon. Members: Its Lougheed!

Mr. Riis: Peter Lougheed, the Premier.

Some Hon. Members: Nelson "Rice".

Mr. Speaker: I just want to remind Hon. Members that the matter which is being discussed is of course a very important one but the time that is taken by the Chair to restore order will be lost at the end of Question Period. Hon. Members would keep that in mind.

Mr. Riis: Mr. Speaker, my question is directed to the Secretary of State for External Affairs, an Albertan who would be well aware that the previous Premier of Alberta, Premier "Low-heed", worked for many, many years to establish a two-price system on petrochemical feed stocks and he was successful. That resulting secondary industry led to a diversification of the economy of Alberta and other western provinces. This particular accord that has been signed does away with that.

I want the Secretary of State to have the courage to say yes, the Government has signed away the ability of the provincial Government to have a two-price system to diversify the economy, a multi-billion-dollar initiative as opposed to the wimpy Western Development Fund.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, "Low-heed" is the way they say it in the Canadian Labour Congress.

Some Hon. Members: Hear, hear!

An Hon. Member: That's the way they say it in British Columbia.

Mr. Clark (Yellowhead): I am told that is the way they say it in British Columbia. The question was asked of me as an Albertan by a former Albertan. In Alberta we call him Lougheed, and in Alberta, when we are interested in the views of the former Premier of the province, we ask those views. The former Premier of the Province of Alberta has expressed his views on this trade arrangement. He, like the rest of us who have the interests of western Canada and this country at heart, knows that this trade agreement provides an opportunity we have never before had in that region to achieve the kind of economic diversification that will allow western Canada to be equal with the rest of the country.

• (1450)

Mr. Riis: The record will show that the former Prime Minister refused to respond to that question about Alberta.

CRUDE OIL EXPORTS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, when the Minister was Prime Minister of Canada, Bill C-42 was introduced by the then Minister of Energy, Mines and Resources who said: "I have taken steps to reduce general exports in terms of crude to the United States to supply our domestic needs, particularly in times of crisis."

Will the former Prime Minister, now Secretary of State for External Affairs, now admit that this particular agreement does away with that? In a sense it gives up the control of pricing and security of supply. In other words, he sold out once again. Not even that, because when you sell out you get something in return, he gave it away.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the question asked by the House Leader for the "Old Democratic Party" was answered by my colleague, the Minister of Energy, Mines and Resources. However, I find it quite interesting that yesterday the Leader of the NDP wanted us to believe that Canada had not evolved since 1867. Now the NDP spokesman is suggesting we are in the conditions of 1979. They are a backward-looking Party in a forward-looking country.

What is at issue here is that this Government recognizes that, just as Team Canada can compete in the world and win, so can this country compete in the world and win.

Some Hon. Members: Hear, hear!

Some Hon. Members: More!

Mr. Jelinek: Ask a supplementary, Riis.

[*Translation*]

REQUEST FOR DETAILS ON NUMBER OF JOB LOSSES RESULTING FROM CANADA-UNITED STATES FREE TRADE AGREEMENT

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is directed to the Deputy Prime Minister. In an internal report, the Department of Regional Industrial Expansion indicated that 228,000 jobs in seventeen industries would be lost as a result of free trade. Informetrica, a private company, predicted the loss of 300,000 jobs, and the Canadian Labour Congress predicted that one million jobs would be lost. Last night, the Prime Minister himself acknowledged the loss of jobs would be tremendous when he admitted to the existence of a major retraining program for these workers. In the circumstances, is the Government now prepared to give us its official forecast of the number of jobs lost and the sectors concerned, and does it intend to publish its studies and forecasts regarding loss of jobs as a result of free trade?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, obviously that work has not been completed at this stage because the precise elements of the agreement were known only very late on Saturday night. However, I would draw the Hon. Member's attention to the fact that many of these reports have indicated that there will be a substantial over-all increase in jobs created in Canada. That is on top of the 900,000 jobs created since September, 1984.

We are in a growing economy. I draw to his attention what has happened with the Australia and New Zealand trade arrangement, as well as the arrangements in Europe. In a growing economy adjustment comes easier. We have seen over the past number of years that a considerable amount of adjustment has been necessary because four to five million people do change jobs, moving from one company to another, each year. We have a lot of adjustment going on and we have the programs in place to meet these needs.

Mr. Allmand: This Government is very good at announcing new job creation.

Some Hon. Members: Hear, hear!

Mr. Allmand: It can do the same with the loss of jobs.

POSSIBLE JOB LOSSES—REQUEST FOR PUBLICATION OF STUDIES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, if the Prime Minister was ready to announce a massive program of retraining for workers who will lose their jobs as a result of free trade, he must have had some forecasts or background studies and I am asking the Government to make them public so we can prepare for these job losses. What is the Government trying to hide?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, we are not trying to hide anything. The Prime Minister said if there is a need to augment the—

Mr. Allmand: He said a massive program!

Mr. McKnight: Easy, Warren.

Mr. Speaker: The Chair has indicated that if we are to get on with the business of Question Period, there will have to be a little bit more constraint. I have given an indication to the Government side and I make that indication quite clear to the Opposition side. I will move on if there are going to be interruptions. We are already late in the day and there are a number of Members who still want to ask questions.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, what I was saying before I was interrupted was that we do have massive programs in place right now, involving at least $3 billion, to deal with the needs of adjustment in the economy.

I point out to the Hon. Member that over the last number of years two and a half million people were laid off at one time or another. A million people will quit their jobs at some time during the year. Another million will leave their jobs for other reasons such as fixed term contract, casual labour, fired, business closures. Whatever the reason, there are massive programs in place to deal with the considerable amount of adjustment that takes place. As I said earlier, those programs will be augmented if it is appropriate to do so in the context of the trade agreement.

* * *

CANADA MORTGAGE AND HOUSING CORPORATION

SHORTAGE OF AFFORDABLE HOUSING IN TORONTO

Mr. Alan Redway (York East): Mr. Speaker, my question is directed to the Minister responsible for Canada Mortgage and Housing Corporation and concerns the severe shortage of affordable housing in Metropolitan Toronto as indicated by the fact that the vacancy rate there is virtually nil, whereas in other cities such as Calgary it is in excess of 5 per cent.

In view of all that will the Minister immediately direct his officials at CMHC to alter its programs with a view to creating substantially more units of affordable housing in Metropolitan Toronto? Or does he agree with those who say that the only solution to this problem is to live in Calgary and commute to Toronto for work?

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, the housing situation in Toronto is not an easy one. Yesterday I attended the opening of a special project involving people in special purpose housing in the core. Over the last 18 months we have built some 4,800 new units in Toronto. Last year we were involved in the construction or renovation of some 55,000 homes across Canada.

All of the funds in this portfolio are being directed towards those most in need. We are still awaiting the recommendations of the conference which took place in Ottawa one month ago during the International Year of the Homeless about what solutions might be appropriate for Toronto and the rest of Canada.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—AUTO PARTS INDUSTRY

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I would like to direct my question to the Minister of Finance. On June 23, 1987, the Minister for International Trade said clearly that "We do not intend to alter the Auto Pact".

Mr. Shields: Here is Bob White!

Mr. Langdon: Yet the head of the Auto Parts Association has now said that this free trade deal fundamentally weakens and severely injures the Pact.

Some Hon. Members: Wrong!

Mr. Langdon: Why has the Government broken its promise and altered the Auto Pact in ways so clear to industry spokesmen?

• (1500)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I do not want to draw fine points here, but auto parts are not a part of the Auto Pact. Let us address the specific question. The Member said that this will damage that industry. I say it will not damage that industry because there will be an incentive for more parts to be produced in Canada as a result of the arrangements that were agreed on because of the new value-added requirement. That will encourage the non-North American companies which have established in Canada to increase the degree of content in Canada. That will create jobs for people in that industry.

AUTO PACT QUERY

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the Minister shows his ignorance by saying that the Auto Pact does not deal with auto parts.

Some Hon. Members: Oh, oh!

Some Hon. Members: Sit down.

Mr. Speaker: Order. The Hon. Member may or may not be right, but would he put the question please?

Mr. Langdon: Mr. Speaker, Mr. Lonmo, the head of the auto parts industry, predicts the loss of 20,000 jobs in the auto parts industry thanks to this agreement. How does the Minister explain the contradiction between past promises and the sell-out of Canadian jobs in this agreement? Why this gutting of the Auto Pact?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, there is no gutting of the Auto Pact. The safeguards are still in place. The Canadian value-added is still in place. The sales-to-production ratios are still in place.

The Hon. Member talks about contradictions. On May 10, 1965, the Leader of the NDP at that time tabled a motion of non-confidence in the Government for entering into the Auto Pact. We have seen a nice little flip-flop and somersault. The NDP is now totally on the other side of this issue. Surely the Hon. Member should try one more time to get his head around the issue.

* * *

SOVEREIGNTY

NORTHWEST PASSAGE—CANADIAN JURISDICTION

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, can the Secretary of State for External Affairs confirm that negotiations are presently being conducted with the United States with regard to its support for Canadian jurisdiction over the Northwest Passage? How are these negotiations progressing? When will the Canadian Laws Offshore Application Bill, which has been on the Order Paper month after month, be introduced for first reading?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I can confirm that those discussions which began several months ago are continuing. We have not yet reached a resolution.

I do not think it is a breach of my cabinet responsibilities to say that from time to time it is welcome to receive from private Members of the House of Commons a little public help to speed some of my colleagues along with the introduction of important pieces of legislation such as the Canadian Laws Offshore Application Bill. I hope we may have it before the House very soon.

Mr. Speaker: There will be two more questions. The Hon. Member for Windsor West.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—AUTO PACT—AUTO PARTS INDUSTRY

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Minister of Finance. I heard the Minister say,

in responding to the question of the Member for Essex—Windsor, that auto parts are not part of the Auto Pact.

Does the Minister realize that he has made not only an outrageous statement but one that is totally inaccurate? Auto parts which are put into cars assembled in Canada are as much a part of the Auto Pact as are those cars. They have been from the beginning.

Will the Minister admit he has made a terrible error which in part explains why he has made such a bungle of the free trade agreement, particularly the sell-out of the Auto Pact?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Member for Windsor West knows that the safeguards to which he attaches such high value are related to new car assembly. That is precisely what I meant by my previous answer.

MINISTER'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, I take it the Minister is admitting he was wrong in his first answer. The parts going into new car assembly are as much subject to the Auto Pact as are the new cars themselves. If that were not the case, there would be no meaning for the 60 per cent Canadian content requirement, which the Minister has given up for a meaningless 50 per cent North American content which means that not one car part made in Canada has to be put into cars assembled in this country.

Will the Minister admit that? He has made mistakes before. Will he admit that he has made a terrible one today? I repeat that that is why he has bungled and sold out the Auto Pact.

Mr. Axworthy: You don't even know what you are giving away.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I do not admit for a minute that the House Leader of the Liberal Party is correct on that. He is drawing a very fine and delicate point which is not—

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): If he had listened to my answer he would have understood exactly what I meant.

I want to make a fundamental point here. The Member for Windsor West has no confidence in the people he represents.

Mr. Gray (Windsor West): They have no confidence in you.

Mr. Wilson (Etobicoke Centre): He has no confidence in their ability to compete. He has no confidence in their ability to win business from the United States. We on this side of the House do have that confidence. I think that the people he represents have demonstrated that capacity to compete.

Mr. Speaker: There will be a single question from the Hon. Member for Yorkton—Melville.

Point of Order—Mr. Langdon

ENERGY—SECURITY OF SUPPLY

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is for the Secretary of State for External Affairs.

[*Translation*]

I would like to ask the Minister whether he now denies that, according to page 17 of the Free Trade Agreement between Canada and the United States, we have lost control over security of energy supply. Does he deny that, yes or no?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): No, that is entirely untrue!

* * *

[*English*]

PRIVILEGE

LOSS OF JOBS IN HAMILTON EAST—TRADE NEGOTIATIONS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I rise on a question of privilege arising from Question Period. During Question Period we heard the Minister of Finance (Mr. Wilson) say that he could not tell the public whether there would be any job loss as a result of the free trade agreement. I would like to let him know that in Hamilton East today 1,300 jobs at Firestone were lost as a direct result of the free trade negotiation.

Some Hon. Members: Oh, oh!

Ms. Copps: If that is the treatment we are going to get from the Americans, then I want to raise it in this House. I think it is a privilege to speak out for the workers—

Some Hon. Members: Sit down!

Some Hon. Members: Oh, oh!

Mr. Speaker: No one in this Chamber would ever doubt that the Hon. Member speaks vigorously and appropriately on behalf of the people she represents. However, I must advise her that while that may be a very important point, it is not a question of privilege.

* * *

POINT OF ORDER

THE AUTO PACT—AUTO PARTS AND PRODUCTION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I rise on a point of order. In his answer to me during Question Period the Minister of Finance (Mr. Wilson) suggested that the Auto Pact did not deal with auto parts. I want to point out to the House and to you, Mr. Speaker, that auto parts and auto production are both part of the Pact and he should know it.

Mr. Speaker: I am sure Hon. Members would agree that the Hon. Member for Essex—Windsor (Mr. Langdon) is very quick to rise in this House to put forward positions which are important to his own constituents and his own region. However, I again have to say, as I had to say to another Member on another issue just a moment ago, that that is a matter of debate rather than a point of order. I do understand the Hon. Member's concern about the issue.

• (1510)

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendments of Mr. Turner (Vancouver Quadra) (p.9585), Mr. Broadbent (p.9586), Mr. Caccia (p.9644) and Mr. Allmand (p.9644).

Mr. George Henderson (Egmont): Mr. Speaker, it is with a great deal of emotion that I participate in this debate on the constitutional Accord, 1987. The Constitution is the most important document in our country. Our Constitution, the basic framework of our nation, is the business of all Canadians.

I am upset by the process that surrounded the 1987 Accord. The 11 First Ministers met in two marathon sessions and their agreement was presented for this Parliament to pass. Changes would only be made if egregious errors were uncovered.

The joint committee of the House of Commons and Senate held its hearings in the summer, when public interest is low. The committee should have travelled in order to hear Canadians from coast to coast. Instead, it stayed in Ottawa and only those groups that could travel to Ottawa were here to discuss the Constitution and the Meech Lake Accord. In my view, that was an extremely bad decision. The committee should have reached out to hear Canadians and generate more interest.

I, together with others in the House, had the opportunity to participate in the constitutional process in 1982. It was an historic occasion. Our Constitution was brought home from Great Britain and Canadians finally got a Charter of Rights and Freedoms.

I believe that the 1987 Accord is also historic. Quebec's signature on the Canadian Constitution is definitely a significant achievement. However, I do not believe that one should be branded as anti-Quebec just because he or she suggests that the 1987 Accord should be improved.

In a nutshell, the constitutional Accord of 1987 is not a "seamless web" as some have described it. It is not a miracle. In my opinion, it is a bad piece of work that must be fixed.

I believe that improvements must be made to this Accord and that the amendments proposed by the Liberal Party will not unravel the Accord. I do not blame the Premiers for this Accord. In fact, given the feast offered by the Prime Minister (Mr. Mulroney), the Premiers could not turn it down. I am sure they never expected such a bountiful harvest and I suppose that the day after Meech Lake the Premiers must have felt as though they had won a lottery.

In my opinion, the Accord is tantamount to a dark cloud which will hang forever over the federal Government. I believe the Accord puts us on a fast track to becoming "a community of communities" or a "nation of shopping centres". I, and I believe many other Canadians, do not share such a vision for this great country of Canada.

Of course, some wording of the Accord needs clarification. For instance, what does "distinct society" mean? Is it limited only to Quebec? According to my interpretation, there are hundreds of distinct societies in Canada and that all Canadians are distinctive. Therefore, if the term "distinct society" means anything, then it should be spelled out.

Some may say that Quebec is not a distinct society, but Premier Bourassa thinks it is a distinct society and has said so on many occasions. The federal Government has a responsibility to explain what "distinct society" means.

Let me refer to a clipping from *The Summerside Journal Pioneer* which states:

> If the people of Quebec can be accepted as a distinct society, then this should also apply to the aboriginal people of Canada, says a recent news release from the Aboriginal People of P.E.I., The Lennox Island Band.
>
> "As aboriginal people of Canada, we are even more distinct than people whose culture and language comes from Europe," spokesman John Joe Sark said in the release.

This refers not only to French-speaking Quebecers but to Anglophones as well. It refers to us all. Our native people were here long before Europeans arrived in North America.

I also have serious concerns with the clause which obliges the federal and provincial Governments to preserve but not promote the French-speaking fact outside Quebec. My riding has a large Acadian community which is very proud of its language, culture and heritage. How will the word "preserve" be interpreted by future provincial and federal Governments? I believe, as others have said on this side of the House, that the word "promote" should have been applied to all provinces. These people have as much right and are just as distinct as everyone else in the country.

According to the Minister responsible for the Accord, only "egregious" errors would be enough to move the Government to consider amendments. It would be interesting to know who decides what constitutes an egregious error. I know over 13.5 million Canadians who have considered the failure to recognize their equality rights an egregious error. I am speaking about the women of Canada who had struggled with courage and determination in 1981 and 1982 to see equality rights enshrined in the Constitution of this nation. The Meech Lake Accord, specifically the Langevin amendments, places equality rights in a precarious position.

In 1981, after their long battle, Canadian women witnessed two legislative moves unprecedented in our history. One was the strengthening of Section 15 of the Charter of Rights and Freedoms which protects all Canadians from discrimination. Second, at the end of the process, Section 28 was included in the Charter, which explicitly states the equality rights of men and women.

Now in 1987, it appears that Canadian women are back to where they started. There is a possibility that their equality rights are not guaranteed. By excluding women's equality rights from Section 16, the Accord renders the constitutional history of Canadian women virtually invisible. It is a rule of law that what is not included is excluded. This suggests a hierarchy of equality rights. Why are multicultural heritage and aboriginal rights singled out for extra protection when sexual equality rights are not? I believe they all should be singled out.

The 11 First Ministers contend they did not intend to exclude women, that it was a mere oversight. We all know how well good intentions stand up in the courts. I refer to a recent Supreme Court ruling with respect to collective bargaining and the right to strike. In 1982, when asked if the freedom of association clause would allow for collective bargaining and the right to strike, the Minister responsible at that time said yes. Although not put down in words, this was his intent at that time. The Supreme Court of Canada decided that this was not the case, that the freedom of association clause did not mean the right to bargain collectively or the right to strike. The intent of the 11 First Ministers regarding women's equality rights risks sharing the same fate. They are too important to risk that fate. I contend, as have others, that this clause should have a reference to the Supreme Court.

There are pros and cons in respect of this issue. I have heard many constitutional lawyers say that the Meech Lake Accord does not overrule the Charter of Rights. However, an equal number have said the reverse. Why not make a reference to the Supreme Court of Canada so that a clarification can be made before this Accord is etched in stone?

I am sure all Members have received telexes from women's organizations across the country. I have received telexes from a number of women's groups, including the P.E.I. Advisory Council on the Status of Women, the P.E.I. caucus of the National Association of Women and the Law, the University of P.E.I. Women's Study Group and the P.E.I. Women's Education Bridge, as well as many others. All of them demand clear written recognition of women's equality rights in the Meech Lake Accord.

In short, these women are simply asking that they be put back to the point they reached in 1982. Those who strongly believe that this Accord does not overrule women's equality rights should not be afraid of making a reference to the Supreme Court in order to get a specific ruling before it is etched in stone. This Constitution is the very heart of our country.

According to the 1982 Constitution, the establishment of new provinces required the consent of seven out of ten provinces, comprising at least 50 per cent of the population. This made the goal of provincehood very difficult even in 1982. Now with this Accord, every province has a veto. I certainly feel badly for the people of the Northwest Territories and the Yukon, the people in our northern communities who might want to join our country as provinces. The veto will make it extremely difficult for this to ever happen.

• (1520)

I know that back in 1873, when my province became the seventh to join Confederation, had that provision been in the BNA Act of 1867 my constituents could very well be American today, and maybe the Hon. Member for Hillsborough (Mr. McMillan) and I would be representing them in Congress. I do not think Prince Edward Islanders would have wanted that.

I can even come closer in time by dealing with the Province of Newfoundland and Labrador. In 1949, there was a tremendous amount of debate at that time among the people of Newfoundland and Labrador with respect to whether they wanted to be part of the Canadian fabric, the Canadian Confederation. There was a very close vote on the matter. I wonder what would have happened then if the situation were what it is today. There were those who supported Newfoundland joining Canada. At that time Premier Smallwood supported the idea very viciously, very adamantly in the famous debates of Newfoundland. What would have happened if he knew at the end of the day that nine other provinces would have had to agree to such a proposal, and probably for some reason or by some quirk of fate, Newfoundland would not have been accepted? I think they, too, probably would have been part of another country.

Under section 2 of this Accord "appointments to the Senate shall be chosen from among persons whose names have been submitted by the Government of the province to which vacancies relate". Under the British North America Act of 1867, our first made-in-Canada constitutional document, the Fathers of Confederation saw the Senate as a forum of regional representation at the federal level. It is important that vacancies should be filled as soon as possible. This new arrangement could become an imposing obstacle.

Let me explain by giving a current example. With the recent retirement of Senator Fred Rowe, Newfoundland now has a vacancy. However, according to the Premier of Newfoundland, the Prime Minister (Mr. Mulroney) refuses to return his telephone calls. So much for national reconciliation. Should this confrontation over the fisheries agreement with France continue for a lengthy period it is unlikely that both levels of Government could agree on a new appointee. Under this impasse Newfoundland could be without its proper representation in the Senate. I believe those who think that Senate reform is going to be easy from here on in, and those who advocate the Triple E Senate, are whistling in the dark. They are whistling *Dixie* to even think that Senate reform is now possible.

I do not believe any of the things that I have dicussed have anything directly to do with Quebec signing the Constitution. I cannot see them as being great problems for the Province of Quebec. We want Quebec in our Constitution. I think the amendments that the Liberal Party put forth in the House of

Commons would accommodate that. It would be easy for the Prime Minister and the 10 Premiers to sit down and say, "This is not quite right, let us do it right now, because if not we are liable to be in a strait-jacket".

For the first time in the history of this country, it is written that there shall be at least one First Ministers' conference each year. No one worries too much about having these conferences. We have had them annually for the last number of years, and sometimes three and four times a year. What I do take exception to is the agenda of future conferences which will include Senate reform, fisheries and "such other matters as are agreed upon". I fear that under such an open-ended arrangement the Canadian Parliament will become more and more irrelevant. We know the attention and the high expectations that surrounds these conferences, those photo opportunities. They will be a regular feature, and practically any issue can be brought to the table. It is quite conceivable that the House of Commons will no longer be able to act on issues of national importance. In an era of consensual politics, these issues may be reserved for First Ministers' conferences.

I have already briefly dicussed the matter of Senate reform. It will be a number one topic on the agenda at every First Ministers' conference. But, as I already said, I expect that those discussions will be rather short.

I also wonder what happened to our aboriginal people when the First Ministers were drawing up their agenda. As I mentioned earlier, the first inhabitants of the land known as Canada again got the short end of the stick. They should have been at the head of the list. Our party has proposed an amendment. My colleague from Cochrane—Superior talked very passionately on that subject. He feels very strongly about that one issue, and I support him on it. It will put the interests of our aboriginal people where they belong on the list.

The second item on the constitutional agenda, includes roles and responsibilities in relation to fisheries". This is one topic that I have special interest in since I am the fisheries critic of the Liberal Party. This has caused much anxiety in the Atlantic fishing industry. Several groups appeared before the joint committee to state their case.

According to the Seafood Producers' Association of Nova Scotia:

> There is already more than enough uncertainty in the fishing industry without adding a major political element that would recur annually, as proposed in this Accord.

I agree with that.

The New Brunswick Fish Packers' Association put it this way:

> The very threat posed by the requirement to debate fisheries jurisdiction each and every year would create further economic uncertainty for this resource-based industry which already must contend with the uncertainties of large fluctuations in fish stocks caused by biological and environmental factors.

What was the response of Senator Lowell Murray to these legitimate concerns when he appeared before the committee? He said and I quote:

> First of all, fisheries jurisdiction is not on the agenda of the future constitutional rounds. I think it is important to note that 11 First Ministers deliberately did not put fisheries jurisdiction on the agenda. What they put on the agenda was the subject of fisheries roles and responsibilities which is a much, much larger and wider subject.

Well, Mr. Speaker, what an exercise in hair-splitting. We do not have to refer to Webster's dictionary to find that the words "jurisdictions" and "roles and responsibilities" are practically the same. Therefore, I was somewhat amused to read the final report of the joint committee, and I quote from a passage on fisheries. It states:

> However, simply to place an issue on the agenda is not tantamount to having it actually discussed nor does it presuppose reaching any agreement. The agenda item is not "jurisdiction over fisheries" but rather "roles and responsibilities with regard to fisheries" which is a much larger and wider subject.

Senator Lowell Murray could not have said it any better. I could even accuse the committee of a little bit of plagiarism. Obviously the members of the committee should have travelled to Atlantic Canada before they made those statements. No doubt, of course, Premier Peckford naturally wanted shared jurisdiction. I suppose when we look at a province with high unemployment, we can see how it is very tempting to take over the jurisdiction or try to get the jurisdiction of fisheries, especially when we are fishing alongside the French, and in light of the way that this Government has been dealing with France's overfishing in 3PS and some of the foreign overfishing elsewhere.

We should look at fisheries a little more carefully. We all know that these fish do not fly provincial flags. We know that they swim from province to province. I am not as concerned right now with the present Premiers in place. But we have to look at a Constitution which is there probably for eternity, with very few changes that can be made, if any, under this new amending formula. But this is one issue that seven out of ten provinces can decide; whether jurisdiction would flow at some point in time to the provinces and whether it would remain in the hands of the federal Government. It is seven out of ten. Why not the unanimity clause there so that if any province is being hurt, is not satisfied and does not come to an agreement, it could back out and it could scuttle the agreement? It is ten out of ten to accept new provinces, but only seven out of ten when it comes to the basic resource we have in Atlantic Canada—the fishery, the lifeblood of our people.

One can develop all kinds of scenarios as to how an agreement could take place. I am a former provincial Minister. I know how bargaining takes place at First Ministers' conferences, how the trade-offs are made, and how one gains support from one province, by supporting one's cause in another. It is very, very important. I do not want to underestimate, and I hope that no one underestimates how dangerous that one clause is for the future to our fishery. As fisheries critic, I cannot support the Meech Lake Accord for that reason.

• (1530)

Former Prime Minister Trudeau repeatedly stated, "Fish swim and thus do not respect provincial boundaries". At that time, the federal Government kept its powers. I live in Prince Edward Island, the smallest province in Canada. To a large extent, we depend on our inshore fishery. We fish next to New Brunswick, Nova Scotia, Newfoundland, and Quebec. Who is going to be at the sluice when these fish come into Sydney Bight and say to a P.E.I. fish, "You swim that way, fishy", and say to the other little fishy, "You go to New Brunswick, you swim that way", and say to the still other little fishy, "You go to Nova Scotia", and then say to the other little fishy, "You go to Quebec"? That is how ludicrous this debate and the Meech Lake Accord are on this subject and on others.

We have made a number of recommendations and amendments. If these are supported by the House and accepted by the Government, I will support the Meech Lake Accord, and I will vote for those amendments. If those amendments are turned down, I cannot support the Meech Lake Accord.

Mrs. Finestone: First, I wish to compliment my colleague on a very carefully thought-through analysis of an Accord that obviously has more than one structural problem. I noted the concern of my colleague with respect to the fishing industry. Does he agree that the premise that is presented in the House is that first Quebec signs on, because if that is not done then we are anti-Quebec, or that Quebec is signed on and only then we will worry about the other problems. Does my colleague have a comment in that regard?

Mr. Henderson: I wish to thank my colleague from Mount Royal for that question.

When we are discussing the Meech Lake Accord and whether or not things should have happened before Quebec signed on or after it signed on, I feel that they could have happened in harmony. The fishery was obviously put on the agenda to appease Premier Peckford because he had a long dispute with Ottawa regarding the Canada-France agreement. He wanted some way to get back in the good graces of the Prime Minister (Mr. Mulroney).

I cannot see that as having an effect in the Province of Quebec. I would think that the Province of Quebec would be equally interested in having the over-all jurisdiction of the fisheries left in the hands of the federal Government rather than attempt to compete with its counterparts in the Atlantic Provinces of Newfoundland, New Brunswick, Nova Scotia, and Prince Edward Island. Fish could be all caught up before they reach Quebec, if the jurisdiction were handed *carte blanche*—which I hope it would never be—to the provinces to divide up among themselves. In my opinion, they could never reach an agreement on how that division would take place. Even if an agreement were reached, it could be something like the agreement reached with the European Economic Community outside Canada's 200 mile zone. As was discussed two weeks ago in Banff, the EEC was having great problems in attempting to control some of its member nations with the quotas that were allocated under the Northwest Atlantic Fishery Organization NAFO.

I cannot believe that the Province of Quebec, or any other province, has to have a veto over whether the Yukon and the Northwest Territories could become future provinces. I do not know about the Senate, perhaps that is a little tricky. I also do not know about the equality rights, and no one else knows. Half of the people on the one side will say yes, Meech Lake does not overrule the Charter of Rights and Freedoms of 1982. Equally, I hear the same number saying the other thing.

I am glad the Minister of Justice (Mr. Hnatyshyn) is here. All I am saying is that the Prime Minister and the Premiers should have that matter referred to the Supreme Court of Canada and have that ruling landed down once and for all. I know that my colleague, the Hon.Member for Hillsborough (Mr. McMillan), wishes to ask a question, so I will sit down.

Mr. McMillan: I have two questions. In the early part of this decade, when the Hon. Member was on the government side, the then Prime Minister Pierre Trudeau, proposed a variation of the Victoria formula for amending the Constitution whereby there would have been three classes of provinces. In the first class, Quebec and Ontario would have been given a veto; in the second class, each of the other provinces would have to combine with other provinces constituting some proportion of the total population to be part of any approval process; and in the third class was Prince Edward Island because only it could not join with any combination of provinces to have an implact for or against a proposed constitutional amendment.

I do not recall that the Hon. Member for Egmont (Mr. Henderson) stood up and expressed himself as eloquently as he did today to take issue with the Government of the day, and to refuse to support something constitutional because it flew in the face of the interests of the people whom he was elected to represent. Why the double standard? That is my first question.

My second question is as follows. Am I to understand, and is the House to understand from the Hon. Member's comments today, that if the House does not acquiesce in the amendments that the Official Opposition is proposing to the Meech Lake Accord, he will not support the Meech Lake Accord and his Party on the floor of the House of Commons when that vote comes?

Mr. Henderson: That is exactly what I said. If these amendments that are put forward by my Party are not accepted, I will not support the Meech Lake Accord. I think too much of my fishermen, and I had hoped that the Hon. Member from Hillsborough would have stuck up a little bit for them too.

On the first question of the Hon. Member in regard to Prince Edward Island, to be honest, I did not agree with that. I have always agreed with the proposal for seven out of ten. When it comes to new territories becoming a province, or

getting provincial status, I had real reservations on the seven out of ten proposal in 1982 when I was on the special joint committee. If we are going to discuss new provincehood, for example, for the Northwest Territories and the Yukon, my personal view is that it should be a bilateral agreement between the federal Government and the party that wants to become a new province. That is the only fair way, and that is the way in which most other provinces joined Confederation. I feel that should be carried over in the future.

Mr. Hnatyshyn: I have great respect for the Hon. Member, his sincerity, and his point of view. I was interested in his response to my colleague, the Minister of the Environment (Mr. McMillan), because as the Hon. Member will know, his Leader has stated the position on behalf of the Official Opposition and the Liberal Party of Canada.

In the sense of a constructive suggestion, I am going to attempt to make a proposition to the Hon. Member. It is one thing for the Hon. Member to castigate the government side with respect to the position it has taken. I do not agree with the Hon. Member. But I say, in the interests of his own Party unity, that what he is saying is that his own Leader does not understand the issues because, regardless of whether the amendments are not supported or are accepted by the House, the Right Hon. Leader of the Opposition (Mr. Turner) on behalf of the Party which the Hon. Member represents will support the Accord.

Is the Hon. Member stating that his Leader is mistaken and does not have an adequate appreciation of the fishermen whom the Hon. Member represents? Is the Hon. Member saying that the Leader of the Opposition is incorrect and mistaken on the position that he has taken?

Mr. Henderson: I have always called a spade a spade. What I am saying on the fishery and some of those issues is that the Prime Minister (Mr. Mulroney) is mistaken, the Leader of the New Democratic Party is mistaken, and the Leader of our Party is mistaken.

I can tell the Hon. Member for Annapolis Valley-Hants (Mr. Nowlan) that I do not agree with either of those Leaders on this one issue. That is not to say that I do not support my Leader in every other way possible. He is a good Leader, and he will be the next Prime Minister of Canada, and I hope to be there with him. I can tell you, Mr. Speaker, and all Members of the House that I have a conscience. I do not believe that it is a good agreement. I am asking everybody in this House to take another look at it. Let us make it right and as perfect as we can so that Quebec can join and we will all be happy. We do not want to be selling our fish or bartering this and that. That is exactly what we will be doing in the future. We may not realize it today or in two years' time. I guarantee that time will tell. Years down the road we will be sorry for that one mistake.

• (1540)

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate. The Hon. Minister of State for Immigration (Mr. Weiner).

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, it is with enormous pride and no small emotion that I take part in this historic debate, pride as a Canadian, pride as a Quebecer and pride as an Anglophone within Quebec, and pride as a Member of the federal Government of Canada which has had the courage, the vision and the will to make this great act of national reconciliation possible. There can be no question that the Meech Lake Accord will take its place henceforth side by side with the most important documents in our laws and Constitution. But it is more than the negotiation of principles, more than a legal agreement between Governments. It is a matter, above all, of the heart and from the heart. Like a heart it beats with the essential truths of what this great country is, strong and undeniable, irresistible in what it says and what it promises. We are a nation. We are united. Canada is one.

In coming generations Canadians will look back and realize, as some unfortunately today do not, just what an active statesmanship the First Ministers have accomplished. In particular, they will see the singular efforts of our Prime Minister and the Premier of Quebec. What they have contributed transcends mere responsibility. Theirs has been an active moral, social and political leadership of the highest order. One day Canadians will know it and recognize that this Accord could not have been reached with faint heart or equivocation. They will see that it took a complete conviction and a profound belief, belief in a shared future which is now possible; belief in a basic trust and goodwill between the peoples of this country with which the enmities and the bitterness of the past can once and for all be put behind us; belief in the decency and integrity of those who have led us to this new beginning. I share without reservations those beliefs, and as one Canadian I accept with confidence and with gratitude this precious gift.

I am a Canadian, and I am from Quebec. Yes, I am also a member of the English-speaking minority in Quebec. To some that might connote a difference, another point of view or experience from the majority. Perhaps. In mother language, obviously. But I am no less proud in my heritage of La Belle Province. I was born there. I was raised there. It is the home of my children. It is my home. I share in the understanding that Quebec is, indeed, a distinct society. We of the English-speaking minority are part of what gives it that distinction. But for our presence Quebec would not be distinct. It would be homogeneous and perhaps a separate entity.

In our long presence and relationship within Quebec we, the English-speaking minority, have contributed to the character of our French-speaking brothers and sisters as they have to ours. We are all Quebecers and we share in our distinction. So it is that I understand here in my heart the terrible emotions so

passionately expressed before the joint committee by Solange Chaput-Rolland when she spoke of her feelings in the aftermath of the 1980 referendum.

> We voted for Canada. Canada through its central government totally absorbed in its will to patriate the British North America Act of 1867, cared very little about those who had openly stated their will to remain linked to this country. Promises and dreams were shattered.

As Madam Chaput-Rolland has said, it was a deeply troubled time for all Quebecers, a time of battle and of conflict. Afterwards when the battle had been won, when all that was asked was the warmth of reconciliation, the embrace and welcome of partnership, there was nothing; a void; irresolution; if not indifference. Quebec remained in a very real way outside and alone.

[*Translation*]

The Meech Lake Accord gives us to chance to change all that. It gives us a new start as a family and as a nation. A beginning, not an end. All of us in this House and Canadians across this country know that the Accord is not a perfect one. The provision in the Accord for an annual First Ministers meeting means that the Accord is a first step towards a United Canada.

The fact that the Accord has raised a certain amount of protest, the fact that Opposition Members do not support it and that some people are concerned about its implementation, all this does not mean that the Accord as such is bad, unfair and useless. It is quite normal to be wary when one walks where one has never walked before. The path may not be a familiar one but if we do not move ahead, we regress.

[*English*]

Fortunately we have a comprehensive and thorough navigational aid to help us. I refer, of course, to the report of the joint committee. This committee, under the co-chairmanship of the Hon. Member for Cambridge (Mr. Speyer) and the Hon. Senator Arthur Tremblay, has performed for the Parliament of Canada an invaluable service. The testimony they have amassed, drawn as it is from many of our country's wisest and most learned constitutional experts, jurists and senior statesmen, points broadly and, in my opinion, conclusively that most of the fears expressed about Meech Lake are either unfounded or unjustified.

I wish to address myself to some of those issues, in particular, to those concerns expressed by the English-speaking minority of Quebec, to which, I have said I myself belong. I know that this community does have considerable anxiety over the implications of Meech Lake. I know also that in some instances those concerns have been quite expertly—and wholly irresponsibly—fanned to the extent that they have become embers, if not flames, of alarm. The fact that those political opportunists who seek benefit by playing upon such fear will ultimately fail is of little comfort. In the short term their damage is done. Or it would be done, were the English-speaking community of Quebec less aware than it actually is of what really is at stake here. But it is aware and it will not be sold a false bill of goods. The community knows exactly what rides on this agreement. The community knows that this may very well be our only and last chance to effect national reconciliation. And, as Quebecers and Canadians, they are not going to throw that chance away. The precise text of the Accord states:

> The Constitution of Canada shall be interpreted in a manner consistent with the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada.

Three paragraphs later the text continues:

> Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or Governments of the provinces, including any powers, rights or privileges relating to language.

As the joint committee has pointed out, the language and educational rights of English-speaking Quebecers are already entrenched in clear and explicit terms both in the 1867 Constitution Act and in the Charter of Rights. The courts of Canada have ruled extensively on this issue, and a majority of constitutional experts agree that there is nothing in the recognition of Quebec as a distinct society which will in any way diminish or dilute the constitutional guarantees already in place. In fact, the Minister of State for Federal-Provincial Relations says quite the contrary. He said:

• (1550)

> It would be difficult to see how this declaration, this interpretive clause, does anything but enhance—the status of those minorities.

The English-speaking minority of Quebec numbers over 800,000 people, or 20 per cent of Quebec's total. As others have pointed out, it has a population larger than that of Newfoundland, New Brunswick, Prince Edward Island, or Saskatchewan.

It is inconceivable that the minority rights of these Quebecers who have contributed so greatly to their province and their country would ever be jeopardized by this or any other constitutional agreement. The very fact, through Meech Lake, that Quebec has at last found its rightful place in Confederation means that there is no reason, no desire, or no logic for the majority even to try to erode those rights. However, if they did, if tomorrow morning against all odds those rights were ever placed in doubt, and if the indignation of English-speaking Canada did not overflow, if the courts did not at once strike down the motion, if every institution and constitutional safeguard either stood by idly or broke down, I know that one individual would not. The Prime Minister, our Prime Minister, would not. He will defend with every ounce of his being the rights of English-speaking Quebecers, just as he did the rights of the minority in Manitoba or just as he will the rights of the minority anywhere in the country, and so will the Government. However, there is no need for that ever to happen.

The Government of Quebec will not discriminate or act prejudicially toward its English-speaking minority, not now,

not when, after these last seven years of roller-coaster passions and emotions, she has so happily and joyously re-entered the family of Canada.

There comes a time in the life of all countries, and for Canada that time is now, when we must stop everything else and accept simply but profoundly to trust one another. That is the maturity of nationhood and the measure of citizenship. We cannot speak of Canada as a country in which to be proud unless we can also speak of it as a country of fundamental fairness, respect, and justice, and we cannot have those without trust.

Quebec has shown trust toward Canada. Quebec has accepted the basic decency and the sense of egality of the Canadian majority. The minority within Quebec can and must do no less.

What I have tried to say to and on behalf of my brothers and sisters of both the minority and the majority in Quebec, I also say to those who have somehow sensed a diminution through Meech Lake of Canada's commitment to being a multicultural nation. This is not so. As a member of a community which has for generations kept its faith and traditions alive in places where there were no rights, when the exact opposite occurred, systematic suppression, I know that no law or mere interpretation of law can ever destroy or diminish that culture. The experience of the Jewish people is not unique. If not outright prejudice and oppression, most minority ethnic cultures have at one time or another felt the persuasive force of the majority to conform to that majority. Yes, at times in our history that has happened in Canada as well. We have only to look around us to see the hopeless failures of such pressure.

[*Translation*]

And today, all of us, whatever our ethnic group, our religion, our colour, whether we are part of the minority or the majority, realize the unique vigor which multiculturalism imparts to Canada. We can feel it. We neither hide nor deny our differences, we celebrate them. We rejoyce in them. Our understanding and compassion are improved because of them.

The true guarantee of multiculturalism is the importance we give it. Since it is so important, the Premiers accepted to include multiculturalism in Section 16 of the Accord. While the Premiers could now go even further, there is no doubt as to the intent of this provision.

Linguistic duality and recognition of the distinct character of Quebec will not compromise our multicultural heritage. No other right or privilege of Canadians will be compromised.

Mr. Speaker, the adversaries of the Accord, and these include a few famous Canadians, have tried to oppose adoption of this Accord for various reasons. They have tried to find in its contents implicit threats against our institutions and ideals, even though these will become stronger rather than weaker thanks to a united Canada.

[*English*]

Is it weakening Canada to give the provinces an interim role in the appointment of the Upper Chamber of this Parliament? I could only think that it will improve the calibre of that august membership. Is it a threat to national authority to confirm the principle of opting out? That principle has been present, if largely unused, in federal-provincial relations since 1965. Is it a surrender on the part of the federal Government to confirm in the Constitution the right of provinces to participate in the formation of immigration policy? In essence, this does no more than confirm the relationship which has existed for most of the past decade under the Cullen-Couture agreement.

There is no loss. There is no surrender. Perhaps there is some measure of devolution of central power. Is this inherently bad? We know only too well the obsession of the previous Government and its leaders with their authority and what it did to our country both economically and socially. As one witness characterized such centralization, "anemia in the extremities and apoplexy at the centre".

Some three years after the election of this Government, Canada is once again a thriving and optimistic nation. Now Meech Lake has brought about an act of reconciliation many of us had begun to doubt would ever be possible. We are restored. We are rejuvenated. We are complete. That is why the Accord is so incredibly important and why we must willingly embrace it. We may never have another chance.

Professor John Whyte, before the joint committee, put it precisely when he said:

> Those who continue to oppose the 1987 Accord after it has been accepted and approved by Quebec, must realize that they argue not simply against the adoption of certain terms for reconciliation, they argue to undo the historical act of reconciliation.

Madame Chaput-Rolland, speaking as always from the heart, left no doubt in any who heard her when she said:

> Surely you know that if Meech Lake is to fail for whatever reason, there can be no more negotiations, no more justifications. If Quebec is once again to realize that it is more difficult to opt in Canada than to stay out of Canada, then surely, you know that the roads of tomorrow can only lead to another form of independence, but this time not chosen by any political Party in Quebec, maybe chosen and imposed on Quebec outside Quebec.

For once I take no satisfaction from the discord within the Official Opposition. It serves none of us. It benefits none of us.

As Members of the House at this extraordinary time, our task is not to dwell upon what has not been accomplished but to accept all that has, against such odds, been quite remarkably achieved, and to go on from this moment, for it is not an end to the journey; it is our point of departure. It is why we in this Chamber, irrespective of Party or ideology and notwithstanding our differences in other matters, should seek in this regard to stand together united and to seize the opportunity to build upon the Accord a stronger Canada, a better Canada. Thanks to Meech Lake, the people of Canada—British Columbians, Albertans, New Brunswickers, Nova Scotians, and Quebecers, whatever language they speak—will once more

stand united together. Thanks to the Accord, they and their children can look in expectation and hope toward a new and more promising future for themselves and for their country, secure in the knowledge that Canada will not only survive but will flourish. We, their deputies, should do no less.

Some Hon. Members: Hear, hear!

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I am happy to join in this debate. Shortly after I was first elected as a Member of Parliament in 1962, we had a tremendous extension of the rights of French-speaking people in Quebec to the use of their language and to the protection of their culture through a whole series of studies, a number of important pieces of legislation being enacted, and the bringing back of the Constitution. This helped make clear the role of the Province of Quebec. In all those debates and discussions, members of the New Democratic Party supported the expansion and the extension of the rights of the people of Quebec because we recognized, beginning at our founding convention in 1961, that the accommodation of Quebec in a federal Canadian state was a necessity if Canada was to continue to grow and to develop.

• (1600)

At our founding convention in 1961, we recognized the linguistic duality of Canada. Indeed, our resolution passed in 1961 foreshadowed the Official Languages Act which was finally passed in 1969.

I would like Hon. Members to remember that in those years when we gave this support to the Province of Quebec and particularly to the French-speaking people of Quebec, we did it because we knew that it was necessary. We did it because we knew that it was right. There were no political gains for us in taking that position. In those days, and indeed until very recently, we had very little support in the Province of Quebec or in Francophone communities outside Quebec.

While we were taking that position, we were subjected to a great deal of criticism and opposition from English-speaking Canada and indeed from many people who supported us for our views on social and economic matters. What we did was not done for political gain then, and what we are doing now, I submit, is not being done for political gain now.

I remember in the debates during the 1960s the attacks and criticisms which our Party faced from all across the country and to which I had to respond. I represent one of the most ethnic constituencies in Canada. In my constituency, there are people from every ethnic group residing in Canada, although there are very few Francophones. They were worried, and some are still worried, about what we have done in our desire to accommodate and make more comfortable and supportive of Canada the people of Quebec.

When the Liberal Government under Mr. Pearson established the Bilingualism and Biculturalism Commission, we supported it. When that commission brought down its report and made recommendations, we supported those recommendations. Indeed, the minority report submitted by Dr. Rudnyckyj, a Ukrainian member of the commission, urged support for the language and culture of the one third of the Canadian people who are neither Anglophones nor Francophones. The first Member of Parliament to support the suggestions made by Dr. Rudnyckyj was my friend, a former colleague in the House, Mr. Edward Schreyer. That is our record.

In 1981, when the then Prime Minister proposed that we bring the Constitution back to Canada, we supported him. We did more than support him, we joined with all the groups, the native groups, the women's groups, the ethnic groups, the handicapped groups, and forced the then Government to make major improvements in the Charter of Rights which we now have.

I look on our support for Meech Lake, though I have some reservations about it with which I will try to deal, as a natural outgrowth of everything we have done up until now. I resent—and I will put on the record why—the charge that somehow, by supporting Meech Lake, we are supporting a diminution in the ability of the federal Government to bring forward necessary social and economic programs.

There is no Member of Parliament who would be more opposed to any suggestion that we do anything to diminish the power of the federal Government than I. After all, we have a proud history in Winnipeg. It was the then Member of Parliament for Winnipeg North Centre, Mr. Woodsworth, supported by the then Member of Parliament for Winnipeg North, the constituency I now represent, Mr. Heaps, who forced in 1926 the then Leader of the Liberal Party, Mr. Mackenzie King, into bringing in the first old age security pension legislation. Mr. King had promised it for years but did nothing about it until he needed the support of the Members from Winnipeg to become Prime Minister.

It was New Democratic Members of Parliament, I among them, who, in the minority Parliament of 1972-73, forced the then Liberal Government to bring in legislation which provided for regular adjustments upward to the Old Age Pension and the Canada Pension Plans so that benefits would rise every three months as the cost of living rises. No longer are these improvements to the programs which are so important to millions of Canadians brought in only at the whim of some Government when it thinks it will get some political credit for it. I could not support any proposal which would reduce the ability of the federal Government to deal with social and economic needs.

It has been charged that the Meech Lake agreement as it is now will hinder the federal Government, restrict its power to spend and lead to the end of national cost-shared programs. We do not believe that and many of the witnesses, including many of the constitutional lawyers who appeared before the committee which held hearings on the Meech Lake Accord, did not agree with that. They said in fact that the spending power of the federal Government is now stronger than ever.

Their views were also, incidentally and significantly, the views of the members of the Parti Québécois in the National Assembly of Quebec when that Assembly debated this question.

The federal spending power means that Ottawa has the ability to set up programs in areas that the Constitution says are the exclusive field of provincial Governments. We believe it is a very powerful extension of the federal Government's power. The Accord, we believe, gives this power explicit constitutional status for the first time. It would allow Parliament to create a new child care program, for example, and set out specific national objectives for that program. The provinces would have to take part in and share the costs of such a program or set up their own such program. However, they would only receive federal funds if the provincial program was "compatible with the national objectives set by Parliament."

• (1610)

That view has been attacked by many people. One of the most vociferous opponents of the Meech Lake Accord, using the argument that the federal Government's power will be greatly diminished, is former Prime Minister Trudeau. He asked whether Canada would have the capacity in its national Government to mount new national programs. We say: Just a minute, who is this expert to ask that question? After all, before Mr. Trudeau became Prime Minister Canada had established joint programs which gave universal coverage for hospital care to all Canadians, medical care, and provided a greatly expanded post-secondary education program in our universities, community colleges and technical schools. These came about because federal Governments, Liberal and Conservative, said to the provinces, "If you will join with us in establishing and maintaining these programs, we are prepared to pay 50 per cent of the cost as a minimum. For those have-not provinces like the Atlantic provinces, Manitoba and Saskatchewan, we will pay even more." Some of the provinces came in to these programs kicking and screaming. I remember how the then Premier of Ontario, Mr. Robarts, fought hard not to join the medical insurance plan. However, the provinces came in and the programs were a great success. All Canadians are proud of them.

What happened when this supposed great defender of federal powers, Mr. Trudeau, was the Prime Minister? There came a time when the federal Government was facing deficits and they were growing. The cost of the shared-cost programs I have mentioned were increasing rapidly. Mr. Trudeau's Government then brought forward legislation which changed the way in which these programs were funded. It said to the provinces, "We are going to put a cap on the money we will pay for these programs. We will not increase our contribution each year by an amount more than the increase in the cost of living. It does not matter that the cost of these programs is rising much faster than that, we are going to limit the amount we pay".

His Government also said to the provinces that they no longer had to match federal funds for these programs. "We are going to give you this money for health care, hospital insurance and post-secondary education in a lump sum and you can do with it what you want".

What happened when that proposal was debated in the House? Of course, every Liberal voted for it. If I remember correctly, and I think I do, every Conservative voted for it. The only Members who spoke against it, the only Members who voted against it, the only Members who warned the Government that the provinces might very well decide there was more political mileage in building roads than in funding hospitals, were members of our Party, the New Democrats. Yet our advice was ignored, we were voted down, and what we predicted happened.

We do not need advice from a Prime Minister responsible for the biggest diminution of federal government power in the 25 years I have been here, and perhaps in the last 100 years. What his Government did at that time you cannot blame on Meech Lake. The blame lies squarely, as I have indicated, at the door of the then Liberal Government and the support it got from the then Conservative Opposition.

Yet this same former Prime Minister who is now so concerned about the diminution of federal power and jurisdiction, before he came to Ottawa as a Member of Parliament, before he became the Prime Minister, in his role as a constitutional lawyer, was very clear about what he thought about the division of powersbetween our Governments. He put it very clearly in his book entitled *Federalism and French Canadians*. That book was a collection of essays by Mr. Trudeau and he writes there approvingly that education is a provincial responsibility only and draws the following conclusion:

> Consequently, if there is federal legislation to grant taxation money for provincial purposes, this legislation is illegal for the excellent reason that the federal government cannot by law have money in its coffers which it then claims should be used for provincial purposes.

So much for Mr. Trudeau's supposedly principled opposition to this Accord and the opposition expressed by a number of Liberal Members in this debate.

As a New Democrat I believe that Meech Lake continues the process of accommodating Quebec in a dynamic Canada. This agreement will bring Quebec to sign the new Constitution, and that is for me a very powerful argument in its favour.

We do not give unanimous approval to this agreement. We believe that it has a number of omissions and a number of faults. We certainly believe it was a major error to require the agreement of all 10 provinces and the federal Government in order for either the Yukon or the Northwest Territories to become a province at some time in the future. We believe the rights of the aboriginal people should be spelled out much more clearly than they are, including the right to a form of self-government. We believe the equality rights for women should be much more specifically spelled out.

We have concerns, yet these concerns about our ethnic communities, and others can be addressed in the future when discussions will take place between the federal Government, the provinces and many of the groups who believe their rights have not been dealt with in the Meech Lake Accord. However, despite those omissions, despite these feelings, we believe on the whole that the Meech Lake Agreement follows logically on the process which began in the early 1960s, and we intend to support it.

• (1620)

Mr. Caldwell: Mr. Speaker, I appreciated the comments of the Hon. Member for Winnipeg North (Mr. Orlikow). He has served a long term in the House of Commons and recalls personally some of the historical things that have happened here.

I was somewhat concerned when he was referring to Prime Ministers. I lost track from time to time of which Prime Minister he was referring to. Some of the comments he made were not very complimentary, but I do not think those were meant for the present Prime Minister (Mr. Mulroney).

The Member did not say how he feels about the consultation process with the provinces with regard to the appointment of Senators and Supreme Court judges. Does he believe that this is a downgrading or weakening of the central Government? Does he not think that the provinces should have the right to recommend people who should be appointed to the Senate or as Supreme Court judges?

Mr. Orlikow: Mr. Speaker, I have been puzzled about the criticisms made of the idea contained in the Meech Lake Accord that the provinces should have some say on the appointment of Senators and Supreme Court judges. I make it very clear that I am not a lawyer, but I understand that until now the appointment of Senators and Supreme Court judges has been the sole prerogative of the Prime Minister in office when vacancies arise. To be very candid, I have often wondered why certain appointments were made.

Let us assume that a vacancy will come open in the Province of Manitoba in the next month or so. The Government of the Province of Manitoba would submit two, three, or four names to fill that vacancy. I presume that if the federal Government were not willing to appoint any of those on the list, it would tell the province that and ask for other suggestions. First, I do not think that the power of the federal Government and the Prime Minister (Mr. Mulroney) is diminished. Second, I think consultation is a good idea.

I take the same view with regard to the Supreme Court. One need only look at the U.S. Supreme Court to see how opposed judges can be on many issues. I am not at all convinced that all the common sense and brains reside in whoever is Prime Minister or Minister of Justice.

I foresee real benefits resulting from the provinces making suggestions. I can think of a recent appointment to a court in Manitoba which I am sure would not have been made had the Government of Manitoba had any say in the matter.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED.

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Cochrane—Superior (Mr. Penner)—Indian Affairs—Consultants' report on management of Manitoba region—Department's service to Indian people; the Hon. Member for York Centre (Mr. Kaplan)—Royal Canadian Mountain Police—Political responsibility Minister's position—Responsibility for actions of RCMP; the Hon. Member for York East (Mr. Redway)—Young Offenders Act—Minimum age provision.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

Constitution Amendment, 1987

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to

participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

And the amendments of Mr. Turner (Vancouver Quadra) (p.9585), Mr. Broadbent (p.9586), Mr. Caccia (p.9644), and Mr. Allmand (p.9644).

Mr. Sergio Marchi (York West): Mr. Speaker, this debate on the Constitution ranks for me as the most important issue with which I have had to grapple in my first three years as the Member of Parliament for York West. I say that because this resolution will drastically reshape the way in which our country will be governed and severely impact upon our major federal institutions. Moreover, the Accord serves to define who we are as Canadians. This debates is indeed about our nationhood and about what constitutes a federation. This debate, in the end, is about Canada, its people, and our collective future.

Constitutional reform is no easy feat. Our history is dotted with efforts to change our Constitution, some of those efforts successful, others less successful. However, all were difficult and all were emotionally charged. Yet, the measure of any constitutional reform is not merely in its introduction but in the success and favour it enjoys among the population at large, in the affirmation that it embodies the spirit and aspirations of its citizens.

Toward this end, I am troubled by Meech Lake. After considerable examination and discussion I believe that Meech Lake does not enjoy the support and confidence of the wide spectrum of Canadians, nor does it inspire an enthusiastic and patriotic approval for the vision that it articulates. It is my belief that Meech Lake places Canada in more precarious waters.

While I am troubled with several substantial elements contained in Meech Lake, I am also uncomfortable with and

ashamed of the process, which gave birth to this document. I would like to address my opening comments first to the process and follow that with commentary on the substantive elements of the Accord.

The absence of any true public input in the development of this resolution is a national tragedy. The package was not only assembled and hastily ratified in secret by the First Ministers, it was accomplished by marathon talks which continued into the early hours of the morning—two characteristics which are certainly not conducive to drafting the most essential piece of legislation governing Canada which is expected to meet the aspirations of all Canadians and the tests of time and circumstance.

To further aggravate the situation, the public hearings before the joint parliamentary committee were held during the summer months, the worst possible time of the year for any Government to encourage the participation, involvement and attention of Canadians. In addition, before the first witness had a chance to appear before the committee, government spokespersons made it painfully clear that the government-dominated committee would not be in any mood to accept any changes or consider any amendments. For once, unfortunately, the Government kept its word.

We saw the spectacle of individual Canadians and an impressive spectrum of organizations representing various constituencies travelling to the nation's capital to provide Members of Parliament and Senators with very moving and passionate presentations of their vision of Canada and of their dreams. All of these efforts counted for absolutely nothing.

Canadians did not have a meaningful opportunity to share their dreams and their wishes for their country. This is a staggering and remarkable shortcoming because this stage in our constitutional evolution as a nation excluded the very people whom our Constitution is to serve and protect. There was no partnership. There was no give and take. The process was secret and dictatorial. It was a take-it-or-leave-it proposition from start to finish.

This approach, unfortunately, also gripped the elected Chamber. It was regrettable that many Members of Parliament of all stripes responded to those seeking changes and improvements by alleging that they were anti-Quebec or by promoting the concept that the inclusion of a new clause or the amendment of a current clause would scuttle the entire deal. The language and strategy used assumed that if the Accord could not convince Members on its own merit there was a need to intimidate individuals into accepting the Accord's version of Canada. This tack was not only unfortunate and misleading, it also depicted an air of desperation and insecurity as well as an attitude which was prepared to tolerate glaring and recognizable shortcomings in the Accord.

• (1630)

I am fully committed to having Quebec's signature on our Constitution. I appreciate the desires of Quebecers to enjoy the pride that comes with that signature. I understand the emotion of wanting to be an integral part of the constitutional family. Yet am I and others to be faulted for having passionate feelings about Canada? Am I to be faulted for having concerns about the type of country we are to become? Am I to be faulted for wanting our Parliament to respond to the voices of concern or the wants of Canadians to improve and build upon our strengths and foundation? Am I to be faulted for feeling that a constitutional package which is insecure and weak in the face of criticism and which would unravel because of some amendments should not be allowed to proceed until it is properly fortified?

We are talking about the Constitution of Canada. In my opinion, we, as a proud and dynamic nation, should not be content with a mediocre Constitution, one that is left unprotected from the attacks of unfulfilled expectations on the part of Canadians.

While I recognize that perfection is clearly for another world, we should fully utilize the unique window in time that this moment offers us toward ensuring that we follow our best instincts, that we seek to protect the rights of all citizens, and that we make all Canadians constitutionally relevant.

The time to bridge the gaps of our society through our constitutional framework is now. Let us not in a cowardly way dispose of difficult decisions involving, for instance, our multicultural character, our aboriginal character, the rights facing women or the rights facing Francophones outside the Province of Quebec, to future constitutional talks. If we detect wrongs today, it is equally unjust for us to say as a Parliament that we will right those wrongs tomorrow, particularly if one considers the proposed unanimity provisions in the current Accord. That is why I fully support and endorse the eleven Liberal amendments that were proposed at the committee stage and during this debate by my Leader and my colleagues. Without these modifications the Meech Lake Accord will be a weak and insecure document. Without these modifications I cannot and will not vote for the present Meech Lake Accord.

I must say also that in face of perhaps irresponsible allegations that may come my way in terms of being branded anti-Quebec, or those who will interpret my vote as a non-confidence vote against my Leader, of which both are clearly untrue, this position is neither enjoyable nor easy.

I remain fully convinced, however, that these amendments are worth fighting for right to the very end. I believe Canada and, in fact, Quebec would be the better for it and these amendments would clearly articulate on behalf of what I believe to be a majority of Canadians a vision for a strong and united Canada, cemented by a central Government that would not be compromised or paralyzed in acting for or defending the national interest.

With regard to the specific elements of the Accord, while I endorse and view my Party's 11 amendments as essential, I am particularly disturbed by two overriding flaws. One could be categorized as the human element of the Accord. It is the

exclusion of our multicultural and aboriginal realities and heritages. Second are the elements of our nationhood as a consequence of implementing a concept of a distinct society for Quebec and a more aggressive decentralization of federal powers.

In relation to the human element, I believe the Accord fails to adopt and promote a full definition of the term "Canadian". Quite frankly, not all the people of this country have been dealt the same constitutional card, nor have they been equally credited with being a dignified and contributing part of this country.

The opening clause of this Accord only recognizes the French-English linguistic duality as a fundamental characteristic of the country. This is absolutely true but it is also very much incomplete.

I fully recognize the historical facet of our two founding peoples and how this country came to be. I value my country's history and respect those sacrifices and the courage which made it possible for me to live in such a privileged society. Yet the definition advocated by Meech Lake is not only outdated, it is primarily satisfied with only depicting our people's past and our country's history.

In my opinion, the Constitution must also address the present and future realities of our people and our country, without denying anyone their proper place. It must express the complete fabric of Canadian society and, toward this end, the Accord fails fundamentally and adequately to recognize those Canadians whose origins are neither English nor French.

At the very outset of the resolution it fails to acknowledge our multicultural and aboriginal heritages. I am indeed puzzled at the reason for which the aspirations and pride of close to one-third of our Canadian population were ignored and so clearly undervalued. I cannot understand the Government's stubborn refusal to accept an amendment put forward by our Party which would permit the opening clause to define accurately the term "Canadian", for it is only by recognizing the four cornerstones of our country's living heritage—the French, the English, the multicultural and the aboriginal facts—that we will capture the complete and rich essence that gives life to the term "Canadianism". Falling short of that definition is paramount to denying the reality which is Canada.

If the Government does not want to express that definition, then what is it to say to those Canadians whose origins are neither English nor French, and who feel the isolation of being left out? I am one of those Canadians, and I do not feel, according to Section 1, that I am as constitutionally relevant as my French Canadian or English Canadian colleagues in this House of Commons, for instance. I do not accept that while they can be recognized in Section 1 I must accept to be in Section 16 at the very end of the Accord, and that I must be thankful and patient because before the Langevin round of discussions the reference to multiculturalism was totally absent from the first Meech Lake draft.

In defence, the Government has responded that multicultural and aboriginal rights are adequately protected by Section 16 and that their specific place in the resolution is not significant. However, would the Government accept a reversal in the order of Section 1 and Section 16? If the order is in fact insignificant, would the Prime Minister (Mr. Mulroney) agree to open the Meech Lake Accord with the contents of Section 16 and place at the very end of the Accord the reality of our linguistic duality? I do not believe so, nor should he, because a separate reference to our multicultural and aboriginal heritage apart from that of the English-French duality categorizes and fuels the sentiments of second class citizenship in many quarters of this country.

When many Canadians look at this Accord and see that they are not provided with a dignified place to stand, how can we as legislators be pleased with such a fundamental flaw regarding the people of this country?

If we were to take the steps to rectify this shortcoming, what is the price we would have to pay? Would it cause the collapse of the Accord? Would Premiers who actively promote and defend multiculturalism within their own provinces object to such an amendment? Would Premier Bourassa walk away when the dilemma facing ethnocultural Canadians is perhaps the greatest in his province, where much of the debate concerning culture and linguistic identify is primarily focused between the Anglophone and Francophone communities, leaving those who are members of neither community in total confusion?

No, I am not prepared to rationalize the opening clause of the Accord as an accurate definition of Canadians. No Canadian citizen should be treated as a tenant in his or her own country. We are all owners of this land. We all love Canada and are prepared to defend it. Therefore, let our Constitution reciprocate to its people by profoundly and fiercely confirming our bilingual and multicultural characteristics in the opening section of the Accord.

• (1640)

In regard to the second aspect, the element of nationhood, I remain uncomfortable with legislating the concept of a distinct society for the Province of Quebec within the Canadian federation. That Quebec and its people are of different and distinct character, there can be no doubt. That Quebec has a unique culture which is and should be a matter of great affection, I do not question. That they cherish and wish to promote that uniqueness, I do not wish to deny anyone. But to realize all these things, by stipulating through the basic fundamental Constitution of the country that the province constitutes a distinct society, I believe is wrong and dangerous for Canada.

For me, it sets up two kinds of Canada. If Quebec is a distinct society, what does that make the rest of Canada? It is wrong because it places in question the priority of the term "Canadian" versus the term "Quebecer" for citizens living in

the Province of Quebec. It is wrong for it legislates that distinctiveness at the expense of the other nine provinces and the two territories whose people also may feel, perhaps for different but nonetheless for legitimate reasons, that unique historical forces have led to a different brand of Canadianism in that part of our country.

I am troubled by the resulting transfer of that legal and symbolic power, and because the energies and actions spent in achieving that newly acquired status will be drained from the whole, from our country, from Canada. This transaction could perhaps show a credit for Quebec's political bank account, but it would leave a very large and looming debit in Canada's bank account which would only weaken and diminish the national fabric.

I also fear the consequences facing future generations of new Canadians who will be coming to this country for they will possibly be introduced to a greater provincial patriotism, stronger than that for the nation. In the proposed immigration sections the federal Government will withdraw from its reception and integration services for immigrants and pass this responsibility on to the provinces. Thus the Accord rather than integrating our immigrants as new Canadians will, first and foremost, create new Ontarians and new Albertans and would undermine the full value of citizenship which formulates emotional ties to the nation and the newcomer, and kindles a patriotic love of Canada and of country.

In terms of nationhood, I also question the spending power provisions that would permit provinces to withdraw with compensation from national shared-cost programs. Under such a constitutional scheme, would we have enjoyed a national unemployment insurance program, or a national medicare plan? Will we as a country be able to consider implementing and launching a national day care program or a national guaranteed annual income under these current provisions?

I believe that if we have to err, if we have to side with either a strong national Government or greater independence for provinces on the major programs and services that we as Canadians deem essential and very much part of our social and economic contract with our country, then the option clearly should be in favour of the former. If we want economic, social, educational, and health-related programs to work equally for all Canadians; if we demand that a federal Government meet the domestic and international developments that come our way; if we are to address the homeless, the food banks, the ill and the challengess facing our youth and our older members of society, then we cannot afford provisions in a Constitution that compromise the ability of a national Government to create national-based programs which are rooted in quality and equality regardless of where those Canadians live.

In conclusion, whether one considers the great nation-building moments of our history, whether those moments were the patriation of our Constitution, the establishment of our Charter of Rights and Freedoms, or the creation of our own flag and our own anthem, those moments were made possible by men and women who not only exhibited a great breath of vision but also demonstrated the political courage to follow, and while accepting changes and genuinely involving Canadians in their dreams and their aspirations, pursued that vision to its successful ends.

Would there have been these great moments if our political forefathers, in the face of difficult decisions, had accepted a mediocre version of their vision by passing on the more difficult and unresolved challenges to future elected representatives and future Parliaments? It is obvious that if that were the prevailing attitude of the time, then these great moments would have been lost to the entire country. Therefore, let us not, as the thirty-third Parliament, lose this moment to put in place a Constitution which truly speaks to the best instincts and expectations of our people.

Also, as our sovereignty as a nation is under attack by such external forces as free trade with all its implications, let us not at the very same time threaten from within the sovereignty entrusted in a strong, national Government that is capable of rising above parochial, regional and provincial demands to speak up on behalf of all regions of the country and of all Canadians. While we should not and cannot allow Ronald Reagan to speak for Canada on the international stage, it is equally true that we should not and cannot allow ten, seven or six Premiers to set the national agenda for Canada. It makes one wonder who was speaking for Canada at the Meech Lake table. What powers did all the people gain through an enhanced federal Government acting on their behalf?

Finally, if Quebec is the principal concern, as is legitimate, how are we really encouraging Quebec to be a signatory to our Canadian Constitution? It seems to me, when I analyse a distinct society from the national perspective, that it forces the withdrawal of Francophones deeper into Quebec, the Anglophones into the depths of the nine other provinces, and leaves those who are neither Anglophone nor Francophone still striving to find their place. The result not only cheapens a true and full definition of bilingualism and a real involvement by Quebecers in the national life of Canada, but it also encourages and inspires the growth of a rival and competing nationalism.

I cannot therefore place my vote of confidence in Meech Lake. My vote in opposition is a vote in favour of a Constitution which would have our nation's unwavering support and confidence and a vote in favour of a citizenry that is all equal, living in a country that is united, strong, able and capable to withstand any forces tthat may want to undermine it.

The Acting Speaker (Mr. Paproski): Are there questions or comments?

Mr. Clark (Yellowhead): Mr. Speaker, the Hon. Member has listed several reasons for his unwillingness to support the Meech Lake Accord. I wonder if he would indicate to the House what is his principal objection.

Mr. Marchi: Mr. Speaker, I am not sure if the Minister was in the Chamber for my entire speech, but I mentioned three essential elements that I am troubled with and, in fact, with which my own constituents are troubled. I do not think the process that gave birth to the Meech Lake Accord included a partnership and a spirit of trying to work with the dreams and aspirations of all Canadians in a genuine way. I then proceeded to suggest that two overriding concerns troubled me. They are, first, the question of leaving out in the very first section the human elements that define what it means to be a Canadian. If we are to have an opening clause which sets the groundwork for defining what is Canada and what are Canadians, in terms of fundamental characteristics, then I believe as a Canadian, and not necessarily as a Member of Parliament, that there are four cornerstones that give life to the meaning of the word "Canadian". Those cornerstones are defined by four facts: the English, the French, the multicultural, and the aboriginal. For me to suggest that the opening section should define the fundamental characteristics of Canada as a linguistic duality, which is true and undeniable, is inaccurate and incomplete.

• (1650)

I urged the Government in Question Period and in debate, and I do so now, to move the extra mile and include those other two cornerstones in order that we may have a proper, full, and vibrant definition of what it means to be Canadian. In that manner, we will not allow a Canadian who is perhaps of Greek origin, or an individual from the aboriginal communities, to pass on to future generations the perception within himself that somehow he is on the outside, that there is a separate category or distinction between citizens in Canada. That is my first objection, the question of the human flaw in defining the word "Canadian".

Second—and the Minister was in the House for the latter part of my speech—I am most uncomfortable and have trouble with legislating the question of a distinct society. I do not deny the uniqueness of the linguistic, cultural, historical, and sociological perspective that Quebecers bring to Canada, that Albertans bring to Canada, and that other Canadians from other regions of the country bring to Canada. But to legislate in our Constitution a distinct society leads me to worry about what the rest of the country is in relation to that distinctiveness. I believe that that distinctiveness is arrived at to the detriment of other provinces. I believe that we would be able to achieve what Quebecers long for in terms of being a whole and an integral part of our Constitution without submitting to the distinct society section. The strain on the entire Canadian federation is too great to withstand.

Mr. Clark (Yellowhead): I have a brief question which will allow a brief answer.

Does the Hon. Member believe that Quebec is a distinct society within Canada?

Mr. Marchi: No, I do not believe that it constitutes a distinct society.

I stated very clearly that it has a distinct character and identity, as do Albertans when one crosses the Rockies, or as do Maritimers when one visits them in their communities. In our country there have been forces which have led to different brands of Canadianism. I accept that, and I am prepared to promote that. As a Member of Parliament I am not prepared to suggest that Canadians in the Province in Quebec should be legislated as a distinct society when no other Canadians will be able to or would wish to have a distinct society for themselves within this country. The bigger question then becomes, if you favour a distinct society for Quebec, what does that make the rest of Canada? Therefore, are we not talking about two Canadas, two communities that gave rise to the community of communities which was rejected by most Canadians?

Mr. Clark (Yellowhead): Not by most.

Mr. McMillan: I listened to the speech of the Hon. Member very carefully. He began his remarks by saying that the Meech Lake debate in the House is the most important one in which he has been engaged in the three years since he has been a Member of Parliament. The Hon. Member went on to say that the subject matter defines fundamentally one's perspective of the country as a whole.

In light of the fact that he is at odds with his Leader and his Party on the subject, is that not more than just a difference of opinion on one issue, but rather a fundamental rupture between himself, his Leader, and his Party?

Mr. Gormley: A huge rupture.

Mr. Marchi: When I stated that this debate is the most fundamental one that I have faced, I meant it. I do not think we have ever had before us an issue, a piece of legislation, or a resolution that served to define who we are as a people, and what we are as a nation. There have been suggestions by a certain number of individuals that stated that if one cannot accept voting in favour of an unamended Meech Lake Accord, perhaps one would be able to abstain or not be present in the House during the vote. I am not prepared to do that. I would rather respect an individual who, despite my beliefs, votes in favour of the current Meech Lake Accord for his or her principles, rather than an individual who, as a federal politician addressing the Constitution of his or her country, walks away from that debate.

The manner in which I look at and approach this debate is not whether I am in concert with my Leader or with my Party, because ultimately the only difference that separates the two is essentially that I am prepared to stand with our amendments to the very end. I believe that those amendments are fundamentally correct and essential, if we are to improve the Meech Lake document. I believe that they are worth fighting for.

In light of those circumstances, I will not allow a Member to suggest that somehow I cannot feel passionate about my

country and about fellow Canadians when I have been elected to do that very thing. I do not view it as a question of partisanship against my Leader or against some of my colleagues who will vote in a different manner. I believe that I have to live with my community and my conscience. I have to listen to the aspirations that I come into contact with. At the end of the day, I have to live with myself and make sure within myself that my position will be on the right side of history.

I respect that there are deep emotional divisions on all sides of the House. I am sure that there are members of the Government who are on the Hon. Member's side. I do not believe that the Hon. Member would rise and ask his colleagues why they are voting against the Prime Minister, the Cabinet, and the entire Government. I think that he will respect that those Members who will stand up against Meech Lake are not standing up against the Prime Minister, instead they are standing up for a different vision of this country. They should be allowed to stand up and speak up for that vision, and I make no apology for doing so.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, there are only a few seconds left. I wonder if I may be considered to have begun my remarks, and call it five o'clock? I would have the floor when debate resumes.

The Acting Speaker (Mr. Paproski): It being 5 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

THE ADMINISTRATION

ADVISABILITY OF ESTABLISHING PARLIAMENTARY REVIEW OF GOVERNOR IN COUNCIL APPOINTMENTS

Mr. Ernie Epp (Thunder Bay—Nipigon) moved:

That, in the opinion of this House, the government should consider the advisability of establishing a mechanism for the parliamentary review and approval of appointments proposed by the Governor in Council.

He said: Mr. Speaker, I appreciate this opportunity to debate Motion M-39. I appreciate the opportunity that it gives me to consider the principle of review by Members of the House of Commons in committee of order in council appointments made by this Government and succeeding Governments.

The Standing Orders of the House have been revised to make provision for something in the direction of the action that this motion calls for. The change in the Standing Orders that was made in 1986 is sufficiently limited that it is important for us to consider the question further.

I regret that this was not chosen to become a votable motion. I think it would be very useful to the present Government, Parliament, and to the people of Canada if it had been possible for Members of the House individually in their own understanding of the manner in which the Government of Canada should be conducted to have the opportunity to express themselves on the question. The principle is a very simple one. The principle is that order in council appointments occur in large numbers. Appointments to offices as diverse as judicial appointments, appointments of Deputy Ministers who do so much to direct the affairs of the Government of Canada, appointments of officers of Parliament, appointments of persons to such offices as the Chairman of the Canadian Human Rights Commission and the official languages commissionership, and so on, are of enormous importance to the good government of the country. These appointments are made with very little scrutiny and all too often end up under the cloud, or certainly under the umbrella which can cast a cloud upon the appointments, of the system of political patronage which has been basic to the Government of Canada and to parliamentary government. I will say more about it later, indicating why I think the principle is important and why I believe the Government should give serious consideration to the principle which has been put forward in Motion M-39.

• (1700)

Since the present context is important to the discussion, I note that two of the Standing Orders of the House of Commons dating from February 24, 1986 provide for, as is indicated in the headline, "Review of Order in Council Appointments". Standing Order 103 provides for the laying upon the Table of a certified copy of an Order in Council indicating the appointment of persons to certain non-judicial posts. I also note that both paragraphs of Standing Order 103 provide for non-judicial appointments to be made subject to some review by having the Minister lay upon the Table a copy of the appointment order.

Standing Order 104 reads in part:

The committee specified pursuant to Standing Orders 67(5) and 103, during the period of thirty sitting days provided pursuant to Standing Order 103, shall if it deems it appropriate, call the so named appointee or nominee to appear before it during a period not exceeding ten sitting days.

It continues:

The committee, if it should call an appointment or nominee to appear pursuant to section (1) of this Standing Order, shall examine the qualifications and competence of the appointee or nominee to perform the duties of the post to which he or she has been appointed or nominated.

The third paragraph restricts the time during which this consideration takes place to the end of the 10-day sitting period provided in the first paragraph.

It is quite a constrained review which is provided for in Standing Orders 103 and 104. Of course the vital point is that there is not any opportunity for members of the committee to provide not only advice but their consent to the appointment being proposed or the appointment that has been made. In effect it is a review without any power to reverse the decision or any opportunity for Members of Parliament to veto an appointment which could conceivably be a flagrant case of political patronage, such as appointing someone without any

real qualification to a position. Yet, committee members, having looked at the person, have to say that they do not think it is a proper appointment but they cannot do anything about it. That is the present situation under Standing Orders 103 and 104.

These particular Standing Orders do not follow the recommendations of the so-called McGrath committee on the reform of Parliament which considered a great variety of matters that have been implemented in changing the governance of the House, the operations of the committees, and so on. A variety of changes have been made to the better functioning of the Parliament of Canada and to the better conduct of the business of the Government of Canada.

The committee, in chapter five of its third report on the scrutiny of order in council appointments, looked to a more significant review than the Standing Orders have provided. The special committee's consideration of these matters reached a diversity of offices—to Deputy Ministers, to Crown corporations, and to regulatory agencies.

The committee was guided by a number of principles which I want to cite. The first one is that the primary purpose of the nomination procedure is to seek out and facilitate appointment of the best possible people. The second principle is that it is vital to the health of a political system that the public look upon public appointments as more than political patronage. However, the committee felt, as the third principle suggests, that there were good reasons for excluding some appointments from any political scrutiny process. It suggested in the fourth principle that some appointments required different degrees of scrutiny from others, so it suggested a diversity of procedures which should be applied to the various offices.

The recommendations of the special committee which looked at parliamentary institutions and considered reform of them, these proposals to extend the power of Private Members of the House of Commons to make the House of Commons work more effectively, are the kinds of principles I am pressing in this particular debate. To say that I am pressing them is to say that I think we should look a good deal further than the Standing Orders have provided and perhaps even than the McGrath committee recommended.

I am encouraged in such thoughts by the words of the Chairman of the committee who, in speaking to the Canadian Regional Conference of the Commonwealth Parliamentary Association, something over a month after the third report was tabled in June, 1985, had some observations on this particular concern. At one point in his speech in Quebec City he said that the movement to scrutinize appointments was symptomatic of the frustration felt by many Private Members with regard to their power *vis-à-vis* the power of the executive. He went on to say that while their recommendations represented a fundamental change in our system, they determined that they could not tamper to any great extent with the principle of the Government being responsible and accountable to Parliament. He went on to say: "Above all the Government must be allowed to govern".

I suggest, with great respect to this past Hon. Member of the House who now of course is the Hon. Lieutenant-Governor of the Province of Newfoundland, that the principle here should not have been that the Government must be allowed to govern, but that the Government should be required to govern in the public interest.

If that were to be the guiding principle, let me expand on what I mean by applying a modification to the situation before us of order in council appointments. We have an historical development to appreciate. We have the reality that government by the monarch or government of the Crown in Great Britain and in the colonies where self-government was achieved—and in Canada we talk about responsible government as the term for it—was a government in which the power of the monarch or the Crown was taken over by the Leader of the Party which succeeded in winning the most seats in an election. What happened behind the façade of the Crown—and this is still in fact carried on behind that façade as a symbol of the Government of Canada, of the Governments of the provinces, and of other government units of the Commonwealth—is that the Leader of the majority Party who has been successful in persuading the electors of the country or a province to elect his or her fellow candidates in an election achieves as far-reaching a power as the Crown is capable of exercising.

The responsible government reality is that these Members gather in the House of Commons. The majority forms the Government. The Leader chooses the Members to form Cabinet, but of course they are subject to our scrutiny and questioning in the House of Commons every sitting day. We are profoundly grateful to the parliamentary evolution of which we are now the heirs, that Members who become Ministers are here and are subject to our questioning day by day.

• (1710)

The Canadian House of Commons particularly expresses this practice in a vigorous way, sometimes in a way that the Speaker finds it difficult to control. Ministers do not have any idea who will be asking questions and what they may be about other than that they are sensitive to the issues of the day. They are, however, briefed on issues of the day. We have here a vigorous process of questioning of Ministers as to conduct of the Government of Canada. Though Members have their own opinions as to the adequacy of the answers given or, I suppose, to the insight that characterizes the questions being asked, Canadians—as our news broadcasts, particularly our television broadcasts, demonstrate night after night when the House is sitting—have a vigorous scrutiny of the Government of Canada.

Yet the Hon. James McGrath in his speech said that Private Members feel a frustration when they contemplate the

executive, the Deputy Ministers, the Crown agencies at further reach, Crown corporations, commissioners and so on who are responsible to Ministers in the House, when we think of the various persons who are responsible for the implementation of the country's legislation, for ensuring that the Government of Canada is well conducted. When Private Members try to scrutinize these actions, they find themselves quite frustrated.

Here I want to recognize one very important reality. Though the Ministers themselves are here in the House subject to questioning and expected to respond to questions from other Members of the House, the Deputy Ministers, who are their subordinates, ostensibly in the nature of things may very well feel themselves even more subject to the Privy Council office, conceivably to Treasury Board. They may feel themselves subject to very few, persons in the conduct of government.

In the practice of our Government, the Prime Minister (Mr. Mulroney) has become the uncrowned monarch. The Prime Minister, choosing a Clerk of the Privy Council and choosing with advice the Deputy Ministers of government and having a leading role in choosing others who receive order in council appointments, exercises his authority under a system that may not be very far removed from the reality of 200 years ago. King George III was active 200 years ago in Great Britain working to create a parliamentary coalition to produce enough votes to back up his Ministers and his Government. When we have the Prime Minister as uncrowned king making appointments which are in his power through the Cabinet, which he controls so largely, we have a system of government which may not be very far removed from the autocratic government, a government unchecked by parliamentary institution, which once prevailed in England before the parliamentary evolution of the 19th century.

Because we have persons who are responsible primarily to the Prime Minister or to the Clerk of the Privy Council—in the case of Deputy Ministers and other people who issue reports who occasionally may appear in the public eye but do not experience very much in the way of scrutiny by way of Members of Parliament—these are realities that have moved me to suggest that we look far beyond Standing Orders 103 and 104 and even beyond the McGrath committee and its recommendations for scrutiny. We should recognize the advisability of having scrutiny in committee that opens a genuine advise and consent possibility in which members of the committee can consider rejecting an appointment or advising against it or, in short, vetoing the appointment.

That suggestion will arouse concern in some minds because of the American situation. Members of Congress have far-reaching powers of review of potential appointees. These days they are considering a nominee to the Supreme Court of the United States, an appointee who may well not be appointed, though the President of the United States would will it if he possibly could. In those cases we see a most rigorous process of review.

The argument that I have been making on the basis of British constitutional principles applied in Canada and in other units of the Commonwealth is the development of parliamentary government. We can make an argument for this further development of responsibility and power, if you will, of Members of Parliament as individuals in committee. Committees will still be constructed according to the composition of Parliament. In the present Parliament that means they would be overwhelmingly made up of Conservative Members. That provides some safeguard immediately against any fear among Canadians and Members of this House that the worst abuses of the American process might occur. If we are going to have the principle of a genuinely responsible government applied to the appointees of government, as I think should be the case, then we need to take this one step further. Let me say very firmly that this a direction that I think should be taken. Our parliamentary democracy requires that Crown prerogatives genuinely be limited by responsible government. That means accountability of the Government to the people through their elected representatives of Parliament. I want to urge in the very strongest terms for consideration of these matters the question of how many of the order in council appointments should be so reviewed and exactly where they should occur, whether in a single committee or in standing committees which have expertise in various areas. It involves detail. Questions would have to be be answered. I hesitate more because I fear the possibility of its role being extended too far. I do believe that many of the appointments made are of eminently qualified persons. In those cases there would not be very much in the way of a review process to be gone through.

While hesitating to single out any of the persons who have been appointed by previous Governments or by this one, we all realize that there have been times when persons have been appointed whose main qualification was their membership in a political Party. In those cases where a person may actually confess to very limited qualification for the office to which he or she is being appointed, surely we have the strongest of arguments for having a process which may very well serve as a deterrent. Prime Ministers would be more careful in making appointments. If not, if they were unmindful of the necessity of the best qualified persons for these positions, let the principle of responsible government extend to those appointments. Let us have the power to turn them back and have people who are qualified appointed to offices.

Mr. Felix Holtmann (Selkirk—Interlake): Mr. Speaker, it is a privilege to join the debate on the motion introduced by the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) with respect to parliamentary reform in a review of governor in council appointments.

• (1720)

As all Hon. Members know very well, it was this Government that initiated at the beginning of its mandate three years ago what was perhaps the most sweeping action to reform the

House of Commons in Canadian history. One would wonder why it took so long for this action to take place.

Certainly that reform brought this place that governed our country for so many years up to date, brought to it a change that would give each and every Member of Parliament more ability to reflect the views of those in the area he represents. I take pride in the fact that it was the present Government that took this initiative.

The fact is that the Hon. Member who introduced this motion could now take it to a committee which he may have done to see if he could get a five-hour debate on it and to see if it could be votable. That is a dynamic change from what has ever happened before. That is a tremendous change and one that I am sure the Hon. Member himself has reflected upon and is enthusiastic about. Certainly I welcome his views on how he might improve on it.

In December of 1984, the Government established the special committee on reform to which the Hon. Member alluded under the distinguished leadership of the former Hon. Member for Saint John's East, now the Lieutenant-Governor of Newfoundland and Labrador. Under that inspired leadership, and with the diligent and non-partisan work of all members of the committee representing all Parties, the Hon. Member's Party included, the McGrath committee produced three unanimous reports between December of 1984 and June of 1985. These reports recommended a comprehensive package of reforms to the House and its rules. The principal purpose of these reforms, of course, was to strengthen the role of the Private Member, as I indicated earlier, and to give us a more influential role in reviewing the actions of the Government and proposing policy amendments and new initiatives.

What we have witnessed here today is of course another new initiative, albeit one brought on by a Private Member from the opposition Party. I think that is democracy in action, open debate for those in the House and those who may be sitting in their offices watching us on television or those who may read *Hansard* tomorrow. So be it. It is a point of view and the Hon. Member expressed it well.

These changes to the Standing Orders were tested for one year, as the Hon. Member may recall. I think one could fairly say that they passed the test with some modifications and were adopted on a permanent basis by the House, again with all-Party support, in June of this year.

There are many examples of these reforms, including legislative committee approval given to Bills after House approval at second reading, and expanded powers granted to smaller and reorganized standing committees to review the activities of government Departments and the very rules we are operating under in Private Members' Business.

In addition, the Government and the House agreed to provide an opportunity to standing committees to meet with the broad spectrum of people which the Government appoints or, under the new House rules, may nominate to important positions in the service of Canada. I chair a committee. Before that very committee appeared the likes of Mr. Dalton Camp and Mr. Ian Deans, a former Member of the House. Quite frankly, those kinds of scrutinies of people to be appointed had never previously occurred.

Certainly that openness in which the Hon. Member for Thunder Bay—Nipigon participated is certainly an idea which I think has shed a new light on appointments in general. I have yet to see a motion before these committees reviewing appointments to recommend that the appointees not be accepted or that the Government change its mind. I do not think, quite frankly, that it has even happened so far. However, that device is available to opposition Members of these committees.

The Hon. Member shakes his head. Such a motion may not be passed but it can be made. This device, to my knowledge, has never been exercised. I stand to be corrected. I only chair one committee and appointments have gone before other committees as well.

This reform is of course the basic focus of our discussion today. The mechanisms called for in the motion before us really are now in place. They permit standing committees to review the qualifications and competence of appointments and nominations made by the Government. They are unprecedented in any parliamentary system of government.

The Hon. Member may watch on Channel 50 the U.S. Senate review committees. That is not a parliamentary system. That is a totally different system which maybe he thinks we ought to use. We have a little trouble with that.

On one hand, we are worried about our sovereignty, as we know if we listen to Question Period, yet the Hon. Member purports to move to a U.S. system of Government. One must be very careful and concerned about why he would like to change a system that is very uniquely Canadian, a proposal of the Government to which all Parties agreed. Now he wants to move us into a system like that which we see in the United States where they challenge the nominees and recommend, as we are witnessing right now, if the candidate should be allowed to be appointed. That is a very grave concern to me.

We would like to maintain our sovereignty and certainly not move right away into a U.S. system. The Hon. Member brought forth no argument to show what other parliamentary system of government is in fact going further than in Canada. He has no examples because we have taken such a tremendous stride in bringing forth a new concept and a new power for the Member of Parliament.

The election of the Speaker and the Deputy Speaker is a new idea, and we are still actually living and testing the system. There may come a time when we would like to modify it, but to move immediately from this reform into an expanded reform could, I respectfully submit, bring forth other grave problems. One would want to be very careful, especially when

we consider what is important and unique to Canadians. The Hon. Member's Party was very much a part of the process.

Once again I want to illustrate that the Hon. Member's ability to bring a new idea forward is one we are debating right now. Maybe before the hour is out, some new merit or light may be shed upon the idea, but certainly one wants to deal with an extreme amount of caution when making another radical change or one that has not been thoroughly thought out to the process of appointments.

I know I have only a short time left, but I would just like to say that, in my view, this new process of the House committee review of appointments and nominations has already provided an important and an unparalleled opportunity for Members of the House to get acquainted with people whom the Government appoints or nominates to many very important jobs in the service of Canada. As the chairman of a committee, I feel that this process seems to be working fairly well at this time. I do not think at this point in time that another change would be in order.

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my hon. friend from Thunder Bay—Nipigon has today made a useful contribution to what I regard as the need for a continuing debate on parliamentary reform. The motion allows us to examine the efficacy of past reforms. We can also debate the need for further changes in our Standing Orders.

• (1730)

Today, Sir, we are turning our attention to Chapter 17 of our Standing Orders which deals with the review of order in council appointments. I note from the very outset that the Hon. Member's motion, as he emphasized, goes well beyond Standing Order 103 and Standing Order 104. It calls for a mechanism whereby parliamentarians could not only review but also approve some order in council appointments. Chapter 17 deals only with a review. The Hon. Member for Selkirk—Interlake (Mr. Holtmann) tried to make much of the reforms, but this, I submit, is a very modest reform, and those two Standing Orders are not functioning very effectively right now.

Mr. Redway: Revolutionary change.

Mr. Penner: It is hardly revolutionary. It is a mild, modest, cautious beginning.

The Hon. Member for Thunder Bay—Nipigon (Mr. Epp) would have this House introduce a system somewhat parallel to the U.S. model. Of course he is not in any way suggesting that we should have a congressional system or anything of the kind. He is saying that we should look at the U.S. model where certain nominations are sent to a Senate committee. I would point out that the House of Representatives has no part to play at all in this process.

The committee examining the appointment has jurisdiction in the area to which the appointment belongs. The committee considers the matter either in a public forum or, by a majority vote, *in camera*. It then reports back to the Senate, and the question is: Will the Senate advise and consent to the nomination?

The McGrath committee, in looking at that system, noted that statistically there are very few direct refusals of appointments by the Senate. However, it also went on to note that it is not uncommon for nominations to be withdrawn or not to be confirmed at all. Why do you suppose that is? I think we know that in the course of the hearings the would-be appointee sometimes becomes something of an embarrassment to the administration. He or she has been unable to answer certain questions truthfully, with clarity or knowledge. In other words, their competence has been challenged.

The Hon. Member wants a review and approval process to be put in place in Canada. I fully agree with him. There is a need for just such a system. I believe, and I wonder if there are not many other Members of Parliament who share this belief, that political patronage in this country has really gotten out of hand. In certain cases it has actually gone wild. In saying this I want it to be clear that what is under attack here are not appointments themselves. There may be too many boards and commissions and the like to which the Prime Minister and the Government may make appointments. Yet some of them are useful, and some are essential. However, I believe all of them ought to be reviewed from time to time by Parliament to see if they perform any useful, democratic, social or economic function in our society.

Some appointments are obviously necessary because the will of Parliament in the form of legislation has to be carried out. However, there must absolutely be a requirement for competence in the job. The person must meet the qualifications. That is what the McGrath report said. It referred to:

> —the appointment of the best people possible, and that means appointments must be more than political patronage.

I agree. Collecting a few bucks for a political Party does not qualify you for just any government job. Soothing the Prime Minister's ego from time to time when he is feeling a bit insecure does not make you fit for any task the Government may have at hand. Serving a Minister for a little while as an adviser, speech writer or "gofer" does not provide you with the wherewithal for just any government assignment.

I do not know if I have time for an illustration but one comes readily to mind. There was a university professor who had a part-time position on a commission. He was highly qualified in that area. It was a part-time position but he could spend as much time as he liked on it, so he gave more and more of his time to it and served extremely well. He was promised by the Minister of the day that when a full-time position came open he would get it. So he reduced his teaching load, served more and more time on the commission, and what happened? An election came along and a Member of Parliament who did not have a hope of winning his seat but had a few brownie points with the Prime Minister got the job. To the best of my knowledge he did not have the faintest idea about

the area in which he was now going to be serving the Government for an extended period of time.

I recall rather more recently that an individual from my constituency was called before a committee because he was being appointed to a human rights tribunal. It was an embarrassment, a joke. He did not even understand the basic tenets or underlying principles of human rights, or the legislation we put in place, or his job at the Human Rights Commission. He did not have a clue. Yet the Government brought that man forward and wasted the time of the committee. I might tell my hon. friend from Thunder Bay that even though it was a joke and this person's responses were ludicrous, he got the job.

Mr. Epp (Thunder Bay—Nipigon): Shameful.

Mr. Penner: Of course it is shameful. That is the kind of thing that goes on.

My friend from Selkirk—Interlake would like us to believe we have made great strides in parliamentary reform. We know we have not because the basis of parliamentary reform is the question: How do we begin to exercise some degree of control over the executive branch of Government? That is what parliamentary reform is all about. How do we begin to restrict the almost unlimited power of a Prime Minister regardless of which political Party he leads? A democracy needs its checks and balances. Under the *Constitution Act, 1982* we gave some powers to the Supreme Court. We created a Charter of Rights and Freedoms. We moved in the direction of limiting the powers of the executive.

The McGrath report wanted to do the very same thing for Members of Parliament. It wanted to make them more effective. However, those recommendations have earned a very limited amount of success. I know that government Members want to make much of it, but I think they know in their heart of hearts that making much of how that report was implemented is more propaganda than reality.

We know that the will of the Prime Minister, when he has a majority, virtually becomes law. We have seen that in recent days. For example, when the Meech Lake Accord was brought to this House it was described as a seamless web into which you could not introduce the smallest amendment. The process involving the Constitution committee was meaningless because nothing could be changed. The Prime Minister (Mr. Mulroney) and his Senate spokesman laid down the law, and this was to remain intact, as it has. Of course we have the same thing in the free trade agreement. We cannot modify it in any way at all. It will go forward as it is.

I will conclude by asking: Why does Parliament exist? We exist mainly to make government accountable for all of its actions; its expenditures, its policies, its programs, and its appointments which we are debating today. This must be real rather than only an illusion. I believe that this national forum will lose the respect of the citizenry unless we carry out this very important function. Has this institution already lost the respect of our citizenry? Lord Acton's dictum, known by most first-year university history students, is: Power corrupts and if that power is absolute it corrupts absolutely.

• (1740)

There must be accountability in every respect. I do not believe, as the Member for Thunder Bay—Nipigon would have us believe, that Question Period is accountability. You and I, Sir, know that that is political theatre. Real accountability could take place in committee. However, it will only take place when we actually start making amendments to legislation based on the public hearing process, when we actually turn down some expenditures and make recommendations for other expenditures, and when we say that we will not accept certain appointments because the people are not the best candidates and are not competent.

I support that which the Hon. Member for Thunder Bay—Nipigon has done. The job of parliamentary reform has only just begun.

[*Translation*]

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, as a former member of the Special Committee on Reform of the House of Commons, it gives me pleasure today to speak on motion M-39 standing in the name of the Hon. Member for Thunder Bay—Nipigon (Mr. Epp).

I believe that the Hon. Member should have decided today simply to withdraw his motion since the Government has responded favourably to the recommendations of the Committee about the review of Order in Council appointments.

For the benefit of those who will read the proceedings on this motion in *Hansard,* I would like to quote Standing Order 104(2), which states the following:

> The committee—

—that is the Standing Committee of the House having the authority to review an appointment made, for instance, in the area of employment and immigration—

> —if it should call an appointee or nominee to appear pursuant to section (1) of this Standing Order, shall examine the qualifications and competence of the appointee or nominee to perform the duties of the post to which he or she—

—and the word "*elle*" should have been added in the French version—

> —has been appointed or nominated.

Mr. Speaker, as Parliamentarians, whatever side of the House we may sit on, I believe that we must admit that the Progressive Conservative Government has made a tremondous step in reforming our institution, precisely in this area of review of Order in Council appointments.

We could say that it is not enough. We could say that we should do even more. However, we must also avoid excess. We have to remember that it is not easy for the members of a Standing Committee to judge totally the qualifications and competence of a person appointed by the Prime Minister of Canada.

It must also be said that this Standing Order prevents those who make appointments from making bad ones.

Mr. Speaker, knowing quite well that I, as a Canadian, could be appointed to a management position with a Crown Corporation and that I have no special qualifications in that area, I think I would be very uncomfortable about accepting this kind of appointment, because I might be called before a standing committee of the House to explain to committee members what my qualifications are. Mr. Speaker, I think this prevents a lot of bad appointments, and I think we must recognize here the leadership of the Prime Minister who has been very much involved in this parliamentary reform.

Mr. Speaker, I remember when the Hon. Member for St. John's East spoke to the House about the committee's report. The Prime Minister came to the House especially to listen to what the Hon. Member for St. John's East had to say, because the appointment issue was of particular interest to him.

Mr. Speaker, I was listening earlier to the Hon. Member for Cochrane—Superior (Mr. Penner). He was also involved, though indirectly, because of his particular interest in parliamentary reform. He came before the committee two or three times, and he is well aware the issue of Order in Council appointments was very important and was given thorough consideration. We looked at all the options in this respect.

Obviously, we had to make some concessions. Mr. Speaker, when I heard the Hon. Member who presented his motion today say: Mr. Speaker, partisan appointments are being made here in Canada and this is terrible, and so forth, I felt the Hon. Member was speaking on behalf of a political party that will never sit on the Government side, because after all, one has to be realistic in a democratic party system. When a Progressive Conservative Government is in power, it practically has an obligation to appoint people who support its policies.

The Hon. Member for the New Democratic Party would be in trouble if some day they were to form the Government. Can you imagine New Democrats appointing a known Conservative as head of a Crown Corporation or chairman of a committee? Mr. Speaker, I think it would be rather funny to see how that would work out. After all, one must be realistic.

So I think we can say that Members of this House should constantly, on an annual basis, reflect on the rules by which we are guided, and also on other areas that concern a Member's daily life. I think we can also say that since the reform of our Standing Orders, there has been considerable improvement. Nothing is perfect, of course. Often, everything has to be reviewed every five, ten, fifteen or 20 years. This is a changing world with changing concepts, and I would say that perhaps we would have to review everything on an annual basis.

As Members from all sides of this House, we should ask questions and re-evaluate ourselves and our rules. I quite agree with the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) and the Hon. Member for Cochrane—Superior that as Members we are in a position to review these issues.

Mr. Speaker, I would also like to point out that the right to veto an appointment suggested by the Hon. Member for Thunder Bay—Nipigon seems to be a bit arbitrary. After all, veto rights or the right to appoint... Mr. Speaker, quite frankly, after my work on the standing committee and after hearing witnesses address the issue of reviewing Order in Council appointments, I have no hesitation in saying that I would not like to be in a position where, as a Member, I would have to select two or three people out of a pool of 1,000 in my riding with the ability, intelligence and qualifications to sit on Government commissions.

I would rather have these appointments made by the Prime Minister so as to avoid finding myself in an embarrassing situation in the eyes of my own constituents. In fact, Mr. Speaker, I am sure my colleague would agree that House of Commons Standing Orders 103 and 104 answer these questions and meet all expectations. If he agrees with me he will admit that our Government has covered a lot of ground in that respect and that, for the time being, his motion is not justified and should simply be dropped from the Order Paper because the Government did respond to this question of order in council appointments.

• (1750)

[*English*]

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I only intend to speak for five minutes in order to allow the Hon. Member for London East (Mr. Jepson) to speak. I want to deal with what has happened with respect to the whole question of reviewing appointments.

The House will recall that early in the term of this Government there was a great controversy about appointments and the perception and reality of patronage in those appointments. The response of the Prime Minister (Mr. Mulroney) was that this was a matter with which the Special Committee on the Reform of the House of Commons would deal. That committee was sometimes referred to as the McGrath committee. For some six months, the Prime Minister, in what I believe was a rather politically deft move, was able to say, when asked about patronage, that this matter was referred to the committee headed by the former Member for St. John's East. He would go on to say that he was looking forward to the recommendations of the committee and so on.

When the report of the Special Committee on the Reform of the House of Commons finally came forward, it recommended neither what the Prime Minister eventually instituted nor a procedure as wide ranging as that proposed by the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) in his motion. It recommended that there be a review and veto power only with respect to positions on quasi-judicial bodies, such as the CRTC, the CTC, the NEB and officers of the House of Commons, and that there be a review procedure but no veto power with respect to the rest of the appointments.

I still believe that this was a nice compromise because, pursuant to some of the remarks made by the Prime Minister, it would have been an opportunity for parliamentarians to exercise some real but nevertheless limited power over appointments.

Again, I think the Prime Minister made another politically deft move by saying that all appointments will be open to review, without being open to veto. This has resulted in the same situation as exists in the American system, even though they have more veto power. Since everything is open to review, nothing is open to review. There are so many appointments that no one can possibly review them all. Therefore, the only appointments that are reviewed are those which have a certain political notoriety.

That is not what the committee intended. It wanted to involve Members of Parliament in some meaningful consideration of appointments.

I am not saying this for politically partisan purposes, because I believe that an objective analysis shows that we have ended up with nothing. There is a review process that is never exercised except in a highly political context, which presumably is something no one had in mind.

I return to the original recommendations of the committee. I would like the Government to reconsider providing for a review and veto power on a limited number of appointments, which we believe would not call into question the basic constitutional notion of the Crown's ability to appoint because of the nature of these bodies, and to leave the review possibility in place for all other appointments. In that way there could be a real test of the role parliamentarians could play in appointments. We have not had that test and will not see one under the current rules.

I thank the Hon. Member for Thunder Bay—Nipigon for raising the matter and giving me an opportunity as a member of that committee to comment on the progress of that recommendation. I do not think it has progressed very well.

Mr. Jim Jepson (London East): Mr. Speaker, I am pleased to add my own comments to this debate on the motion proposed by the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) concerning the process of House committee review of governor In council appointments.

Under this process, which has been in place for roughly a year and a half now, the Government is required to table in the House the Orders in Council of almost all individuals whom it appoints. There are some exceptions, such as judges, and these exceptions are completely justifiable.

According to the Standing Orders on this process, specifically Standing Order 103(2), a Minister of the Crown on behalf of the Government may also, from time to time, table a certificate stating that a specified individual has been nominated for appointment to a specified non-judicial post.

The Government has two ways to bring people forward for consideration by House committees. They are: as appointees who have been appointed; and for three regulatory agencies, the CRTC, the CTC and the NEB, as nominees whom it has not yet appointed.

The Government has tabled hundreds of appointments in this House, and a number of certificates of nominations. Let me give some recent examples. There are appointments to boards established under federal legislation such as the Farm Debt Review Board, boards of referees of the Unemployment Insurance Commission, National Parole Board, and Atomic Energy Control Board. There are appointments to the boards of Crown corporations, such as VIA Rail, the Canadian Commercial Corporation, and Telesat Canada. There are appointments to agencies such as the Medical Research Council, the Science Council, and the Advisory Council on the Status of Women. Recently, a new director of the National Gallery of Canada was appointed. There are citizenship judges, because these, in fact, do not have judicial powers. The names of senior public servants such as ambassadorial appointments, and of the new Deputy Superintendent of Financial Institutions have recently been tabled. There was a recent nomination to the Canadian Radio-Television and Telecommunications Commission.

The names of all the above individuals and many others appointed or nominated are tabled in the House and referred to an appropriate standing committee, which then has the opportunity within 30 sitting days to call that individual to appear.

As Members know, a hearing is not mandatory. Standing committees do not call many of the individuals which the Government appoints or nominates for a committee hearing. However, a number of people have been invited to appear by various committees, including appointees to the Bank of Canada, who were the first to be called, and others including a number of senior public servants.

In no case to date, however, has a House committee reported to the House that a government appointee or nominee was not qualified or competent to perform the duties of the post to which he or she was appointed or nominated.

The record indicates that the people appointed by the Government are not unqualified recipients of political reward. We are not talking here about patronage. Rather, we are seeing proof of the Government's record in appointing qualified, competent individuals seriously interested and prepared to serve Canada in the many positions which it is the Government's responsibility to fill.

This review process is a good reform which I am sure all Members will continue to support. While all of us would agree that the new reform is not perfect, it is a giant step forward when one reflects on what has existed in the past. The Government has received criticism for not being open and honest with the people, yet the reforms we have undertaken are

clearly a breath of fresh air compared to what we faced in the past.

As a member of the Justice Committee, I know nominees have appeared before the committees with their resumés. There has been opportunity for the committee to call these people should it wish to interview them. It is obvious that the people whom we have put forward are very competent individuals for these posts and the committee has clearly not seen fit to bring them forward for specific interviews.

I believe we are encouraged by this reform. We admit that it is not perfect, but it is a giant step forward from what we experienced in the past.

[*Translation*]

The Acting Speaker (Mr. Paproski): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order shall be dropped from the Order Paper.

• (1800)

[*English*]

Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

INDIAN AFFAIRS—CONSULTANTS' REPORT ON MANAGEMENT OF MANITOBA REGION/DEPARTMENT'S SERVICE TO INDIAN PEOPLE

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, there is a serious problem in the Province of Manitoba regarding the Department of Indian Affairs. This unresolved problem is having some very drastic consequences for the lives of Indian people and the communities in which they live.

First, let me be very clear to you, Mr. Speaker, about the nature of the problem. It is not one of fraud, nor one of dishonesty, *per se*, nor of gross negligence. It is one of serious mismanagement.

Second, it is my firm conviction, and this is supported by concerns expressed by the previous Minister, the Hon. Member for Rosedale (Mr. Crombie), that the Manitoba problem of serious mismanagement in the Department of Indian Affairs is widespread.

Third, it is not my intention to disparage or to lash out against officials in the Department in Manitoba, or in any other region of the Department of Indian Affairs. I believe they are caught in an intolerable and unacceptable position. They are being squeezed like lemons.

The real problem is the Minister himself and the senior bureaucrats who direct and pull him around, plus all of the excess and the overlay and the paraphernalia of the headquarters of the Department of Indian Affairs here in Ottawa. To put it simply and bluntly, the mentality toward Indian people by the Minister and his senior bureaucrats is that they are no more than wards of the state; they cannot be trusted nor relied upon to control, regulate or manage their own affairs. I know that in public fora, in conferences and the like the Minister and senior bureaucrats may talk about aboriginal self-government, but they do not really believe it at all. What they believe in, is doing what has to be done under the Indian Act, and doing it their way.

The Coopers & Lybrand report about the Manitoba situation put it very well, and I quote, "The fact is that most existing instructions were issued at a time when the Department was seeking to strengthen controls in responding to criticisms of the Auditor General". I believe that the senior bureaucrats in the Department really took pleasure and delight in the Auditor General's criticisms because it meant that they could tighten down the screws, that they could run a tight ship, that they could put those Indians in their place.

But, on the other side, there was something else which they had to take into account. That was the demand and the pressure for self-government. It was becoming too much to keep the lid on, and they had to do something.

So we have a problem, Sir, that in addition to those financial instructions that were issued by the Department there also went out laterally some vague and weak directives regarding, first, contribution agreements, and, second, something called alternative funding arrangements. So we now have it. The stage is now set for serious mismanagement. What a dark and tragic theatre it is. I say that because people's lives are involved, as is their education, the care of their children, their housing, social services, and so on.

So, first, we have the Treasury Board terms and conditions of 1979. This leads to continuous monitoring of Indian use of funds by Department officials to ensure compliance that all the terms and conditions are met. This is why in Manitoba, where most services are actually carried out by Indian people, there are now more civil servants than there were in the past. What are they doing? They are busy monitoring, keeping a watchful eye over the entire process.

Second, and following up on this monitoring, we have the control accounting system which fully satisfies the region's needs for financial control but which completely fails to analyse expenditures of benefit to Indians or tribal councils. Now, to further complicate the situation in Manitoba, there are program managers. They are closer to the Indian people themselves, to the bands and the tribal councils. In the interests of Indian people with whom they relate directly, these program managers sometimes, according to Coopers &

Lybrand, circumvent financial controls to make the best and maximum use of financial funds. In other words, Sir, they bend financial rules in order to satisfy what they believe to be the legitimate needs of the Indian people whom they are called upon to help.

• (1805)

The financial staff of the Department enter the picture much later, that is after these decisions have been made, and so many of their precious instructions have already been broken.

What is the result? The result is a mess. It is serious mismanagement. If time allows me, I will tell you what the answer is as quickly as I can.

Number one, we need a new Government. If we wish to down size the Department, do it here in Ottawa, not out in the field where they are actually trying to serve people. We need a clear policy on aboriginal self-government. It is an inherent and inalienable right and it should be exercised. We need the recommendation of the special committee to be accepted; that, in terms of financing, we need block funding agreements on a multi-year basis. Finally, we need to purge from our system the notion that Indian people are incapable and unable to govern themselves. Of course they are, and they will do it much better than many of the forms of self-government that we see around this country, whether they be municipalities, certain provinces, or do I need to look any further than right across the floor.

Mr. Stan Schellenberger (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, with regard to the concerns raised by the Hon. Member, it was the Minister of Indian Affairs and Northern Development who, in October, 1986, required the Royal Canadian Mounted Police to investigate the allegations of wrongdoing. Further, he requested that the President of the Treasury Board undertake a comprehensive review of the financial operations of the Department's regional office in Manitoba. Those actions were taken because he was committed to ensuring that sound financial practices were in place throughout the Department.

The comprehensive review of financial operations of the Manitoba region was undertaken by the Office of the Comptroller General with the assistance of Coopers & Lybrand Consulting Group. That review examined the region's financial management practices, including resource allocation, administration, monitoring and reporting, with specific attention to the administration of contribution agreements and contracts. The Minister released the findings of the report in September, 1987.

After careful review of the report, I am pleased to note that it did not uncover a single case of wilful wrongdoing on the part of the Department's employees. Furthermore, as the Minister indicated to the House on September 22, the report concluded that, "Although the region satisfactorily complies with most parliamentary and government policies and requirements where it delivers services directly to Indians, it fails to fully comply with these policies and requirements where administrative responsibilities have been devolved to Indian bands, tribal councils or their representatives".

In the consultant's opinion this situation has arisen, "Because the Department's clientele do not believe that these policies and practices are appropriate where they have assumed delivery or administrative responsibilities and the region is unwilling to enforce compliance by withholding funding to which the Indian bands are entitled".

Departmental officials are currently doing a detailed analysis of the findings of the report and will be working with the Comptroller General to complete, within two or three months, an action plan that addresses all the deficiencies identified in the report.

I can assure you that the Department of Indian and Northern Affairs is in the process of introducing a financial management regime that is consistent with and supportive of the Government's thrust to transfer the administration of programs and the associated funding to Indian Governments.

• (1810)

ROYAL CANADIAN MOUNTED POLICE—POLITICAL RESPONSIBILITY—MINISTER'S POSITION/RESPONSIBILITY FOR ACTIONS OF RCMP

Hon. Bob Kaplan (York Centre): Mr. Speaker, for a few weeks now, the Hon. Member for York South—Weston (Mr. Nunziata) and I have been asking questions designed to demonstrate—and I think we have demonstrated it—that the Government is not accountable for the way in which the national security operations of the country are being handled.

We are very critical of a number of things which have visibly gone wrong. We have no sense, in the answers which we are getting from across the floor, that the Solicitor General (Mr. Kelleher) in particular has any recognition of how serious the problems are or, indeed, that he has come to grips with them and is planning to do anything about them.

Three years ago, when this Government took office, it was exactly the moment of the launching of the new Canadian Security Intelligence Service, which was created by legislation and passed in the last weeks of the life of the former Government. This Government took over the tremendous responsibility of organizing the launch of CSIS, which was responsible for providing intelligence to the Government about threats to the national security as defined in that Act.

We know from all the evidence we have that a great number of things have gone wrong within the operations of the Canadian Security Intelligence Service in terms of its relationship with the RCMP and in terms of defining what is its mandate.

I put it to the Minister that he should take responsibility for that service as the statute requires him to do, recognize the

problems, and take on the first fundamental responsibility of telling the Canadian Security Intelligence Service what is the product the Government wants it to produce and how the responsibility in the area is to be shared with the Royal Canadian Mounted Police.

I feel that time after time the problems which are surfacing are the result of a Government that is standing back and asking the RCMP and the new agency, the Canadian Security Intelligence Service, to settle their own differences through liaison and through co-operation. That is no way for the Minister to take responsibility for the Department.

The RCMP is so well established, is so large, has such a large budget, and has such a clear level of support among the Canadian people that getting the Canadian Security Intelligence Service launched requires the Minister to be present, to be giving directions, and to be making decisions. When matters are left to the two agencies to settle, I fear that in every case the decision will go to the RCMP just because of its greater ascendency, so the Canadian Security Intelligence Service is not being properly launched and properly supported to do the very important work that it must do.

There was evidence of that last week when Doug Roche, who has some responsibility for awarding public money to peace groups, said that, yes, the Canadian Security Intelligence Service occasionally gives them some advice about which peace groups have been targeted, supported, and manipulated by, for example, foreign Governments or subversive elements. However, Mr. Roche said: "We didn't ask for that advice and we don't take that into consideration".

What kind of signal is that to give to the CSIS about its work? Either the Government wants it to be doing that job, or the Government should tell it not to do it. It should not allow it to do it and then dump on it, through the lips of Doug Roche, one of Canada's Ambassadors, and say that what it does is not wanted and no account is taken of it.

Last week we on this side of the House, in both Parties, pressed the Minister for taking some responsibility for the infiltration which may have occurred by members of the Canadian Security Intelligence Service into the peace movement and the union movement to see whether he supported it. He said, and I am quoting him exactly: "I have no evidence that the Canadian Security Intelligence Service has exceeded its mandate".

That is not a good enough answer. The Minister should have been in a position to say "I am satisfied that they are not exceeding their mandate", or he should have said "there is a problem here and this is what I am doing to try to solve it".

For him to say "I have no evidence" and then to tell any Members of the House or indeed any Canadians who have evidence that the Canadian Security Intelligence Service is exceeding its mandate, targeting people who are not threats to the security of Canada, that they should take that information to the Service is a total dereliction of his duty. The irony is that the Canadian Security Intelligence Service was examined by the Security Intelligence Review Committee.

• (1815)

This Security Intelligence Review Committee has expressed concern that the service is exceeding its mandate. For the Minister to tell us to take our complaints to the SIRC, which is already concerned about the service exceeding its mandate, simply shows that the Minister is not responsible, that he is not taking the fundamental responsibility for his agency, giving it the necessary directions and finding out what it is doing.

I want to express the total lack of confidence of the Official Opposition in the way this Minister has been passing the buck and sending us to SIRC. In one other circumstance, the Minister told us that the Director of the Canadian Security Intelligence Service is responsible for the agency and, because things were going wrong in the agency, the Director offered his resignation and the Minister accepted it. That was satisfactory as far as the Minister was concerned. The Prime Minister (Mr. Mulroney) indicated as well that the Canadian Security Intelligence Service is an independent agency and that its Director had done the honourable thing because of what had gone wrong and had resigned. That was not at all the proper way for the issue to be handled. The agency is not an independent agency. It is, in fact, by definition and by law a dependant agency. The Minister is accountable 100 per cent for its operations. There is no way in our tradition that a Deputy Minister's resignation should have been asked for, condoned and accepted. If anyone should have resigned, it should have been the Minister.

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, first I would like to point out that the Minister has fully responded to the questions just bootlegged into this debate by my hon. friend.

I would like to respond to the question raised by my colleague on September 22, 1987, which was supposed to be the subject for debate at this time, namely, the RCMP witness/informant protection. Despite the fact that the issue raised by my hon. friend on September 22 is *sub judice*, I would like to assure the Members of this House that the protection of witnesses and informants has been a particular concern of the Solicitor General (Mr. Kelleher). I would like to take this opportunity to outline the steps that he has taken in this regard. The Solicitor General has had a thorough review conducted of witness/informant protection arrangements, and I would like to describe some of the key features of the RCMP program.

First, investigators are provided detailed and very explicit instructions on how sources are to be handled, particularly with regard to limitations on the commitments that can be given to the informants at the investigation level. Second, informants are compensated on the basis of the value of the their informational services performed to advance the investigation of the offence. Third, the RCMP provides protection to

such individuals and their immediate families when there is clear evidence that they have been, or are likely to be, seriously threatened as a result of acting as an RCMP informant. Finally, as an aspect of protection, informants and their families may be provided with a range of services including relocation in another city, change of identity and financial support.

The RCMP has a comprehensive and effective witness/informant protection program which is sensitive to the genuine requirements of these individuals and their families. I can assure the Members of this House that it is both fair and just.

The Hon. Member will appreciate that the use of informants is a necessary, in fact crucial aspect of many police investigations, particularly those which involve organized criminal conspiracies. Given the size of the RCMP and the complexity of the investigations the RCMP are charged to undertake, it is reasonable to conclude that the force deals with many informants on an ongoing basis, otherwise it would not be the very successful police force that it clearly is. In such circumstances, it is not surprising that from time to time, an informant is not satisfied with the treatment he or she is afforded. In such cases, the individual can, of course, under our system of justice, seek remedies through a civil proceeding. The important point here is that such occurrences are extremely rare given the many informants handled by the RCMP.

• (1820)

I would also like to remind the Hon. Member that police work is always very difficult and at times thankless. The RCMP are being asked to respond to a range of infinite social problems in the communities with finite resources. Increasingly, they are being required to undertake complex investigations under extreme pressure. I believe the Members of the House owe a vote of confidence to the loyalty and dedication of these men and women who serve their communities and their country in such an exemplary manner.

YOUNG OFFENDERS ACT—MINIMUM AGE PROVISION

Mr. Alan Redway (York East): Mr. Speaker, I know that I do not have to remind you that since the Young Offenders Act was introduced into the House and passed into law by the former Liberal Government, it has been a very, very controversial piece of legislation. You know as well as I do, Mr. Speaker, that the Young Offenders Act replaced the former Juvenile Delinquents Act. It became effective law prior to the election of our Government, but it did not actually take effect as law of the land until after the Government was elected in the spring of 1985.

Almost immediately when it went into effect, the law was highly criticized, particularly by police forces, and particularly by police forces in the Province of Ontario. Following that criticism, the then Solicitor General who was at that time in charge of Young Offenders Act legislation, the Hon. Minister of National Defence (Mr. Beatty), commenced consultations with his colleagues right across Canada for the purpose of determining whether or not changes should be made to the Act.

Following those consultations, in fact changes were introduced in the House and passed into law but in spite of those changes, not all of the criticisms have disappeared. I suppose if I could identify one particular criticism that keeps coming up more and more often, it is the issue of those under twelve years of age, the minimum age at which the Young Offenders Act takes effect.

Prior to the introduction and passage of the Young Offenders Act, the age for criminal responsibility was seven years old. In fact, seven-year-olds and those older were subject to the Juvenile Delinquents Act. At the same time as the Young Offenders Act was introduced and passed, the Criminal Code was amended to remove the age of seven as the age of criminal responsibility. In fact, the age became 12, the minimum age dealt with in the Young Offenders Act.

It was anticipated at the time that each one of the provinces of Canada would put in place child welfare legislation which would deal with those young people from seven years of age to 12 years of age and that that would be the effective way of dealing with young people in that age bracket who were offenders. Unfortunately, that has not really come to pass.

While child welfare legislation has been put in place, the controversy continues to rage over whether that should be the effective way of dealing with children under 12 who are involved in criminal offences or if we should not lower the age in the Young Offenders Act.

I have raised in the House on occasion the fact that in Metro Toronto in 1985, 1,855 children under 12 were involved in very serious offences; 41 of them were involved in arson cases, 11 in sexual assaults and 15 in weapons incidents. That has prompted the Attorney General of the Province of Ontario to indicate that despite the existence of the child welfare system, there is a need for a safety net of criminal law. Otherwise, he says, there is no deterrent to criminal behaviour by children under the age of 12.

• (1825)

As you know, the Hon. Ian Scott, Attorney General of the Province of Ontario, has been criticized by Attorneys General in other provinces for that statement. They indicated that what the Province of Ontario really needs is stronger child welfare legislation, not amendments to the Young Offenders Act. It was indicated, for instance, that in the Province of Quebec that is the case and that deals with the problem effectively.

At the end of May of this year our Minister of Justice (Mr. Hnatyshyn), now charged with the responsibility for this legislation, met with his provincial counterparts and discussed this problem, among many others. In early June of this year I asked that Minister in this House whether he was prepared to make further amendments dealing with the minimum age in the Young Offenders Act, or whether he was going to leave it

to child welfare legislation to deal with the problem. The Minister said his officials and provincial officials were going to be meeting to study the problem.

Four months have now passed by and surely it is not unreasonable to expect a response from the Government. Will it tell us tonight one way or another: Is it going to change the Young Offenders Act and reduce the age of responsibility from twelve to seven or perhaps somewhere in between? Or, is it going to do nothing and rely strictly and solely on child welfare legislation to deal with this problem?

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, I want to say at the outset that it is a pleasure to share the House this evening at this hour of debate with my hon. colleague from York East. I know he has displayed considerable interest in this distinct problem facing the judicial system and young people.

The minimum age of 12 was established during the process leading to the introduction and passage, in 1982, of the Young Offenders Act. I am sure he is aware of that. There was then a general consensus that the age of seven was simply not reflective of the policies or daily practices of the juvenile justice system. It was decided, as was the case under the Juvenile Delinquents Act, that children who threatened to harm themselves or others are best dealt with through provincial child welfare legislation. This enables authorities to apprehend children and provide special care and treatment for them and their families.

While the very young cannot be dealt with by means of criminal prosecution, it is in society's interest that they and their families be helped through formal family and children's services.

The issue of minimum age was raised during the consultations preceding Bill C-106 when changes were vigorously urged by some observers. The Hon. Member indicated he was one of those vigorous observers. For most participating in those consultations, however, it was not an issue requiring immediate attention and proposals of change also were opposed with vigour.

At the recent meeting of federal and provincial Ministers responsible for juvenile justice, the adequacy of child welfare legislation to deal with offences committed by children under the age of 12 was discussed. As indicated earlier, the Ministers did not reach a consensus on the proposition put forward by the Attorney General of Ontario. However, it was agreed that there was a need to ensure and maintain the capacity to respond effectively to anti-social behaviour of these children.

This issue has been referred to officials to ensure that the appropriate mechanism to respond to the needs of these children and to protect society is available.

[*Translation*]

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.30 p.m.

HOUSE OF COMMONS

Wednesday, October 7, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

EXTERNAL AFFAIRS

TIBET—ANNIVERSARY OF CHINESE OCCUPATION—DALAI LAMA'S PEACE PLAN

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, this is the thirty-seventh anniversary of the illegal and cruel Chinese occupation of Tibet. Yesterday 60 Tibetan monks were arrested in Lhasa by the Chinese army for simply shouting the name of the Dalai Lama. Last week at least 19 Tibetans were killed for pro-independence demonstrations.

This is the worst attack on Tibetan freedom since 1959 when 87,000 Tibetans were killed and the Dalai Lama fled to exile. High ranking Tibetans have appealed for world support. They ask the United Nations to support their cause, to know that they are suffering, and that their human rights have been trampled upon for 37 years. On September 21 in Washington the Dalai Lama proposed a five-point peace plan. I ask the Government and all Hon. Members to give serious consideration to this important cause.

* * *

• (1405)

THIRD WORLD

CLEAN WATER SUPPLY—AIM OF WATERCAN ORGANIZATION

Mr. David Daubney (Ottawa West): Mr. Speaker, Canada's uniqueness is expressed in many ways. One of these is that we are blessed with plentiful supplies of clean water. The same cannot be said of the world's poor countries. Two billion people face the daily challenge of finding clean, uncontaminated water, and 80 per cent of disease in the Third World is caused by dirty water.

Ready and easy access to abundant supplies of clean water is essential if the cycle of poverty is to be broken and economic prosperity is to emerge in these less fortunate countries.

Watercan is a Canadian non-profit voluntary agency, founded by Michael Lubbock, an 81-year old constituent of mine, whose aim is to increase the supply of clean water in the poorer regions of the Third World. Watercan's aims and strategies are simple and effective. It raises donations by including its pamphlets with municipal water bills. Our Government has offered $50,000 for Watercan's operating costs and will contribute $2 for every $1 raised by donations.

Watercan has not wasted any time in providing clean water for those in need. A donation has already been sent to Zambia to provide for a system of wells.

I would like to commend Michael Lubbock's efforts, along with those cities which have included Watercan's pamphlets with their water bills. I call on all Canadian municipalities to follow suit to help Watercan's worthy mission.

* * *

NATIONAL FAMILY WEEK

SPECIAL NEEDS FOR FARM FAMILIES

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, since this is Family Week I would like the House to reflect for a moment on some of the special needs of Canada's farm families.

Low incomes, high stress, and lack of safe and affordable child care are all concerns according to the responses to a rural farm women's needs survey conducted in my constituency.

Their basic survival as farmers is a major concern. Low prices and high debt loads are contributing to family stress. With 40 per cent of the families reporting a straight loss or net incomes of less than $5,000, it is small wonder that few of their children are contemplating a career on the farm.

Some 50 per cent of the farm women responding were looking for an off-farm job, and most reported that they could not find one. These women are well educated and have training in a wide variety of fields. However, when the farm economy is badly hurting, jobs are disappearing in all the related fields in rural Canada.

If the Government really had a commitment to Canadian farm families, it would be clear on its farm family assistance

policy. It would announce the level of grains income assistance for the coming year and would provide a clearly understood rural day care policy.

* * *

TRADE

HIGH QUALITY OF CANADIAN GRAIN EXPORTS

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the Tass News Agency reports that more than 40 per cent of the June to September grain shipments from the United States of America to the Soviet Union were infested with live pests and had to be fumigated on arrival.

In Canada, thanks to the excellent work of the Canadian Grain Commission, all our export sales are thoroughly inspected and certified to be of the highest possible quality.

The Entomology Section of the Commission routinely examines over 100,000 samples per year from farms, elevators, and ships and, if any cases of infestation are found, licences can be revoked.

If the Soviet Union or any other buyer wants assured high quality grain, Canada, with our thorough inspection and high standards, remains the logical source of supply.

* * *

[*Translation*]

WOMEN

FREE TRADE—REQUEST THAT GOVERNMENT ESTABLISH SPECIAL PROGRAMS FOR WOMEN BEFORE MID-APRIL

Mrs. Lucie Pépin (Outremont): Mr. Speaker, last week I said that women heaved a sigh of relief when they heard that the free trade talks were stalled. This week, we have an agreement, and many women are once again feeling their initial concern.

When we realize that two-thirds of the workers in the industries affected by free trade are women, and 65 percent of the people working in the service industry are women, when we realize that women have a harder time getting access to training and retraining programs than men, and that in the United States, many states have abysmal labour laws and a ridiculously low minimum wage, and that poverty hits women hardest, what has our Government done for more than 52 percent of the population?

It is intolerable that a Government should negotiate an agreement and leave out women.

I am therefore asking the Conservative Government to introduce special programs for women between now and mid-April, so that women can adjust to this new situation and so that half the population of Canada is not left behind when the train leaves the station.

* * *

TRADE

FREE TRADE—ABITIBI—TÉMISCAMINGUE REGION

Mr. Gabriel Desjardins (Témiscamingue): Mr. Speaker, if any region in Quebec can meet the free trade challenge successfully, Abitibi—Témiscamingue can.

Local personalities, including Paul and Robert Arcand, Jean Perron and Guylaine Saucier, have many times expressed their faith in the benefits of free trade for our region. This very morning, Jacques Bibeau, Mayor of Rouyn—Noranda, Paul-Aurèle St-Pierre, Mayor of La Sarre, and Jacques Leblanc, Mayor of Ville-Marie, told me personally that they supported the free trade treaty. In fact, Mr. Perron from La Sarre said recently in Rouyn—Noranda, and I quote: "This is a government initiative that deserves our attention. Free trade is something to look forward to." He went on to say: "As far as I can see, the protectionists, the people who are against free trade, are trying to hide their own inefficiency. It takes a lot of guts to say yes to free trade, and we do say yes to free trade!"

Mr. Speaker, I am convinced that thanks to this new dynamism in our region, our farmers, forestry workers and miners will meet this great challenge with enthusiasm and leave future generations a legacy they can be proud of.

* * *

• (1410)

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—STEEL INDUSTRY

Mr. Simon de Jong (Regina East): Mr. Speaker, as Canadians begin to examine the Conservative Government's misguided, hurried and patently unfair trade deal with the United States they are realizing that Canada has been put up for sale. Even formerly staunch supporters of the trade initiative are now telling this Government that the deal is a bad one for Canada and Canadians.

Roger Phillips, president of Ipsco, one of Canada's major steelmakers, told the Prime Minister (Mr. Mulroney) yesterday that he could no longer support the trade pact because it does nothing to guarantee secure access to the U.S. market for Canadian steelmakers. Canadian steelmakers, he warned, will not be able to compete on an equal footing with their rivals across the border as a result of this flawed deal.

It is clear that Mr. Phillips cannot be duped by the Government's empty assurances that this deal is in Canada's interest. The Government should heed the judgment of Canadians like Roger Phillips, before it is too late.

* * *

TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mr. John Reimer (Kitchener): Mr. Speaker, the pathetic performance of the Liberals and the New Democrats during Canada's trade negotiations with the United States cannot pass without comment. First they told Canadians that our social programs would be up for grabs. Were they? Not a single one. Then they claimed that Canada's cultural industries would be sold out. Were they? Not one. Next they even suggested that our unemployment insurance program would be changed. Was it? Absolutely not. Finally they said that the Auto Pact would be dismantled. Was it? No. In fact it was strengthened.

So I ask you, Mr. Speaker, whose credibility is on the line? Certainly not this Government's whose initiative and courage have given us an historic trade deal that will ensure that Canada continues to prosper. Rather, I would suggest that Canadians think long and hard about the misleading and irresponsible disinformation circulated by Canada's not so Loyal Opposition and its socialist allies. Constructive actions speak much louder than deceptive words.

Our Government's record will bear the scrutiny of any honest Canadian. The same cannot be said of the Liberals and the New Democrats.

* * *

PUBLIC SALARIES

SALARIES OF REGISTERED NURSES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I rise to bring to the attention of the House what I believe to be a serious injustice in the way the Government is treating some of its civil servants. The injustice to which I am referring is the salary presently offered to registered nurses working for the federal Government.

At the present time a registered nurse makes three cents an hour more than a registered nurse assistant. I find this situation to be totally unacceptable. Representatives of nurses and the Professional Institute of the Public Service have met with the former Treasury Board President concerning this issue and were promised an answer by September 1. September 1 has long since come and gone and the registered nurses working for the federal Government are still being treated unjustly and are still waiting. There are 900 hospital nurses in the service of the federal Government who need assistance.

I call upon the President of the Treasury Board (Mr. Mazankowski) to act now. Any further delay and procrastination will only compound the present injustice.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF MANITOBA PREMIER

Mr. Felix Holtmann (Selkirk—Interlake): Mr. Speaker, some things never change.

Was it any wonder last night we heard a voice crying alone in the socialist wilderness from Manitoba about free trade? We have come to expect Howard Pawley to take the reactionary socialist position of the rest of the New Democratic Party by protecting the status quo and resisting any positive change to our nation.

• (1415)

Howard Pawley and his group of NDP incompetents have made Manitoba an island of despair in Canada over the past three years. While Conservative policies have led the entire nation into new prosperity, the NDP in Manitoba have resisted at every step.

What is ironic and totally incomprehensible is that Mr. Pawley and his Government wish to seek and expand sales of Manitoba Hydro in the U.S.A., that Mr. Pawley and his Government wish to develop Manitoba potash and find a U.S.A. market, that Mr. Pawley and his Government in late 1984 tried to secure American investment to build a glass plant in his riding, that Mr. Pawley and his Government condemned the U.S.A. action of countervail duty on Canadian hogs, and yet do not favour a free trade pact which would secure these markets for Manitoba. He and his Government should resign.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF NEW DEMOCRATIC PARTY

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, Conservatives want Canadians to believe, falsely, I think, that the New Democrat opposition to free trade is based on a backward vision while they somehow are looking to the future. The contrary in fact is true. It is the Conservatives, with their backward look at the voodoo economics of the 18th and 19th century when free trade was a panacea.

We are looking to the future. We believe in fairness for Canadians and for future generations. We have confidence in Canadians. We believe that Canadians can create jobs in Canada without becoming the 51st State of the United States.

Many Canadians want to see energy policies and conservation of non-renewable resources. This free trade deal would betray that trust. It means unfairness for Canadians in the future.

What about the Liberals? They have renounced the voodoo economics of the past but they have no alternative vision. We have and that is what we will be taking to the people of Canada.

* * *

[*Translation*]

TRADE

FREE TRADE

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, the leader of the socialist party has announced that he will send his jackals and hyenas throughout the country to fight against free trade. I would like all Canadians, each time they hear one of these doom and gloom prophets criticize free trade, to ask them these questions: Why is free trade good for the Oshawa constituency and has been applied there since 1965? Why are Oshawa workers much better paid than the national average? Why do retired automobile workers have an indexed pension plan?

The answer is that they have benefited from free trade since 1965. Ask any socialist Member why he does not want what has happened in Oshawa and what has been good for that region to apply to the rest of Canada.

We Canadians have to start asking questions to the socialists, to these frustrated members of our society. Let us ask them where they come from. They have always been parasites living off Governments, universities or the money of poor workers.

ORAL QUESTION PERIOD

[*Translation*]

TRADE

FREE TRADE—INQUIRY WHETHER GOVERNMENT WILLING TO HONOUR COMMITMENT MADE IN HALIFAX

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Deputy Prime Minister. During his November 1985 meeting with the Premiers in Halifax, the Prime Minister stated the following:

> In my opinion, it is obvious that I shall not be able to reach a free trade agreement in a federal system such as we have in Canada without the support and participation of the provinces affected.

We now know that several Premiers disagree with the agreement. We also know that several areas under provincial jurisdiction are affected by the free trade agreement. Is the Government willing to respect the commitment it made in November 1985 or will it forget that promise?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think it should be reported that the Premiers at the First Ministers' meeting were very supportive of the Prime Minister's consultation with them. All of the Premiers without exception pointed out how it was not necessary for the Prime Minister to consult with them because, of course, treaties such as the free trade agreement are under federal jurisdiction. They all pointed out how much they supported the idea of this kind of co-operative ambience the Prime Minister has introduced.

• (1420)

I will just repeat that federal treaties are a federal matter. The provinces will be asked to make those changes in their jurisdiction. However, anyone who sees the free trade agreement will see those are very few indeed.

Mr. Axworthy: My question was not about consultation. The Prime Minister clearly committed himself at that meeting that he would not proceed with the free trade deal without the full support and participation of provincial Premiers. As I read it last night, several of them were not in favour of the Accord.

POSITION OF PROVINCES

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, considering the Minister is now being allowed to answer questions, I will direct my question to her. A number of areas under provincial jurisdiction are affected by this agreement, things such as financial services, certification standards, agriculture, energy and resources.

Both U.S. Senators and the administration said they could not agree to any free trade deal that did not have the full and unanimous support of the provinces. Therefore, I ask the Minister if both her Government and the Americans have now retreated from that stand, or are we really facing the fact that the Government will have to withdraw the agreement if it does not have provincial concurrence?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I pointed out it was not the intent of this Government to change the Constitution of Canada in this regard. As the Hon. Member well knows, I attended the First Ministers' meeting, as I attend all of them as Trade Minister, and that is why I was not in the House. I can assure him that only two of the 10 Premiers expressed serious reservations about the agreement, and that was on philosophical grounds. It was not on the merits of the agreement itself. They could pick no holes

at all in the agreement itself because it met all their regional interests.

Mr. Axworthy: I think it is fair to say that some provincial leaders will live up to their philosophical beliefs and follow through on their commitments.

FINANCING OF READJUSTMENT PROGRAMS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, perhaps this will be a question the Deputy Prime Minister is prepared to answer seeing as we get non-answers from the Minister.

Two days ago the Prime Minister said in a speech to the Export Association that there will have to be a massive undertaking involving new resources to deal with the problems of dislocation. Yesterday in this House the Minister of Finance said there will be no new massive undertakings and that present programs are fine, thank you very much. He totally contradicted the Prime Minister.

Who speaks for the Government? Is it the Prime Minister? The Minister of Finance? Or is the Government totally unprepared to come to grips with this vital issue and does not really know what it is doing?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I do not see any contradiction at all between what the Prime Minister said Monday and what the Minister of Finance said yesterday, in the sense that we already have in Canada what we call massive mechanisms—as my colleague put it—concerning labour adjustment. When we are talking about outlays of $6 billion, I would suggest it is relatively serious. The Minister of Finance did not say that things would not change, but we have to begin somewhere. We will begin by waiting, jobs have not been lost yet, and no final decision has been made. Of course, Mr. Speaker, my colleague would want us to behave like the Liberals—first create programs, then assess the situation. We will analyze and scrutinize the agreement, then we will create programs if necessary.

[*English*]

RETRAINING AND READJUSTMENT PROGRAMS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, once again the Prime Minister has resorted to exaggeration and deception.

Some Hon. Members: Oh, oh!

Mr. Speaker: I am sure the Hon. Member has an important question. I know he would want to withdraw the word "deception".

Mr. Allmand: Mr. Speaker, I will follow your good advice.

On Monday the Prime Minister said there was a need, to use his words, for a massive federal-provincial retraining and readjustment program to compensate for free trade. On Tuesday the Premiers said they had never heard of such a program and the Minister of Finance did contradict the Prime Minister.

• (1425)

The Government has already cut training and employment programs by 32 per cent from $2.2 billion in 1984 to $1.6 billion in 1987. Therefore, where are the massive programs? Will the Minister come clean with the country and tell us how many jobs will be lost and what the Government will do about it?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, the massive programs are the Canadian Jobs Strategy and Section 39. The massive programs are the one million jobs created in three years, something that the Hon. Member's Party was never able to do.

[*Translation*]

FREE TRADE—JOB LOSSES—ADJUSTMENT PROGRAMS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): On Monday, as a result of the free trade deal, Mr. Speaker, the Prime Minister promised a major federal-provincial retraining program. On Tuesday, he was contradicted by the provinces and the Minister of Finance. Mr. Speaker, according to several studies between 100,000 and one million jobs will be lost. If the Minister and the Government do not agree with these findings, what are their own official predictions? Is the Minister prepared to admit that many jobs will be lost as a result of the free trade deal and will he say what the retraining programs will consist of?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I am now in a position to advise the House that there are programs already in place to trigger the employment adjustment mechanism. Some 5 million Canadians per year have changed jobs, one way or another, and we have the necessary mechanism to relocate and properly help these people. Now, as far as the Canada-United States deal is concerned, both the assessment and review of the mechanism provided for under this deal will take place. No job will be lost before January 1, 1989. Nothing will be done until then. My Department, together with all the others, will carry out a series of analyses and, on the basis of our findings, the necessary measures will be implemented. But what differentiates us from the Liberals is the fact that we study a situation before acting upon it whereas they used to act first, and we have had to face the consequences.

[*English*]

MONITORING OF FOREIGN INVESTMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, yesterday I asked questions about why the Government gave up our sovereign control over pricing and security of supply in energy. Today I have a question about the loss of sovereignty in the investment field.

I will direct my question to the Minister for International Trade. According to a study produced by Statistics Canada and released just over an hour ago in Edmonton, for every $1 billion in profits between 1978 and 1985 Canadian companies created 5,700 new jobs. For the same $1 billion of profits during the same period of time U.S. firms created the grand total of 17 jobs.

Given the alarming significance of this data, is this not a time when we should be, if anything, increasing our monitoring of the performance of foreign firms in Canada instead of giving up our sovereignty in this field?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, we are not giving up our sovereignty in this area. We will still be monitoring direct investment. We will still be welcoming direct investment. You will recall that when the Government took office we changed FIRA to Investment Canada and changed the thresholds. There was record investment after that. We are changing the thresholds again.

While I am not aware of the particular study to which the Hon. Member has referred, I can give him a different set of statistics. We have created one million new jobs since we took office and last year we had a record $6 billion worth of investment. Surely the two are connected.

• (1430)

STATISTICS CANADA STUDY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, if the Minister would look at the data produced by another Minister's Department, she would see that is precisely the point. The Canadian firms that are making the profits are indeed reinvesting, but the foreign firms that are making the profits overwhelmingly are taking the profits out of Canada. That is the point.

Some Hon. Members: Hear, hear!

An Hon. Member: It is your lack of understanding.

Mr. Gustafson: What about Oshawa?

Mr. Masse: It is all right for Oshawa but nowhere else.

Mr. Crosbie: Bushwah from Oshawa.

Mr. Speaker: Order. The Hon. Member for Oshawa.

Mr. Broadbent: Some of our colleagues across the aisle are talking about Oshawa. The point of investment in Oshawa is that we have insisted on performance criteria in the Canada-U.S. automotive agreement.

Mr. Masse: Who is the "we"?

Mr. Broadbent: Is the Minister aware—

Mr. Shields: Bob White pulls the strings.

Mr. Speaker: Order, please.

Mr. Siddon: He is distorting statistics.

Mr. Speaker: Hon. Members on the government side will expect Members on the opposition side to extend the appropriate courtesies when Ministers give answers. I would hope that they would extend the proper courtesy to the Leader of the New Democratic Party who is asking a question.

Mr. Broadbent: Mr. Speaker, I understand that they are a little sensitive these days.

Is the Minister aware that the same study produced by Statistics Canada shows that during the same seven-year period, from 1978 to 1985, more than 99 per cent of the new jobs created in Canada were created by Canadian firms? If she is aware of that, why is she prepared to sell out existing control levels that we have for foreign firms and their performance? Why does she not increase Canadian sovereignty in this field rather than reduce it?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, possibly the fact that 99 per cent of those jobs were created by Canadian firms is because this is Canada, and Canadian firms, while it does not seem to have occurred to the Hon. Member, are the major employers.

The whole purpose of our free trade agreement with the United States is to make those Canadian firms even stronger, to provide them with greater markets, to provide them with greater security of markets so that they can employ even more Canadians.

[*Translation*]

CONTROL OVER AMERICAN INVESTMENT IN CANADA—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, Statistics Canada figures indicate that over the past seven years Canadian companies, mostly small—and medium-sized businesses, have created 99 per cent of the new jobs, whereas American companies have created less than 1 per cent during the same time.

My question is very simsple. Why did the Conservative Government agree to surrender our sovereign right to control American investments in Canada?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, of course the Hon. Member has simply asked the same question. My answer is the same.

INDUSTRY

FUTURE OF FIRESTONE PLANT IN HAMILTON

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, I have an urgent question for the Minister of Industrial Expansion and Minister of State for Science and Technology. The Minister will know of a breakdown in negotiations between Firestone Canada and the Ohio-based Cooper Tire and Rubber Company. This could mean the devastating shut-down of the Firestone plant in Hamilton, with a loss of 1,300 jobs, while Cooper wants to move the operation to Tupelo, Texas.

In view of a clear demand by the City of Hamilton to get the parties back to the negotiating table, will the Minister arrange for a high level meeting between himself and the Minister in the Province of Ontario? Can he give me any assurance of financial assistance to make sure that Firestone and its 1,300 employees remain in Hamilton?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, this morning I was in touch with the Mayor of Hamilton, and my provincial colleague. We have agreed on a common strategy. We want to get the parties back to the table and get the negotiations under way in a serious manner.

We are willing to intervene directly. I am communicating with the two companies this afternoon in order to get them back to the table. Hopefully we will be able to come to some satisfactory resolution to this issue that will safeguard as many jobs as possible in the firm.

REQUEST THAT MINISTER INTERVENE DIRECTLY

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I must say that I welcome the conversion on the road to Damascus because a week ago this self-same Minister said that he could not get involved in this matter because it was a private matter between two parties. I am glad that he is involved.

Will he follow the demand of the Mayor of Hamilton and send a team, including himself—not another civil servant as he has done over the last two years—and members of the Opposition who have been unable even to have meetings with him, to go to Akron to meet with Mr. Nevin to tell him that Firestone better start bargaining in good faith or the Government's hammer will come down on them?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, my short answer is no. The reason is very simple. No cabinet Minister of this Government will go to the United States or any other country and beg for any decent commercial behaviour.

Some Hon. Members: Oh, oh!

Mr. Foster: Tell that to Pat Carney.

An Hon. Member: Get off your knees.

Mr. Speaker: The questions that have been asked by the Hon. Member for Hamilton—Wentworth and the Hon. Member for Hamilton East are serious questions that involve a serious matter that is taking place at this time. The Minister is trying to give a response. I would ask that he be given the courtesy of some silence.

Mr. de Cotret: As I said, Mr. Speaker, I have no intention of going down to the United States to negotiate with the firms. As I indicated, I have talked to both the provincial Minister and the mayor. We have a strategy in place.

I will be happy to talk to the firms if need be. That meeting would be in Ottawa. This is a step that would be taken only if further negotiations break down.

I would only add in response to the Hon. Member's question that my statement last week, that I was not willing to intervene, was because the commercial negotiations were still under way. Now that there are signs that they have broken off, I think it is the appropriate time for the Government to take action.

* * *

[*Translation*]

TRADE

FREE TRADE—ELIMINATION OF CONTROL BY CANADIANS OVER AMERICAN INVESTMENT—RESQUEST FOR DETAILS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is directed to the Minister for International Trade and has to do specifically with the figures released today by the Council of Canadians which indicate that, from 1978 to 1985, 99 per cent of new jobs created in Canada came from Canadian companies, less than 1 per cent from American companies.

Can the Minister confirm that under the agreement with the Americans we Canadians will not be allowed to say anything at all about American investments, probably over a 20-year period, despite the fact that Canadian companies, not American companies, are the ones that create jobs in this country?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have answered that question. I believe that Canadian companies employ more Canadians than American companies because this is Canada and Canadian firms are the major employers.

I do not understand the NDP obsession with American firms. The American firms that we are talking about will still be subject to monitoring by Investment Canada. We insist that we have sold out nothing. We have given away nothing. We have protected our right to invest in America. More Canadians

firms are investing in America, in percentage terms, than are investing here. We think this is a good agreement, and that it will create new investment.

• (1440)

The Government has welcomed foreign investment. Foreign investment creates jobs. The Government has grandfathered the provisions in certain sensitive industries. We have grandfathered provisions in the communications and cultural industry. We have grandfathered provisions in the energy industry. We have also changed Investment Canada to welcome foreign investment. That foreign investment has brought new Canadian jobs.

CONTROL OVER AMERICAN INVESTMENT

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my supplementary question is for the same Minister who may not have seen the charts that we received today showing that 99 per cent of the jobs created in those seven years in Canada came from Canadian companies. While American-controlled companies had one-third of the profits they created less than 1 per cent of the jobs.

My question to the Minister is the following. Is it not true that Canada is binding itself to have no control over American investment for 10 or 20 years coming into this country? Therefore we have been able to do nothing about situations like what exists at Firestone in Hamilton. The Government is giving up our right to protect Canadian jobs.

Some Hon. Members: Hear, hear!

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member's allegations are absolutely false, without foundation, and do not deserve a further answer.

GOVERNMENT PROCUREMENT—EFFECT OF AGREEMENT ON ATLANTIC CANADA

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is for the Deputy Prime Minister. The Prime Minister stated that regional development programs will not be affected by the free trade agreement. Of course that simply is not true.

On February 28, 1986, the Minister of Supply and Services announced that the federal Government's Department of Supply and Services under the Atlantic Opportunities Program would spend an additional $600 million in federal purchases over four years in Atlantic Canada. The Minister said in that release that this new expenditure of $600 million would create "an average of 5,000 jobs a year in Atlantic Canada".

I ask the Deputy Prime Minister to acknowledge that the national treatment provisions for government procurement contained in the free trade agreement will eliminate the Atlantic Opportunities Program and, according to the Government's own estimates, will cost Atlantic Canada an average of 5,000 jobs a year.

Some Hon. Members: Hear, hear!

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think that that question is typical of the Opposition's attack—

Mr. Axworthy: Answer it then!

Miss Carney: —trying to stir up fear in the hearts of Canadians.

What he has said on procurement is not true. It is not true that our Atlantic program is affected by this. The procurement package that we negotiated in the free trade agreement would not impinge in any way on the Atlantic program that this Government introduced.

READJUSTMENT PROGRAM

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the only thing we are trying to stir up from the murky waters of that Minister's answer is a shred of truth.

Some Hon. Members: Hear, hear!

Mr. Tobin: The reality is that the Government of Canada has now given American companies access to Canadian procurement. The Government can no longer guarantee a certain amount of procurement for regions like Atlantic Canada or, for that matter, for western Canadians under the Western Diversification Program.

I ask the Minister again to tell the House of Commons how the Government of Canada under the Prime Minister's so-called massive assistance program is going to replace the 5,000 jobs lost in Atlantic Canada, and replace the initiative promised under the Western Diversification Program which is now no longer available as a result of the free trade agreement.

Some Hon. Members: Hear, hear!

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, again I say that the Hon. Member's complaint is not true. There is nothing in this agreement that affects those firms—

Mr. Tobin: Stewart McInnes confirmed it yesterday.

Miss Carney: —that would be covered by the Atlantic and Western Diversification Programs. I again repeat what I have said in this House. A free trade agreement is not a licence to poach—

Mr. Tobin: The Minister sitting behind you confirmed it yesterday.

Miss Carney: I am sorry the Hon. Member does not want to hear my answer.

EXPORTS OF BRITISH COLUMBIA RED CEDAR

Mr. Gerry St. Germain (Mission—Port Moody): I have a supplementary question, Mr. Speaker. It is for the same Minister.

Under the elements of the agreement that was signed covering shakes and shingles the Americans, under the ITC 201, have agreed to eliminate and not to take further action.

I would like to ask the Minister if she will guarantee that—

Some Hon. Members: Order, order!

Mr. St. Germain: —the restriction on exports of red cedar logs, bolts, blanks and blocks will remain in effect.

Hon. Pat Carney (Minister for International Trade): I am happy to give the Hon. Member that assurance, Mr. Speaker. It was something very important to British Columbians. In return for a few restrictions that the Americans placed we did protect our log exports in British Columbia. We also won assurance that the Americans cannot again place the kind of tariff they did place on cedar shakes and shingles—

Mr. Axworthy: Oh yes, they did.

Mr. Riis: What about softwood?

Miss Carney: —and that no new tariffs in that area will be applied in the future. We will have much better safeguards against that kind of action under the free trade agreement than we have now.

Some Hon. Members: Hear, hear!

SERVICE INDUSTRY JOBS

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is for the Minister for International Trade. The Stats Canada study which was revealed today in Edmonton points out clearly that between 1978 and 1985 the Canadian service sector created 10 times more jobs than American firms in this sector in Canada. The Government has now opened up this sector to American takeovers thereby risking thousands of Canadian jobs.

Some Hon. Members: Oh, oh!

Mr. Rodriguez: My question to the Minister is this. Why has the Government given up Canada's sovereignty in the area of screening foreign takeovers? Why?

Some Hon. Members: Hear, hear!

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, this just shows how the NDP is living in the last century. One of the most wonderful features of the FTA in world terms is that it is the first major free trade agreement that covers services. This means that Canadians will have the right to work on both sides of the border. Canadian companies in the service industry will have access to the U.S. market. That is very important because more jobs are being created in the service industries today than in the goods-producing industries. That is where the jobs of the future are, and this Government has secured access to the U.S. market for people in those jobs.

Some Hon. Members: Hear, hear!

SCREENING OF AMERICAN INVESTMENT

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my supplementary question is to the same Minister. I want to tell her that the people in the Sudbury Basin will be delighted to know that they can now go down to Texas to work in the service sector.

Mr. Cassidy: For four bucks an hour.

Mr. Rodriguez: Mr. Speaker, I wish that the Government would pay attention to the facts as revealed by its own agency, Stats Canada. Between 1978 and 1985 new jobs created by American controlled companies in Canada were 1,400, while Canadian controlled firms created 876,000 jobs.

Some Hon. Members: Hear, hear!

Mr. Rodriguez: I am glad that they applaud, Mr. Speaker, because my question to the Minister and to the Government is this. Why are they placing in jeopardy the sovereignty of Canada to screen investment in this country and to putting at risk the jobs that our companies in this country can create? Why are they doing that?

Some Hon. Members: Hear, hear!

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have just done some hasty arithmetic, and while it may be wrong all his figures show me is that under previous administrations it took them seven years to create the same number of jobs that this administration created in three.

Some Hon. Members: Hear, hear!

ASSURED SUPPLY OF ENERGY

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is for the Minister of Energy, Mines and Resources. The National Energy Board which was previously safeguarding our energy supplies is now nothing more than a monitoring agency. There is no assurance now that Canadians have an assured supply of energy to meet their needs before energy is sold to the United States. What assurance can the Government give to Canadians that there will be an assured supply of energy to meet Canadian needs in the future?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the obvious answer to that, and I am sure the Hon. Member knows it, is that by securing our energy markets in the U.S. for all the energy-producing provinces we have been able to ensure the investment in Canada needed to create new

supplies of energy. The Hon. Member knows that as well as anyone in this House.

• (1450)

PRICE OF OIL

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, there are no assurances that there will be investment to replace the light and medium crude when it is gone.

Can the Government give us its assurance that it will put up the funding to bring on projects like Syncrude and Hibernia?

Perhaps now that the Americans feel that they have a continental energy policy, they will pay a continental price, a price above the world oil price in order that we can bring on projects like Syncrude and Hibernia after they milk us of our medium and light crude.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the history of energy development in this country has shown that investment follows secure markets, creates new jobs, and creates new sources of supply.

In this agreement we have secured markets for British Columbia's hydro, we have secured markets for the Prairies' oil and gas, we have secured markets for Ontario's nuclear potential, and we have secured markets for Quebec's hydro potential.

I certainly concede that investment of billions and billions of dollars will flow into the country because of the work that we have done in the free trade agreement.

[*Translation*]

FREE TRADE—SITUATION OF QUEBEC FARMERS

Mr. Robert Toupin (Terrebonne): Mr. Speaker, my question is directed to the Minister responsible for International Trade. The Free Trade Agreement provides for removing tariffs on processed food products, which means that Quebec farmers will lose a substantial part of their chicken and milk markets. At the same time, the Agreement will increase import quotas for chicken and eggs, and this means that Quebec producers will lose part of the Quebec market to American imports.

Mr. Speaker, my question is as follows: Could the Minister perhaps inform the House how many Quebec farmers will be forced to stop their operations and close down as a result of the measures contained in this Free Trade Agreement?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, again the Hon. Member is raising unnecessary fears. There is nothing in this agreement—

Mr. Nystrom: Aren't you nice.

Miss Carney: Would Hon. Members allow me to answer their own Member's question?

Mr. Nystrom: Miss Congeniality!

Mr. Speaker: The Hon. Minister.

Miss Carney: I believe that the question related to food processors.

I can assure the Hon. Member that we have taken measures in our agreement that will look after the concerns of the food processors. We have secured our supply management systems, and the fears that he raises are unjustified.

[*Translation*]

QUERY WHETHER STUDIES MADE OF FREE TRADE CONSEQUENCES FOR FARMERS

Mr. Robert Toupin (Terrebonne): Mr. Speaker, could the Minister inform the House whether her Government has carried out the requisite studies to determine the consequences and the cost of free trade for our farmers? If so, will she publish them? If not, does the Minister realize how dangerously her Government has been improvising in these negotiations?

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, I think that if the Hon. Member looks at the details of the Agreement with respect to marketing boards, he will find that the Canadian Government has kept its word, which was to maintain the marketing boards. We have done what we said we would do.

As far as reducing tariffs is concerned, there will be a reduction over a period of ten years, and if certain measures should lead to increased imports, we still have the GATT measures we can use to protect the Canadian market. You may be sure that the rights of Canadian producers will be respected and protected, Mr. Speaker. You can count on that!

[*English*]

EFFECT OF AGREEMENT ON GRAPE PRODUCERS

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is directed to the Minister for International Trade.

Farmers across the country know that they have been sold out by the Government in the Canada-U.S. free trade agreement.

Some Hon. Members: Oh, oh!

An Hon. Member: Right on!

Mr. Foster: Last April the President of the United States toasted the Prime Minister of Canada, and stated that he would be happy when all Canadians were drinking Californian wines. Last Sunday night he got his wish.

Ms. Copps: That's right.

Mr. Foster: I want to ask the Minister for International Trade why the Government in the free trade negotiations has totally sold out the grape producers in British Columbia and Ontario, and the wine industry? Why have they been totally abandoned and left out of this agreement? Is there any reason

why the Government should completely destroy this industry and give it over to the Napa Valley in California?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, one of the objectives of a free trade agreement is to reduce tariff barriers between the two countries, and to reduce discriminatory price mark-ups and other barriers to trade.

Mr. Caccia: How about the jobs?

Miss Carney: If the Hon. Member is saying that under no circumstances can Canadian wine growers compete with Californian wine growers, then the doom and gloom that he portrays will be something which he will create himself.

We feel that the Canadian wine industry, and all Canadian industry, will be able to compete with American industry.

ELIMINATION OF SEASONAL TARIFFS

Mr. Maurice Foster (Algoma): Mr. Speaker, my supplementary question is the following. Surely all that the wine industry is receiving from this Government is the grapes of wrath.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. Foster: That industry has been completely abandoned by this Government.

I wish to ask on behalf of those same producers of fruit and vegetables why the seasonal tariffs have been given away in these negotiations?

The United States has kept its dumping duties, and its countervail duties. Why were the seasonal tariffs given away, threatening thousands of jobs of Canadians?

Mr. Axworthy: Here is an answer from the sour grape herself.

Hon. Pat Carney (Minister for International Trade): The Opposition is yelling "sour grapes". I think that applies to their own question.

May I point out that the grape industry price mark-ups are discriminatory. Those discriminatory price mark-ups are in the order of 69 per cent and 65 per cent. They are considered a barrier to trade. There are cases before the GATT on this issue. This industry was facing a 301 trade action from the United States.

In terms of the vegetable growers, we were successful in negotiating a special 20-year protection clause for that industry. The head of the Horticultural Council was consulted, and was very pleased with what we had negotiated.

EFFECT OF TRADE AGREEMENT FOR CONSUMERS

Mrs. Mary Collins (Capilano): Mr. Speaker, my question is for the Minister of Consumer and Corporate Affairs.

Over the past few days British Columbians have been exhilarated by the new trade deal and the opportunities that it provides for the resource and manufacturing sectors.

What about the consumers? Can the Minister assure this House that this trade deal will be good for ordinary Canadians when they go shopping for clothes, appliances, and furniture?

Can he tell us that a good trade deal for Canada is a good trade deal for the pocket-books of Canadians?

Some Hon. Members: Hear, hear!

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Finally, Mr. Speaker, a question of concern to ordinary Canadians.

Some Hon. Members: Hear, hear!

Mr. Andre: Mr. Speaker, there is no question but that a real winner in this trade deal is the consumer.

The Economic Council estimates that on the Consumer Price Index there will be savings between 5.7 and 7.5 per cent. That will mean that every Canadian consumer, which means every Canadian, will now have a wider variety of goods, better quality, and cheaper prices.

If the NDP do not like that, they should go out and tell Canadian consumers that they do not want them to have cheaper prices, better quality, and more variety.

Mr. Rodriguez: Where are they going to get the money to buy it?

EFFECT OF AGREEMENT ON HORTICULTURAL INDUSTRY

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is directed to the Minister for International Trade who has just informed the Hon. Member for Algoma that the Government has done a good job of protecting the fruit and vegetable producers by introducing a clause that gives them protection for up to 20 years.

Is the Minister for International Trade not aware that that particular section of the agreement requires that the producers cannot rely on that clause, if acreage in this country goes up for any of those particular fruit or vegetables that they are attempting to put into place?

Why did the Government try to freeze production in this country at their present levels? Why has it no faith in the productive capability of Canadian farmers?

• (1500)

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think that the Hon. Member should wait until we have the full free trade agreement before us, with the level of detail that he is talking about.

We have negotiated special protection for the horticultural section of our agriculture. At the same time we have been able

to ensure that we have greater access for meat producers, pork and beef producers. We have negotiated exemptions from meat import laws. We have managed to keep our commitment to maintain our supply-management schemes in Canada.

It is a very good agricultural package. It is the only agricultural package ever negotiated in a free trade agreement, and Canadians can be proud of it.

Mr. Althouse: The Hon. Minister should know that I just had a briefing session with our negotiator on this particular part of the package, and I think that my facts are correct.

PROCESSED FOODS—EFFECT OF AGREEMENT ON FARMERS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, the Minister mentioned that we have maintained the marketing boards and the power of the marketing boards, in response to my colleague, the Hon. Member for Terrebonne. She said that the processors were very pleased with this agreement.

Can she tell us how the farmers who supply the processors are being protected under this agreement? It looks very much as if the processors are being guaranteed U.S. product, and Canadian producers of chickens, eggs, and turkeys are going to have to cut back their production to fit into this agreement.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the NDP cannot attack this agreement on its facts, so they are trying to attack it through falsehoods, because in that area—

Some Hon. Members: Order!

Miss Carney: —we can be very, very clear that all interests have been protected.

Certainly to suggest that poultry producers and other producers are going to be ruined is totally distortive of the facts.

FOREIGN OWNERSHIP OF CHARTERED BANKS

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is also for the Minister for International Trade. Will the Minister explain to the House why the Government made two major concessions to the Americans without getting anything in return—first, scrapping the 25 per cent limit on foreign ownership of Canadian chartered banks and, second, exempting U.S. bank subsidiaries in Canada from the 16 per cent of total domestic assets limitation?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can tell the Hon. Member that we got a balanced agreement in financial services. It was negotiated under the special attention of our Finance Minister and, very important in the financial services package, we were able to negotiate and preserve our Canadian access to the U.S. financial market.

EFFECT OF TRADE AGREEMENT

Miss Aideen Nicholson (Trinity): Mr. Speaker, I have a supplementary question for the same Minister. It is difficult for me to understand how she can say that it is a balanced agreement.

Canadian law permits one bank to operate many branches. American state law generally requires a separate corporation for each branch. Therefore, it is clearly easier for an American bank to establish a national presence here.

Second, the U.S. Glass-Steagall laws are still in place with the limitation of a Canadian bank on entering into the investment field, whereas Canadian banks here allow that.

It is very difficult to see how the Minister can describe such an unequal situation as a balanced agreement.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can assure the Hon. Member that in areas of financial services Canada has and will maintain better than national treatment in the U.S.

Our Canadian banks are able to do things in the United States that Americans are not able to do. We preserved that better than national treatment in our financial services package.

Mr. Speaker: This will be the last question of Question Period. The Hon. Member for Ottawa West on a single question.

* * *

PUBLIC SERVICE

LIMITATION ON FEES PAID TO FORMER EMPLOYEES

Mr. David Daubney (Ottawa West): Mr. Speaker, my question is for the President of the Treasury Board. Over a year ago the Board directed all agencies and government Departments to limit the amount of money they can pay in fees to former public servants working on contract to the Government.

The fee is limited to the former salary of the public servant, minus whatever pension the individual is in receipt of, and this limitation is in effect for the lifetime of the individual.

In light of the fact that the conflict of interest code contains other limitations on the association which former public servants can have with the Government, would the Minister agree that the lifetime duration of this provision is excessive, and would he consider shortening or eliminating it?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I thank the Hon. Member for his representation. As he is aware, there are some very strict guidelines under the conflict of interest post-employment part

of the code. I think he is aware as well that under certain conditions and provisions there can be modifications to that if the conditions warrant.

I will take the Hon. Member's representation to see if there is any flexibility which can be applied to take into consideration the specific point he has raised.

Mr. Speaker: I must advise the House that this is the end of Question Period.

I indicate to the Hon. Member for Prince Albert that I know he has been rising and I would hope that I would be able to take that into account tomorrow.

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PRIVILEGE

ALLEGED USE OF UNPARLIAMENTARY LANGUAGE

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, in compliance with the rules of the House that questions of privilege must be raised as soon as possible after Question Period, I would like Your Honour to review the *Hansard* "blues" of the responses of the Minister for International Trade (Miss Carney).

Sometimes in the heat of argument one does not hear everything that was said but a sound to my ear came perilously close to the Minister accusing me of having been spreading falsehoods.

I think that that is not parliamentary, that it detracts from the opinion of Hon. Members, and that it is a practice that is not generally indulged in in the House.

I think it is particularly bad in this case where it is very difficult for the Government and all of us in Canada, with a procedure and an agreement, that the facts are only becoming known now. As we dig out the facts, even though they are well understood by the negotiator for our side and by the various commodity groups who were involved, it does not help for the Minister to accuse people who bring those facts forward, or to accuse me, of spreading falsehoods. They are very well known facts in the industry, in spite of the fact that she may not be fully aware of them yet.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think I am as fully aware as anyone in the House of the details of an agreement which I helped to negotiate.

I can say very clearly that the allegation which is being made about poultry production is not true.

Mr. Keeper: Are you going to withdraw it?

Miss Carney: If Your Honour so decides that my language was unparliamentary, I know that you will direct me to withdraw it.

Mr. Speaker: I have listened to the comments of the Hon. Member for Humboldt—Lake Centre (Mr. Althouse) and of the Minister. I will examine *Hansard* and report back to the House.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table in both official languages the Government's response to Petition No. 332-2989.

* * *

SOCIAL SECURITY

DECLARATION OF INTERNATIONAL CO-OPERATION IN SOCIAL SECURITY WEEK—SIXTIETH ANNIVERSARY OF ASSOCIATION

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the week of October 4 to October 10 has been declared by the International Social Security Association to be the week of international co-operation in social security. During this week, which is also the sixtieth anniversary of the association, countries around the world have been asked to reflect on the benefits which each has gained by working with others toward the development of social security systems that more fully meet the needs and hopes of our citizens.

• (1510)

The Canadian member institutions of the International Social Security Association, the Department of National Health and Welfare and the Régie des rentes du Québec, have played a very active role in the work of this vital association, and we will continue to do so.

Canada, as a nation made up of people whose origins can be traced to virtually every country in the world, recognizes the importance of international co-operation in social security. The most concrete and best known form of co-operation is, undoubtedly, the social securities agreements which Canada has concluded in recent years and which bring benefits to thousands of our fellow citizens.

It has been my honour to sign 11 agreements in my term as Minister of National Health and Welfare. These agreements were concluded with Austria, Barbados, Denmark, Finland, the Federal Republic of Germany, Luxembourg, the Netherlands, Norway, Saint Lucia, Spain and Sweden. I look forward in the ensuing months to signing more.

I know that all Members of this House join me in congratulating the International Social Security Association for its accomplishments in its first 60 years and in wishing it well in the years to come.

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, during this week of international social security, I applaud the Minister for his achievement of 11 social security agreements with various governments. I know they will be of particular benefit to Canadians who have come from other countries.

I want to raise a related matter of great importance to the future social security of Canadian citizens. Since this week also is National Family Week, I remind the Minister that Canada is a signatory to the International Covenant for Economic, Social and Cultural Rights. Article II of this covenant states that governments are required to provide for the basic needs of their citizens and to strive for continuous improvement of living conditions.

Under the Canada Assistance Plan, provinces are required to provide financial aid or assistance to any person in need in an amount that takes into account his basic requirements. How then does this Government explain the continuing increase of poverty among Canadian families with young children? How can we tolerate the fact that one out of every five of our children is being raised in poverty?

Consider what it means to be born into poverty, to be raised poor, to bear your children in poverty and to die poor. It means being shortchanged at birth by inadequate pre-natal care, not getting enough to eat, and being sick more often than other kids. It means entering the school system already seriously disadvantaged, being labelled "slow" because your hair does not shine, your eyes do not sparkle and you cannot sit still because you have had no breakfast. For girls it usually means having babies and repeating the cycle. For boys it usually means dropping out of school, heavy drinking, drug abuse and getting into trouble with the law.

In Canada we have condoned a situation of national child neglect. The decreasing incidence of poverty among the elderly proves beyond doubt that Government policy and programs can make the difference. I call upon the Government to turn its attention immediately to developing a comprehensive family policy that will provide some fairness and honesty for Canadian families and particularly for Canadian children who are poor.

Ms. Sheila Copps (Hamilton East): Mr. Speaker, unlike the New Democratic Party I do not believe that the fight against poverty among seniors has been won. In fact, I believe that that Party made the commitment on many occasions to end the kind of discrimination that currently exists with respect to the federal Government in our own social security system dealing with single seniors, and with people who are separated and divorced who are not eligible for a spouse's allowance as a result.

I think for the Minister to make a great week, along with the commitment that he is making to social security internationally it would behoove him to stand up in the House and, rather than make an announcement in very glowing terms about what is happening across the world, say that he is prepared to end the discriminatory practices of the Government toward senior citizens. I do not think the battle against poverty among senior citizens has been won. I do believe that we are also launching a battle to fight the kind of poverty that is facing one child in five in Canada.

This evening I will be presenting a motion in the Standing Committee on National Health and Welfare that we have an in depth study of poverty among children across the country. I do not think we can trade them off one against the other. We have to recognize that as a society we should be protecting our helpless and our defenceless. That includes our elderly and our children. I think the Minister would be far better in this House today were he to make an announcement regarding an end to his discriminatory policy with respect to senior's pensions.

[*Translation*]

Mr. Speaker, I think my colleague, the Hon. Member for Montreal—Sainte Marie (Mr. Malépart), has said many times that as far as allowances and old age security are concerned, the policy is discriminatory, and if the Minister really wants to make this a week when Canadians could rejoice in our social security policy, he should announce in the House today that he will drop a policy that discriminates against the elderly and against persons who are single, divorced or separated, since it does not give them the same benefits as persons who are married or widowed. It is a discriminatory aspect of our social security system and it should stop.

* * *

[*English*]

SUPREME COURT ACT

PRESENTATION OF REPORT OF LEGISLATIVE COMMITTEE ON BILL C-53

Mr. Arnold Malone (Crowfoot): Mr. Speaker, I have the honour to present in both official languages the report of the Legislative committee on Bill C-53, an Act to amend The Supreme Court Act and to amend various other Acts in consequence thereof

[*Editors note: See today's Votes and Proceedings.*]

RESUMPTION AND CONTINUATION OF POSTAL SERVICES ACT

MEASURE TO ENACT

Mr. Jim Jepson (London East) moved for leave to introduce Bill C-269, an Act to provide for the resumption and continuation of postal services.

Mr. Speaker: Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Jepson: Mr. Speaker, the purpose of this Bill is to ensure the continuation of postal service for all Canadians, for seniors, for the disabled, for those receiving family allowance cheques and for businesses to function. The essential aspect of this Bill will be to take away the right to strike of CUPW and declare the Post Office an essential service.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

RAILWAY ACT

MEASURE TO AMEND

Mr. Nelson A. Riis (Kamloops—Shuswap) moved for leave to introduce Bill C-270, an Act to amend the Railway Act.

Mr. Speaker: Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Riis: Mr. Speaker, I appreciate my colleague's co-operation. I was caught a little bit off guard.

The intention of this Private Member's Bill is to require the national railways to adhere to environmental laws which provincial governments have introduced. There are some serious problems on a provincial basis in this regard.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

• (1520)

AUDITOR GENERAL ACT

MEASURE TO AMEND

Mr. John R. Rodriguez (Nickel Belt) moved for leave to introduce Bill C-271, an Act to amend the Auditor General Act (request for an inquiry).

He said: Mr. Speaker, the purpose of this Bill is to empower any standing committee of the House of Commons to require the Auditor General of Canada to inquire into and report upon any matter relating to the financial affairs or public property of Canada. The report would then be submitted to the Speaker of the House of Commons and then laid before the House forthwith.

Mr. Speaker: Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: All other Bills are reserved.

Some Hon. Members: Agreed.

* * *

PETITIONS

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have once again a petition, one of a large series, which comes from towns in my constituency from Windsor south to La Salle, Anderton, Amherstberg, Malton and includes people from further into the constituency in McGregor, Essex and other parts of Essex—Windsor. All of them protest very vigorously against the very dangerous safety record of Fermi II, the American nuclear reactor, which is so close to the borders of Canada and of my constituency specifically.

They call on us, the Parliament of Canada, to make sure that immediate negotiations take place with the United States to see to it that there is a neutral review conducted both by Canadians and Americans to see to it that this reactor is reviewed before it is allowed to go into full capacity operation at any stage in the future.

OPPOSITION TO BILL C-55

Mr. Sergio Marchi (York West): Mr. Speaker, I have the pleasure and the obligation under Standing Order 106 to present to the House some petitions. The first concerns the Governments refugee legislation, Bill C-55 and it is signed by residents of the Cities of Scarborough, Weston and Bramalea in the Metro Toronto area. The other comes from residents of Vancouver, Port Alberni, Victoria and Kelowna.

Essentially, the petitioners are asking the Government to drastically alter and reform Bill C-55 by eliminating the prescreening stage, deleting the safe third country concept and improving the refugee appeal system by removing it to the Federal Court and ensuring that there is a proper, fair and expedient appeal system and to discourage those who wish to abuse the system by making it speedier.

Order Paper Questions

CONSTITUTIONAL ACCORD—RECOGNITION OF MULTICULTURALISM

Mr. Sergio Marchi (York West): The second petition comes from residents of the City of Edmonton, and others from residents of the Cities of Montreal, St. Leonard and Toronto. Essentially, these petitioners are concerned with the Meech Lake Accord as it affects the multicultural heritage of nearly one-third of Canadian citizens and are asking that Clause 1 be amended so that when we define what it means to be a Canadian, we also include the reference to the multicultural and aboriginal heritages that join with linguistic duality to give a full and meaningful definition of Canadianism.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis(Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

* * *

[*English*]

POINT OF ORDER

REFERENCE TO FORMER PREMIER OF ALBERTA

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I rise on a point of order. I will simply to refer the House to page 9724 of *Hansard* where, in an exchange with the Secretary of State for External Affairs (Mr. Clark), I was referring to the past Premier of Alberta, a man with whom philosophically I disagree, but on a personal basis, a man with whom I have been friends for many years. I referred to him as Peter Lougheed and that is how I have always referred to Peter Lougheed. When I talk to him personally, I call him that, and they have written here "Low-heed".

I just do not want *Hansard* to reflect in any way negatively against the past Premier of Alberta. As a fellow Albertan, I particularly feel slighted that *Hansard* would have done this. However it is partly my fault because I did not read the "blues". If I had looked at them, I would have picked that up. In British Columbia, when we refer to Lougheed Place or Lougheed Mall or Lougheed Highway, that is the way we pronounce it, and if they spell it "Low-heed", it is intended as no slight against the past Premier of Alberta.

Mr. Speaker: I thank the Hon. Member for his intervention and I think that will meet the sensibilities of all Hon. Members and any others outside of this House.

* * *

PRIVILEGE

CRTC—ALLEGED ERRONEOUS INFORMATION—CLOSING DATE—MR. SPEAKER'S RULING

Mr. Speaker: I now have a ruling to bring to the Chamber. On September 23, the Hon. Member for Kootenay West (Mr. Brisco) raised a complaint with the chair alleging that certain actions and/or lack of action by the Canadian Radio Television Commission amounted to a breach of the privileges of the Hon. Member.

After hearing the case put forward, I said in part that the Hon. Member may not have a question of privilege, but I added, and I quote what I said on that day: "It most certainly is a complaint." Regretfully, I have to repeat that I am still of that mind. I think there is a complaint and a very real one.

While I will not comment on the Hon. Member's words when he talked about the "cavalier and inneficient manner of the operations of CRTC", on the facts presented, the Hon. Member for Kootenay West has a valid complaint and reason to be upset and angry.

[*Translation*]

As was said when the subject was raised, some simple changes in the regulations governing applications for rate changes would be sufficient to prevent this kind of frustration.

• (1530)

[*English*]

I do not think I need go into the various definitions of privilege found in the authorities May, Bourinot and Beauchesne, but this type of problem is not covered by them. I will, however, refer Hon. Members to Citation 16 and Citation 17 of Beauchesne's Fifth Edition.

[*Translation*]

I must therefore conclude, with all due respect, that the Hon. Member does not have a question of privilege.

[*English*]

I would add that this does not leave the Hon. Member without recourse. This fact needs to be emphasized. The recent reforms adopted by the House allow Members to pursue such matters vigorously, not only in one of the several standing committees but also under Private Members' Business. The Hon. Member for Kootenay West has made his point forcefully but, I repeat, it is with regret that the Chair cannot take any further action and the matter raised cannot go forward under a finding of *prima facie* privilege.

I want to thank the Hon. Member for his co-operation and patience in waiting for this ruling. I would like to be able to help him with his particular problem but, regretfully, I cannot under the concept of privilege. However, I hope the frank comments of the Chair might be helpful to the Hon. Member.

* * *

BUSINESS OF THE HOUSE

CHANGE IN ORDER OF PRECEDENCE OF PRIVATE MEMBERS' BILL C-214 AND C-262

Mr. Speaker: I have received written notice from the Hon. Member for Skeena (Mr. Fulton) and the Hon. Member for Prince Albert (Mr. Hovdebo) that they are unable to move their items for Private Members' Business, Bill C-214 and Bill C-262 respectively, on the dates required by the order of precedence. It has not been possible to arrange an exchange of positions in the order of precedence pursuant to Standing Order 39(3)(a). Accordingly, I am directing the Table to drop both items of business to the bottom of the order of precedence. There will be no Private Members' Business on the days scheduled for those items, namely Thursday, October 8, and Friday, October 9. The House will continue to consider Government Orders pursuant to Standing Order 39(3)(b).

I wish to inform the House that because of the ministerial statement Government Orders will be extended by six minutes.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Tuesday, October 6, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of

an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendment of Mr. Turner (Vancouver Quadra):

October 1, 1987—That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

and on the amendment of Mr. Broadbent:

October 1, 1987—That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution.—Mr. Broadbent.

and on the amendment of Mr. Caccia:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

and on the amendment of Mr. Allmand:

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms."

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I begin my remarks on the Meech Lake Constitutional Accord by recalling that the last two times I had an opportunity to speak on the Constitution was, first, in the fall of 1980, and again in 1981 at the time of the last constitutional upheaval, you might say.

I recall, and I say this not by way of excuse but by way of illustrating something, I hope, profound, that I was much more concerned to have a prepared text at that time than I am now. What I mean to illustrate by that is that over the years since 1980-81 I feel that what Members of Parliament have to say about constitutional matters has become less and less important. I want to illustrate that, if I might, by talking about some of the developments since then.

First, some would argue that the effect of the Charter of Rights we passed at that time has been to take decisions away from Parliament, which might otherwise have been made there, and placed them in the courts. Of course many people feel that is a good thing rather than a bad thing. However, the fact of the matter is, no matter how you feel about it, there are things being decided elsewhere which at one time would have been decided here in Parliament.

Second, if the free trade agreement comes to be a fact of Canadian life, many things that would have been open to Parliament to decide will, of necessity, be decided in the continental market-place and no longer by Parliament.

Miss Carney: That is wrong.

Mr. Blaikie: So I feel as a Member of Parliament that my role, and that of Parliament itself, and the Canadian Government for that matter, will have been diminished.

Third, I also feel that the process surrounding the Meech Lake Accord has diminished the role of Members of Parliament. I want to preface my remarks by saying it is my intention to vote for the Meech Lake Accord. Let there be no confusion on that account. However, I feel that the process which has attended the Accord has set some very dangerous precedents with respect to the role of Members of Parliament in constitutional change.

It has been called executive federalism. Whatever you want to call it, the fact is that 11 people, the provincial Premiers and the Prime Minister, can arrive at agreements which profoundly affect the future of the country and then have Parliament put in the position, as we have been put, of not being able to amend what was decided by those 11 persons.

My support for the Accord was much more comfortable support in the early days when I thought Parliament might have an opportunity to amend the Accord. I thought the committee process might be a place where some of the obvious flaws in the Accord might be remedied.

The first flaw, of course, that comes to mind is the obvious injustice done to northern Canada by virtue of the requirement that there be unanimity with respect to the admission of new provinces. For the life of me I cannot understand why that was incorporated in the agreement and why, when there is almost universal agreement on the injustice of that provision, the agreement could not have been opened up to provide for that

particular amendment. I suppose it has something to do with the politics of it, I do not know. I suppose there are perhaps some Premiers who feel they did not get all they wanted and that if somehow the agreement were to be opened up, then new political pressures would be put on them to open up the agreement to get what they are being criticized for not getting. I understand that, but surely to God, when it comes to so obvious an injustice as that done to northern Canada, we should have been able to do it.

With respect to my support for the Accord, I want to say that I am going to be voting for it because at the end of the day, having heard all the arguments, certainly having been convinced of the imperfection of what is before us, I still think a Canada which accepts this Accord and goes beyond it to new constitutional evolution will be better than the Canada which would exist if this agreement were to fall apart.

That is an over-all judgment which every Member of this place has to make for himself or herself, and which political Parties also have to make. I emphasize that it is an over-all judgment. It is not a question of how and to what degree various Members are committed to the rights of aboriginal peoples or the multicultural nature of Canada or the equality rights in the Constitution or the importance of federal leadership in social policy, or whatever is on the great long list of concerns people have about this Accord. It is a question of people having to make an over-all judgment about what would be best. It would be easy for Members of Parliament, except perhaps those in Government, to say that we can vote against it on these grounds and therefore be absolved of any responsibility for the consequences of the imperfections of the agreement which become known in the future.

• (1540)

However, I think we have the responsibility to ask ourselves what we would do if our vote made the difference. Would we prefer the Canada which would result from the breakdown of this agreement or the Canada which would result from this agreement? My judgment at this time is that I would prefer the Canada which would result from the agreement. I hope that history proves me right. It is in the nature of constitutional debate that everyone has the responsibility to make his or her own decision.

I spoke earlier of my fears as a Member of Parliament about the growth of executive federalism. The current Prime Minister (Mr. Mulroney) organizes First Ministers' conferences by putting the Premiers into a room without their advisers or any backup, and there is no record kept. The Prime Minister is the only one who has any say about what the draft statement will look like. The Prime Minister goes out before the Premiers and has his little show with the media. The Premiers are not allowed to comment until some time after. From what I have heard from some who have participated, the whole process is quite orchestrated. This is no way to run a country. I hope this is peculiar to the style of the current Prime Minister and will not be endemic to First Ministers' conferences which will be institutionalized.

I would like more parliamentary participation to be institutionalized in constitutional negotiation and debate. I know the committee made some recommendations in that regard. I would like to call attention, as I know others have, to the proposal made by John Holtby for a more comprehensive parliamentary and legislative exercise which would include members of the legislatures of Canada on a umbrella-like committee. I recommend that proposal to Members who are interested in thinking about how parliamentarians and legislators can be more involved.

I want to speak a bit about the business of unanimity, and point out some of the ironies which attend constitutional policies and debates. I recall the debate in 1980-81 about the amending formula. It sometimes happens that people, by virtue of their vehemence against something, end up with a situation which is actually worse than that which they were attacking and which actually conforms more to what they were attacking than to that with which they started out.

For instance, I recall that people in the Prairie provinces in 1980-81 were very concerned about the amending formula proposed by the then Liberal Government which would have given Quebec a veto. By the way, the veto power which Quebec has under the Meech Lake Accord is much less than that previously proposed veto power. It has a veto only with regard to federal institutions rather than with regard to everything. That should be kept in mind by people who may be concerned about the veto of Quebec, as well as the veto of other provinces on federal institutions.

The people of the Prairie provinces were very concerned about Quebec having a veto. That same amending formula provided that any two western provinces could prevent something by not agreeing to the original veto which was provided for in that amending formula. As a result of objections to that particular formula we ended up with another formula which provided that two-thirds of the provinces comprising 50 per cent of the population could veto something. Under that formula something could be done in Canada without the consent of any of the Prairie provinces. That has always struck me as ironic.

It is also ironic that, thanks to two very significant political figures in our history, Mr. Trudeau and Mr. Diefenbaker, the "one Canada" heroes, the notion of any special veto for Quebec was made so anathema that when the Premiers went to Meech Lake many of them knew that for domestic political reasons if Quebec was to get any kind of veto over anything they had to have it too.

The tremendous political irony is that by creating the political context which they did, one could argue that Mr. Trudeau and Mr. Diefenbaker set the stage for the very kind of Canada which they claimed to be so much against. In fact, that is not the kind of Canada which they were either for or against because somewhere along the line the proposition got

sort of transmogrified into a situation in which all the provinces now have a veto with regard to certain matters. That is an incredible irony which should not go unremarked upon.

There is another thing which amazes me with regard to the principle of unanimity. We are about to enter into a constitutional situation in which unanimity will be required with regard to federal institutions. Yet, through the free trade agreement, the Government proposes to change the very economic constitution of this country without unanimity, without the approval of at least five of the ten provinces, and without even the requirement of a vote in Parliament. There may be a vote, but there is no requirement for one. It is a shortcoming of our system that something as important as the economic constitution of the country can be changed in the way in which the Government proposes to change it without a shred of unanimity, without even a consensus.

I know that other Members of Parliament, particularly some of the Conservative persuasion, will disagree with me, but I hope they will hear me out. I feel as though my country was sentenced to a slow death on Sunday morning. I believe that in time we will see the erosion of everything that I value about Canada as it is and as I thought it could become through the political process and the building up of an independent Canada on the northern half of North America.

I feel as though Meech Lake has all of a sudden become irrelevant. I have the sickening feeling in the pit of my stomach that it will not really matter any more, if the Government gets away with what it has in mind. In the offing is a process whereby Canada as we know it will come not to exist in any event, and, for example, whether the provinces or the federal Government appoints Senators is trivial in the long run. That about which I speak will not, of course, happen over night and that is what makes this debate on free trade so difficult. Again, it is a question of judgment as to what will arise out of any particular decision.

• (1550)

When I spoke on the Constitution in 1980 and 1981, I did not talk only about the need to patriate the Constitution but the need to patriate our economy. While the Liberals made some effort to patriate our economy through the National Energy Program in the following years, we are seeing the complete opposite now, where our economy is being exported by integrating it so profoundly into the American economy and North American market.

I want to deal with aboriginal rights. I was one of those in 1980 who was warning my Leader and others that I would not vote for the package as it was until it included aboriginal rights. I feel very good about that aspect of my political life, that we were able to achieve that recognition. While it was not as full and complete as we wanted, nevertheless I recall being part of the process whereby the Government of the day had to bend in order to get the kind of approval it wanted for that patriation package.

In my opinion, aboriginal rights are not endangered in any way by this particular Accord. I believe that we will only achieve a truly just relationship with native people when we, as a society, truly repent for the way we have treated native people. Constitutions will not achieve that, nor will the courts or many other mechanisms that are used. It will be a matter of political will, public opinion, and a change in the consciousness of Canadians. Quite frankly, I despair whether that change will ever happen, but that change in consciousness and political will is necessary in order to meet the wishes of the native leadership in this country.

I want to deal with one other issue in the minute I have remaining, and would hope that Hon. Members would indulge me for a few more minutes. It concerns the cynicism of the observations made about the various political parties with respect to Meech Lake. I speak particularly of the cynicism which has attended the NDP position on this matter.

Those who are seriously concerned about our position should review the history of NDP policy with respect to Quebec. They will see, as pointed out by the Hon. Member for Winnipeg North (Mr. Orlikow) yesterday, that the New Democratic Party's position now with respect to Quebec and the constitutional discussions has its roots in the very formation of the Party back in 1961. It is very cynical and wrong for journalists or others, including the general public, to say that the NDP is agreeing to the Meech Lake Accord because we are high in the polls or want support in Quebec.

This reflects a certain psychology that takes over political commentary. I have seen it happen with respect to other things since we began to do very well in the polls. For instance, some journalists have commented about the new suits I am wearing, when they are exactly the same suits I have been wearing for the last two years. Another example was when people thought that the reason my Leader was angry about the behaviour of one of my colleagues when President Reagan was here was that we were high in the polls. I can tell you that when I wore a black arm band when President Reagan was here in 1981 I was chewed out by the Leader, and we were low in the polls at that time.

There are principles which we hold whether or not we are high in the polls. Our high standing in the polls did not stop the New Democratic Party from taking what was perceived as an unpopular position with respect to refugee legislation. Our standing in the polls did not affect our position with respect to amendments to the drug patent laws even though they were popular in Quebec. That did not change our position, because we have principles.

One of our principles has been to recognize Quebec as a distinct society. It is a principle that goes back far into the history of the Party. Anyone who believes that what we are doing is a reflection of political opportunism is dead wrong.

Mr. Nunziata: Mr. Speaker, the Hon. Member found it necessary to conclude his remarks by trying to explain away

the so-called public cynicism. He appears to be concerned about the public perception that the New Democratic Party somehow has sold out the ship in order to garner more support in Quebec.

He indicated during his remarks that in the previous constitutional debate in 1980 and 1981 he was about to vote against that particular Constitution because aboriginal rights were not recognized. He went on to say that the Liberal Government of the day finally gave some recognition to the aboriginal people. He said further that in his view aboriginal rights are not endangered by the Meech Lake Accord.

According to a great number of submissions and representations made by aboriginal people to the joint committee of the Senate and the House of Commons, they feel that their rights are endangered because they are not recognized in the first part of the Meech Lake Accord which speaks of the fundamental characteristics of Canada. Will he explain why he believes aboriginal rights are not endangered when the aboriginal people of Canada, the ones most directly affected by the Meech Lake Accord, say that their rights are adversely affected? Is he presuming to understand the situation better than the aboriginal people of Canada?

I suggest to the Hon. Member that it is because of statements like that that Canadians really wonder about the NDP position and perhaps about the Hon. Member's position. A few short years ago he was prepared to vote against the Constitution because aboriginal rights were not recognized. Today, when aboriginal people of Canada are saying that this Meech Lake Accord is not in their best interests, the Hon. Member decides that he knows better than the aboriginal peoples and will vote contrary to their wishes. Will he explain the obvious inconsistency in his position?

Mr. Blaikie: Mr. Speaker, I do not think it is either obvious or inconsistent. At the time of the last constitutional change I was concerned, as were many others, that aboriginal people were in a particularly dangerous situation because of the nature of what was happening *vis-à-vis* patriation, given the relationship between the claims of aboriginal people and the Crown. At the time of patriation, if certain language was not built into the Constitution, it would be of grave danger, indeed, to their rights.

I believe that this particular constitutional change neither advances nor retards the possibility that aboriginal peoples will get the justice which they seek within Canadian society. It is my understanding of the position they put before the committee that they were legitimately concerned that they would somehow be taken off the constitutional agenda by not having built into this Accord the provision for more constitutional conferences.

• (1600)

I certainly do not think that we have seen the last of constitutional conferences on aboriginal rights, even if there is no such provision in the Accord. That is not something which is prohibited by the Accord. That is, pursuant to what I said earlier, something that will be created by the political process and by the political will to deal with those problems, whether it be through conferences or whatever the process may be.

I do not feel badly about the position that I have taken in this respect. I have had many opportunities, both prior to being here when I worked in the church with Project North and with other groups and with native leaders, many of whom came before the committee, to discuss this issue with native people. I do not think the Hon. Member should presume to lecture me or anyone else on this matter.

Ms. Jewett: Mr. Speaker, I want to pursue this matter for a minute or two and ask the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) a question. I expect the Hon. Member has read the report of the joint committee, in particular Chapter 15 which contains the recommendations of the joint committee. I hope that all Hon. Members will read it, if they believe in the committee system of this House.

In fact, on the question of putting aboriginal rights and, in particular, the rights to self-government back onto the constitutional agenda, the committee makes some very explicit, very strong recommendations, beginning with the resumption of funding, which was cut off in June of this year at the end of that round of constitutional conferences on aboriginal rights. Indeed, a whole sort of work plan is laid out in the final chapter of the joint committee's report on the constitutional Accord.

My first question to this Hon. Member who is a member of the reform committee of the House of Commons is whether in his judgment that kind of accepted recommendation, that is, accepted by all Parties, will have an impact on the Government, particularly in view of the fact that they have recommended what George Erasmus asked for, namely, a constitutional conference beginning in 1990.

Mr. Blaikie: Mr. Speaker, just on that point, I think that there are two questions to deal with, of course. The recommendations of the committee with respect to aboriginal claims, and also with respect to funding, ought to be followed by the Government. But I am beginning to be concerned that a Government which has made so much of parliamentary reform since its coming into office in 1984, and for that matter a Prime Minister who has made so much of parliamentary reform, is starting to develop a very bad record with respect to paying attention to the unanimous recommendations of committees. I would think that in their heart of hearts this should concern some of the Tory back-benchers, even though they might not want to admit it. There were the unanimous recommendations of the Standing Committee on Consumer and Corporate Affairs with respect to food irradiation which have been completely ignored by the Government. There are the recommendations of the committee with respect to the matter under discussion, but also with respect to other amendments. There are other examples as well which dim the hope of those who were involved in parliamentary reform, that

a renewed committee system, and renewed political life in the committee system of this House, that this would happen through the Government actually paying heed to the recommendations of committees. That hope has begun to weaken as a result of actions taken by the Government or, more appropriately, as a result of actions not taken by the Government, actions that have been urged on it by committees and recommendations that have been made by committees which have been simply ignored by the Government.

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, I want to say, first, that it is with a great deal of honour that I participate in this debate on what is an historic constitutional Accord, perhaps a milestone of governments in the last number of decades. It is an important debate because it focuses on the unity of our country. It focuses on the vision that we have as Canadians of our country and where we would like it to go.

We have heard a great deal in the course of this debate about the Accord, what it should say, what it does not say, and what are its strengths. Before we But to make look at the terms of the Accord we must understand what is the issue. We must understand the political, legal and constitutional context in which we as a country find ourselves in 1987.

What is the issue? Surely, the issue that faces all Members of this House and all Canadians is whether or not we as a country can accommodate Quebec within our constitutional family. We must ask ourselves whether we have the flexibility, the understanding, the commitment and the political will to reach out to the people of Quebec as we promised to do. In the 1980 referendum, Quebecers voted to stay within this country. They voted by a narrow margin to stay within this country. Fully 40 per cent of the people of Quebec voted to leave Canada as we know it today. Approximately 50 per cent of the French-speaking Members from Quebec voted to leave.

That is hardly a recommendation for the manner in which this country has been governed. It is hardly a recommendation for previous governments that have attempted to reconcile the national interests with the legitimate aspirations of the people of the Province of Quebec.

There are those who have said and will say that the question of 1980 was somehow not truly known to the people of Quebec when they voted, that it was a slanted question. But those who make that argument considerably underestimate the intelligence and awareness of the people of Quebec.

How could the people of Quebec participate in debate for months and years about the future of their province and not know what the question was when they went into the voting booths to vote yes or no? That is an argument which I cannot accept, and which somehow implies a certain degree of inferiority on the part of the people of Quebec. In fact, if anything, the people of Quebec have superior instincts in the political field.

The 1980 referendum was a request from the people of Quebec for Canada to adapt the Constitution, to allow the province to evolve within the Canadian family. But what happened? What followed was a series of actions by the national Government, and finally in concert with the provinces, which excluded Quebec, decisions were made about the fundamental nature of this country, about the future of the country, without the consent of the Province of Quebec.

There are those who will say, We would never have gotten the consent of Premier René Lévesque and his separatist government that ruled the Quebec of the day. What they seem to ignore is that the National Assembly of Quebec voted unanimously to reject the terms of that Accord. The terms of 1981 and 1982 were not acceptable to any member of the National Assembly of Quebec, not just to the separatists that sat in the National Assembly. That is the situation that faced this country, that was part of this country until 1984.

In 1984, our present Prime Minister outlined to the people of Canada that he was committed to reconciling Quebec but reconciling Canada to Quebec as well. He said he was interested in national reconciliation, constitutional reform, and making the evolution of this country a top priority of the Government. What followed then were discussions, after his election as Prime Minister, with the Premiers.

Finally, in August of 1986, the 10 provincial Premiers and the Government of Canada decided that the Quebec issue was the primary issue that had to be addressed at First Ministers' constitutional meetings. That is why earlier this year the Premiers came together and were able to reach an accord. What followed August of 1986 were months of preparation by the Ministers in the respective provinces. This deal was not a rush deal. There are those who say that it was reached in two days. Those people who make that criticism are acknowledging only their ignorance of political and constitutional affairs. If they knew nothing about the negotiations that preceded the meetings of the spring that resulted in this Accord, they are simply admitting that they did not take the trouble to be informed.

• (1610)

The Accord of 1982 was imperfect in that it left Quebec out. The Accord of 1987 brings Quebec in. In my opinion, criticism of the process is unfounded. What about the deal? That is what truly interests Canadians. They are pleased to have Quebec within the constitutional family, but they will also ask, "Just what did it cost us?" In my view, it did not cost Canadians. Canadians only win as a result of the Meech Lake Accord. They win a united country.

Let us look at some of the terms of the Accord itself. In the Accord there are two new rules of interpretation. One is the recognition of Quebec within Canada as a distinct society. Some will say that that confers upon Quebec the right to pass laws, and say that it is a distinct society, therefore, it can do a,

b, or c. But the legal opinions are quite to the contrary. This is merely a rule of interpretation.

It states in the agreement that "the Constitution of Canada shall be interpreted in a manner consistent with . . . "; in other words, these are rules of interpretation. These are not grants of legislative powers. The Charter of Rights today provides that the Charter of Rights shall be interpreted in a manner consistent with the reality of this country; that certain things can be done consistent with the rules of a democratic system. The reference to a distinct society is merely read in collateral and in conjunction with that reference.

What about the English minority in Quebec? The Accord also provides that Canada has dualism. In Canada there are English-speaking Canadians in a minority in Quebec, and French-speaking Canadians in a minority in many other provinces. To this point in time provinces that had rejected the concept of official bilingualism and a commitment to accepting and preserving the bilingual nature of the provinces have accepted in this Accord that as a fundamental characteristic of this country they will preserve its dualistic nature.

What about the powers of the legislatures and the Government of Canada? Again, the Accord states that nothing shall derogate from the powers, rights, or privileges of Parliament, the Government of Canada, or the legislatures or Governments of the provinces, including any powers, rights, or privileges relating to language. That is a very clear indication of the agreement that was reached by the Premiers.

What are some of the other terms? There is a reference and a decision made that the provinces may nominate persons to the Senate, and that the Government of Canada then will make a selection based on those nominations. There are those who say that we are giving away the shop; we are giving to the provinces control of the Senate. The appointment rests with the Government of Canada, but more basic than that is the reality that the Senate belongs to no government. It does not and should not belong to the Government of Canada. It is a national institution that belongs to all Canadians and is designed to reflect the co-operative and federal nature of this country. What a better way than to have joint appointments to the Senate to reflect this reality. Why should the Government of Canada be the sole appointing body to the Senate? In addition, there is a commitment to effect reform of the Senate.

In my view those who argue that somehow the Government of Canada is weakened, do not understand the federal nature of this country. They do not understand the agreement that was reached in 1867, or the agreements that followed that brought in other provinces. Those provinces agreed that this was a federal system of government; that the provinces had roles to play, but that these roles were protected by the Constitution and that no attempt would be made by the national Government to undermine that commitment in our constitutional documents.

A lot is also heard about the immigration agreement, that Quebec can somehow have a say in the nature of immigration into that province. This is not new ground. For a number of years the Province of Quebec has been a party to an agreement with the Government of Canada under which both Governments agree that the Province of Quebec has a role to play and a say in the nature of the immigration as it affects that province. That is not new.

It is also not new that there are amendments to the Supreme Court of Canada. In this regard, I hear and read some amazing comments. Because the provinces have a right to make nominations to the Supreme Court of Canada, we hear some people state that the Supreme Court of Canada will be an instrument of the provincial Governments, and that we will have pro-provincial decisions from the Supreme Court of Canada. If we accept that, we must also accept that until this point in our history the Supreme Court of Canada has been a political instrument of the Government of Canada, the national Government, undermining the legitimate role of the provinces as laid out in our Constitution.

Until this point in our history, the Supreme Court of Canada has been appointed by the national Government. In truth, the Supreme Court of Canada belongs to neither level of government. It belongs to the people. It is a national institution, and it should not be nor will it be an instrument of manipulation for either level of government. That is very basic to our understanding of the constitutional principles upon which our country is based. The Supreme Court of Canada is now entrenched in our Constitution. In my opinion, the institution of the Supreme Court of Canada is a big winner.

There is also discussion about shared-cost programs and that the national Government has lost its ability to instigate, participate, and promote new national shared-cost programs. In fact, quite the contrary is true. For the first time there is a constitutional recognition that the Government of Canada has a role to play in initiating programs in areas of exclusive provincial jurisdiction. We are not talking about programs in areas of national jurisdiction. We are talking about a role for the Government of Canada implementing programs in areas of exclusive provincial jurisdiction. In other words, in areas where traditionally the Government of Canada has had no right to be. This enhances and legitimizes the role of the Government of Canada to put forward programs that are in the national interest. At the same time, it allows the Government of Canada the flexibility to institute those programs in order that the needs of the provinces and the people are addressed.

Of course, there are national objectives established by the national Government. If any provinces does not meet these objectives, the money for the program can be withheld from that province. That is a tremendous lever in negotiations. We cannot ignore the realities of federal-provincial negotiation and communication that must take place.

What about the yearly conferences on the economy, and on other issues? There are those who say that we are creating a third level of government. In reality we are simply putting into the Constitution a role for the provinces and the Government

of Canada to play in concert with the important issues of the economy and constitutional reform. This is the ongoing reality. There is nothing to fear. All the people who will attend these conferences representing the Government of Canada and the provinces are elected officials. We are all accountable every four or five years. Accountability, which is so much a part of the democratic system, is the greatest guarantee for Canadians. If Canadians do not like the decisions which are being made, they will change their representatives.

• (1620)

A wide range of issues comes to mind when we talk about the Accord. As we in the joint committee on the Constitution identified, there are weaknesses in the Accord. On that there is no debate. Nor is there any serious debate that the other constitutional documents which are the basis of our country had their weaknesses. There is no such thing as a perfect constitutional document, not in 1987, 1982, or 1867.

In 1982 there was a constitutional document involving repatriation and acceptance of the Charter of Rights and Freedoms which excluded the Province of Quebec. What could be a more glaring deficiency than excluding a full third of the people of the country? It was not unanimous in 1982. That was a glaring defect, but that document was pushed forward by some of the same people in the House today who say that the Accord must be stopped because it is imperfect. That is the hypocrisy of those who oppose this document, in my view, for what they may see to be short-term political gain. However, that is a short-term view of Canada which should not be a part of this debate.

What is at issue is the future of the country. We are all being called upon to rise above the temptation to score small political points at a great price to Canada. Today we are talking about a document which is not perfect, but we are talking about a document which is very good for Canada. Those who want a detailed commentary on the Accord itself should read the 1987 report of the special joint committee.

For five weeks I had the opportunity to raise questions and to hear witnesses respond to those questions, and in my opinion all the issues are addressed with great satisfaction in the report.

There are imperfections, but we cannot achieve a perfect document. No Government, no peoples, can achieve a perfect document. However, we can achieve a good document, and we have achieved a good document in this Accord.

It would be very dangerous for us to set about the task now of renegotiating or unravelling the Accord. To those who think that the questions which were put to the committee were not discussed by the First Ministers, I say that they have a great deal of naivete. The First Ministers were well advised. All these questions are not new, and in fact all of them were addressed. Some of the very basic questions at which the committee looked were described to us by some of the participants at the First Ministers' Conference as deal breakers. In other words, they went through the debate and a deal was reached, the first unanimous deal of its kind in 120 years.

It is hard to achieve unanimous agreements. It is not time now to look for the perfect solution. It is time to take what we have, which is a good Accord, to move forward, and to make it perfect over time.

Some Hon. Members: Hear, hear!

Mr. Nunziata: Mr. Speaker, in conclusion the Hon. Member said that it is hard to achieve a unanimous decision, referring to the Meech Lake Accord, and I suppose applauding the fact that the 10 First Ministers and the Prime Minister (Mr. Mulroney) were able to come to an agreement. His words were that it is hard to achieve a unanimous agreement or position.

However, at the beginning of his speech the Hon. Member talked about Senate reform and addressed some of the concerns of the people of Canada with regard to Senate reform. He said that it was possible to reform the Senate. He summarily dismissed those of us who are concerned about this particular provision which requires unanimity in order to secure Senate reform.

He says that it is hard to achieve unanimous consent. How then can he explain the facility by which Senate reform might be possible? The Hon. Member knows that as a result of the Meech Lake Accord it will be impossible to achieve Senate reform because of the very fact that unanimity is required. At some point in the future there will be those who will want reform of the Senate. The Hon. Member is from Atlantic Canada. He knows that a lot of people from Atlantic Canada would like to see Senate reform.

Does he really believe that the Province of Ontario, for example, or that the Province of Quebec will at some time in the future agree to giving the Province of Prince Edward Island or the Province of Nova Scotia the exact, same power in the Senate; in other words, equal representation? Does he really believe that the Province of Ontario will agree to giving the Province of Nova Scotia the same power or clout in a new reformed Senate?

The Hon. Member quickly dismisses those who have concerns with regard to this provision as being naive. However, I suggest to the Hon. Member that it is naive of him to believe for a moment that at any point in the future there will be unanimous consent to reform the Senate and to ensure that every province has equal representation in the Senate of Canada. It is impossible because of the very fact that unanimity is required to achieve Senate reform. As some commentators have pointed out, the Meech Lake Accord has put the country in a type of constitutional strait-jacket.

With regard to appointments to the Supreme Court of Canada, the Hon. Member criticized the present process. He suggested that for the last 120-odd years the Supreme Court of Canada was an instrument of the national Government. Surely

the Hon. Member, who I understand was trained in law, is not suggesting for a moment that over the last 120 years the Supreme Court of Canada has been a puppet of the political party in office. He referred to the Supreme Court of Canada as a national institution. Surely the Hon. Member will agree that if it is in fact a national institution, then the national Government should be ultimately responsible for appointments to that national institution.

He also said that it was important for provincial Governments to appoint members to the Supreme Court of Canada. I ask the following question in conclusion. Why is it so important for the provinces of Canada to have that particular power, if not for the fact that the provinces want to appoint judges to the Supreme Court of Canada, because they believe if they appoint judges, that over a period of time the judges on the Supreme Court of Canada appointed by these particular provinces will in effect be rendered puppets of these provinces?

Mr. O'Neil: Mr. Speaker, first of all I invite the Hon. Member to read the "blues" or to listen more closely when he is in the House. If he had been listening closely he would have understood that my comments on the Supreme Court of Canada were simply that I rejected that the Supreme Court of Canada was an instrument of the federal Government over the last 120 years.

What I said was that if we accept the logic that it will be an instrument of the provinces in the future, we must accept the logic that it was an instrument of the federal Government in the past. That is the point, Mr. Speaker. I am glad to hear that the Hon. Member agrees with my logic.

• (1630)

I would also say that when the Member talks about the Supreme Court of Canada as a national institution he reveals what I understand to be his view of Canada, namely that national institutions are controlled by the Government that sits in Ottawa. But that is not what I understand about this nation. I understand that national institutions are institutions in which all of us, the provinces and the Government of Canada, have a part. That is a federal nation we live in and that is the view of this country that I accept. I know that perhaps there are people in his Party who reject that notion, and that is precisely why we as a political Party have replaced national confrontation by national reconciliation.

Finally, when the Member asked questions about the Senate and whether or not reform is possible, he makes my point. Just a few months ago it was possible to reach unanimous agreement on perhaps the most difficult of all issues facing our country, an issue that has faced us for a number of decades, that is, bringing Quebec back into the fold by reaching agreement on the wide-ranging Accord.

The Member asked whether Ontario would agree to Nova Scotia having as much clout in the Senate as Ontario does. With or without Meech Lake that question is equally valid, for as things stand today with Quebec not at the table, Ontario has a veto over reform of the Senate. In either case Ontario has great influence over whether or not we have reform. In the absence of Quebec—with Quebec not at the table—meaningful constitutional reform is almost impossible because you have to get a certain number of the nine provinces that are at the table to agree, Mr. Speaker. When Quebec is at the table, some provinces, like my own, have a natural ally. We have an ally with whom we can forge agreements that can result in good constitutional change for Nova Scotia, notwithstanding that the Province of Ontario may be opposed to these changes.

My friend speaks and reveals a vision of this country. It is the paranoid view of the Liberal Party when it comes to doing things in a co-operative and federal way.

Mr. Parry: Mr. Speaker, early on in his discourse, my hon. colleague referred to the Quebec referendum campaign. He characterized the 40 per cent vote for the referendum proposition in that campaign as being a rejection of Canada, saying moreover that it represented half of the Francophone Quebecois rejecting the concept of Canada.

In view of the fact that the adhesion of Quebec to the Constitution is, of course, the *prima mobile* of the Meech Lake Accord, would my colleague defend or expand on that assertion? Would he rather not agree that the phrasing of the Quebec referendum was such as to catch anyone off guard who had any form of doubt about the nature of the relationship of Quebec within Canada? Does he really cling to the assertion that it was a rejection of Canada?

Mr. O'Neil: Mr. Speaker, the Hon. Member, who made a similar point the other day in the House, raises a question with which I have no difficulty. The logic of what he is proposing is that somehow the people of Quebec after all of this debate did not really know the question being asked.

I do not accept, after such an emotional debate, that the political people of Quebec—they are people who have keen interest in politics—did not fully understand the nature of the question being put to them. That to me, put bluntly, is an insult to the intelligence of the people. I just do not accept that people would vote on such a fundamental issue and not know what the question was after listening to debate for a period of months, debate that literally tore the province apart.

[*Translation*]

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, thank you for giving me this opportunity to take part in an important debate that affects the lives of all Canadians and that, I think, goes to the very heart of our concept of Canada as a country. The responsibility we have here today cannot be taken lightly, and I know that when we vote, we will all be conscious of the fact that we are helping to build our country.

The debate we are continuing today is perhaps above all a collective scrutiny of what we are. When our descendants, our children and our grandchildren study this chapter in the history of their country, of Canada, they will ask whether we, the Members who sat in the House of Commons in 1987, did

what had to be done, whether our speeches rallied everyone to the cause, and whether we set aside partisan considerations to make this what I would call one of the finest moments in Canadian history.

When I spoke in the House on May 11 during the debate on the Meech Lake Accord, I said that I intended to support the general thrust of the Meech Lake Accord as endorsed by the provincial Premiers and the Prime Minister of Canada (Mr. Mulroney). Mr. Speaker, my position remains the same today in this historic debate, and I will vote for the Accord, now referred to as the Meech-Langevin Accord.

As you know, Mr. Speaker, I was a Member of the Quebec Legislature for more than eight years, and subsequently spent six years in the private sector. I then decided to return to active politics, this time at the federal level. My main reason for doing so was that I wanted to make a modest contribution towards seeking a satisfactory settlement for Quebec, so that Quebec could finally sign the 1982 Constitutional Agreement.

Mr. Speaker, at the time of the 1980 Referendum, Quebec voters were promised that if they voted no, it would not mean a vote for the status quo. We were told that a no to independence meant yes to a renewed federalism in which Quebec and its French-speaking citizens would be comfortable, confident in the future of their country and the role they would have to play. Mr. Speaker, in the 1980 Referendum very few Quebecers thought the status quo was acceptable, and in fact, it was not.

We should also remember that the Constitution Act, 1982, did not receive the support of the Quebec National Assembly, including the Péquistes on the Government side and the provincial Liberals, who were then the Official Opposition. All these people, duly elected in their respective electoral districts, felt that Quebec had been ignored, and some would say excluded from the 1982 Agreement.

Today, this Parliament has a chance to keep a promise made seven years ago, namely to complete what I would call the first phase of constitutional renewal, and to respond to the expectations of the vast majority of Quebecers as to their future within Confederation. We may not have this chance again in the foreseeable future, and I submit, with respect, that we should take advantage of this opportunity and do so now.

I referred to a seven-year-old promise. In fact, we have to go back 200 years, to the eighteenth century, to understand the issues, the crux of the problem and the essence of the Meech Lake Accord, which is the recognition of Quebec's distinct identity. As was recalled by so many Members who spoke in this debate in the House and at the sittings of the Special Committee, the concepts of linguistic duality and distinct society are older than Canada as we know it today, older than Confederation or Canadian federalism. Some mentioned the Treaty of Utrecht in 1713, where, under section 14, Francophones were given the freedom to practise the Catholic religion. My point is that we have here the official recognition of two religious communities, and also that, at the time, religion and language in North America were intertwined.

Others have emphasized the 1763 Treaty of Paris and the judiciary decrees issued by various British governors in the years following the treaty. People were gradually allowed to practice the Catholic religion, and recognition was extended to language rights before the courts and to the seigniorial system, different from the British system.

From that perspective, Mr. Speaker, yesterday's British generosities—others would say respect for basic rights—gradually made up the foundation of Quebec's distinct character. But let us get back to the present. I suggest that the Meech-Langevin Accord reflects the spirit of the Liberal position concerning our constitutional future. What I have in mind here, Mr. Speaker, is the November 1986 resolution acknowledging the distinct character of Quebec, as well as several points which can be found in the Constitutional Accord now under consideration.

I will add this. As a Quebecer, the fervour with which I will defend Canadian unity will be all that much stronger to the extent that the particular role Quebec must play within Canada will be acknowledged and understood. It is obvious to me that a Canada without Quebec, fully aware of its distinct character and recognized as such by the rest of the country, would fly in the face of its own political, cultural, sociological and historic reality.

• (1640)

[*English*]

Let me state my case for my English-speaking colleagues. The Meech-Langevin Accord, with all its potential imperfections and oversights, is still an important step in the right direction because it seeks to achieve the fundamental objective of bringing Quebec into the Constitution and of ensuring its continued presence. As politicians we must deal with the practical and the possible. We must be guided by realism, if at the end of the day we want to be remembered for more than yellowing copies of *Hansard*. That is a simple fact of political life. I think Sir Wilfrid Laurier's words are appropriate in this regard. He said:

> We are divided into provinces, we are divided into races, and out of these confused elements it is not always the ideal policies from the point of view of pure idealism which ought to prevail, but the policy which can appeal on the whole to all sections of the community.

Realistically, as political leaders in this exercise, our efforts must first be concentrated on maintaining the essential and distinct character of the Province of Quebec on the one hand, and on the other on ensuring the continued presence of Quebec within Confederation. I say as a Quebecer that that is the necessary and sufficient condition for any future constitution-making.

I understand the concerns some of my colleagues have raised over other very valid issues and I answer them this way: be patient. Recognize that there are priorities which must be addressed first. Quebec, in a political sense, had been left in constitutional isolation in 1981-82. This problem cannot and should not last forever. Are we going to have to wait for the eve of a second referendum to find an acceptable solution? I say to this House and to my colleagues: we have this opportunity now, let's grab it.

[*Translation*]

Mr. Speaker, in his September 29, 1987 address to the House, the Right Hon. the Leader of the Opposition (Mr. Turner) explained why he is in favour of the Accord. As he said, we support the Accord because it brings Quebec into the Canadian constitutional family politically, emotionally, and psychologically.

Mr. Speaker, the Accord only seeks to bridge—some would say correct—a historic gap. I would indicate the problem quite simply. This Accord is the outcome of an essential corrective measure after the 1982 Constitutional Agreement. It confirms the reality of a Quebec which has managed to maintain its language, its culture, its traditions, its religion, its institutions—hence its distinct character—against forces which logically should have swamped it.

This Accord pays tribute to the dedication, the effort and the courage of a nation which, although it remembers its past, can look to the future with confidence. The Accord states loud and clear what many Quebecers think deep down. In this connection, I find quite moving the remarks made by Mr. Eric Kierans, a former Member of Parliament, who related this personal anecdote to the Joint Committee of the Senate and the House of Commons which was dealing with the proposed constitutional accord. Here is what Mr. Kierans said:

"The very first time I visited Quebec's Legislative Assembly at Mr. Lesage's request, I looked at the paintings on the walls while walking through the corridors. I could not help feeling that, My God, this is a tradition totally different from mine, this is a different culture and a different language".

If I mention the awakening of Mr. Eric Kierans, an English-speaking Montrealer, to my English speaking colleagues, it is to urge them to recognize the historical fact of the Quebec reality, the French fact in Canada which can be found mainly in Quebec but which is also alive in other parts of the country.

Mr. Speaker, I think it might be useful to look at some of the other testimonies which were heard by the Special Committee on the Constitutional Accord.

I should like to emphasize in particular the comments made by Mr. Gordon Robertson, a Former Secretary of the Federal Cabinet, who had the opportunity to attend Constitutional conferences over several decades: He knows what he is talking about for having been involved in them on a number of occasions. With his usual clear thinking and common sense, and after having accepted the Accord's main political objective, which is "to ensure the presence and participation of Quebec in our Constitutional Accord", and after having found it praiseworthy, Mr. Robertson asked several questions. I will quote only one: "Could the agreement weaken the federal government in any significant and important way? To which he replied, and I quote:

"In my judgment, the Constitutional Accord of 1987 meets the present priorities. It will produce a fair and reasonable arrangement. I do not think it will have any seriously adverse effects as far as federal Governments of the future are concerned."

Another witness, Professor William Lederman, had this to say in analyzing the concept of a distinct society: "It has been true since 1867 that the courts have known that Quebec society is, in certain important ways, a distinct society. That has always weighed with them in settling constitutional issues that touched closely on Quebec. This has been implicit. I believe it is worth making that which has been implicit explicit because it is one of the fundamental realities of the Canadian free and democratic society, and has been from the beginning."

Finally, Professor Gérald Beaudoin, also during the hearings of the Joint Committee of the Senate and the House of Commons, explained the legal implications of the distinct society clause in these words: "In my opinion, as in the opinion of a good number of lawyers, the recognition of the distinct society is an explicit and important interpretative clause, but it does not change the distribution of powers or the Canadian Charter of Rights and Freedoms."

I wanted to quote these comments because they correspond to my own thoughts on the Meech-Langevin Accord: a moderate and natural step in our constitutional development.

Mr. Speaker, what can we do about the special identity of Quebec? We could try to avoid it, but this would not change the facts. Even those who refuse to recognize the distinct character of Quebec are so well aware of it that their refusal is due to their fear that, by promoting this distinct identity, they will make separation easier. To them, Mr. Speaker, I would say that they have very little confidence in the attachment of Quebec to Canada.

Today's debate is the result of history. History will also judge what has been said about the Accord in this House. I have every confidence that the way shown by the Meech-Langevin Accord, which, we must remember, has the support of all party leaders in this House and all provincial Premiers, is the right one because, in the best Canadian tradition, it is acceptable to Quebec and also to the other provinces. Of course, the Accord is a compromise. No one will deny that. Of course the Accord changes some of the rules for appointing judges to the Supreme Court, for Senate appointments and for the role played by the legislatures in immigration. Some of the rigging has been changed, but the fact remains that the Meech-Langevin Accord is a compromise, a Canadian compromise that was reached in the way Canadians have always been able to reach a compromise in the past. It may not

be perfect, but those who seek perfection run the risk of losing a consensus and then, it is back to square one. To those who want perfection at all costs and who are not prepared to agree to a consensus with warts and all, I want to repeat what I said earlier, in quoting what a former Prime Minister, Sir Wilfrid Laurier, said about this country:

● (1650)

[*English*]

We are divided into provinces, we are divided into races, and out of these confused elements it is not always the ideal policies from the point of view of pure idealism which ought to prevail, but the policy which can appeal on the whole to all sections of the community.

[*Translation*]

Mr. Speaker, the Meech Lake Accord has received the support of every section of our Canadian community, of the governments of each province, and the party leaders sitting in this House. And that is why I say that the Meech-Langevin Accord is a compromise made in Canada for Canadians, in the best traditions of this country.

I am a supporter of the federal character of this country which has managed to uphold the diversity of our regions and preserve the distinct identity of Quebec.

Mr. Speaker, to be a Canadian or to define the essence of being a Canadian is not always easy, and in some cases downright difficult. It is not always an easy to reconcile our differences. That diversity and those differences have sometimes provoked controversy, even within political parties. You are of course aware of the split in my own caucus on an issue of fundamental importance to our country. Diversity may have led to controversy and disputes in some cases, but it has also, more often than not, been a tremendous source of strength, freedom and incredible generosity.

Mr. Speaker, the Belgians have a saying that unity is strength. I would say that Canada's strength is its diversity, and that our unity stems from the recognition of our diversity. Mr. Speaker, I believe that the Meech-Langevin Accord reflects my vision of Canada: a union of citizens sharing the same ideals and the same goals, whose strength lies in the strength of its components and in respect for their diversity. The Meech-Langevin Accord reflects and projects into the future this concept I have of Canada. And that is why, Mr. Speaker, I will vote for the Accord when the question is put.

Mr. Gagliano: Mr. Speaker, first of all, I would like to congratulate the Hon. Member for Laval-des-Rapides (Mr. Garneau) on his speech on the Meech Lake Accord. I would like to ask him a question about the distinct society of Quebec, recognized as such in this Accord. I know he talked about it in his speech, but I would like to know whether he would care to comment, and I know that we Canadians who live in Quebec have no problem with Quebec's special identity as a distinct society, because we believe and we know it is a distinct society and that it wants to remain in Canada, and I think that in 1980, during the referendum, Quebecers responded to this appeal and confirmed their desire to be both Canadians and Quebecers.

But I wish the Hon. Member would elaborate with a view to assuring our anglophone colleagues or others outside Quebec that the distinct society provision does not mean additional powers for Quebec. In fact people know what Quebec is and what it has been in the past, and you even recalled historic events . . . Would he elaborate on this?

Mr. Garneau: Mr. Speaker, like all other North American democratic societies, Canada is a society in evolution. Naturally, significant changes have occurred in Quebec in the last 50, 25 or 10 years. One of these significant changes relates to the link which once existed between language and religion, now quite devoid of that complicity which was at the root of Quebec's cultural and linguistic development.

Over the past 25 or 30 years, since the quiet revolution, this phenomenon or this acknowledgment which was made or developed—language being the guardian of faith, faith being the guardian of language—is a cultural factor which is vanishing in Quebec. As a result, the state—and this is what Quebec citizens sought in successive elections—has gradually taken over the role of the Church with respect to protecting the language. Faith used to be the guardian of language, but since we now live in a pluralistic society where a number of cultural communities have swelled our ranks, we are asking the state to maintain and promote this distinct character, whereas before we would ask the Church to do that.

What was once private action has now become collective action. Never through this collective action—first taken a number of years ago, and certainly more vigourous since the onset of the quiet revolution—did we seek to question or jeopardize the rights of minorities in Quebec.

And I wish, Mr. Speaker, that all linguistic minorities throughout the country, official language minorities living everywhere from coast to coast, will be treated in every province the way the English-speaking minority is treated in Quebec. That is the wish I express, and I hope that Canada's constitutional evolution will one day lead to the recognition of the linguistic duality, not only in federal institutions but in provincial institutions as well.

When I say that the Church-to-state transfer of responsibilities for promoting the French fact never did affect the basic rights of Quebec's official language minority, the English-speaking minority in this case, I would remind Hon. Members that I once belonged to a government which, even before the Canadian Charter of Rights and Freedoms was proclaimed, had the Quebec legislature adopt the Quebec Charter of Rights guaranteeing the basic rights of all Quebec residents, whether they belong to the majority or the minority.

So I do not see why, today, by acknowledging the distinct character of Quebec, by allowing Quebec to play a greater role in immigration, by defining more precisely the role of the provinces in the appointment of Supreme Court judges, by

letting the provinces have a say in Senate appointments, I do not see why this Canadian fabric which is getting tighter, I believe in its unity, I do not see why this evolution would cast a shadow of doubt on and change the conception Quebecers have always had concerning the rights of their minority.

• (1700)

[*English*]

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the constitutional accord arising from the so-called Meech Lake agreement has transfixed perhaps not nearly as much of the country as should be the case. However, it certainly has motivated a considerable number of people to look very closely at their conception of the country and at the future which they hope to see for it. That is the context in which I want to make my contribution to what is an historic debate.

First, I want to discuss some myths about this agreement which have been presented to many of us by constituents who are worried about the direction in which they have been told this Accord is likely to take Canada.

The first myth concerns one of the least controversial areas. It is that the changes with respect to appointments to the Supreme Court will somehow weaken the federal Government and cause an erosion of power at the centre of Canada, especially with reference to our justice system. I believe that this is a very strong myth because there does not seem to be any truth in that assertion.

Indeed, if one considers the changes suggested for the Supreme Court, I believe they are essentially quite sensible and would have the effect, among others, of taking appointments of Supreme Court justices out of the present patronage-dominated system which has been so suspect to many people throughout the country.

I believe it makes very good sense in a federal system to have a combination by which provinces suggest names for Supreme Court judges and the federal Government makes the final appointments. The myth that this somehow gives provinces the right to appoint the Supreme Court is simply not true. It is a combination that is appropriate and sensible in a federal state.

A second myth concerns the question of compensation to provinces which establish programs that are compatible with national programs though not themselves part of those national programs. Again, there is a myth that this will somehow reduce the power of the federal Government to initiate new changes in social legislation and ensure that those changes are brought throughout the country. On the contrary, I suggest that setting forth in our Constitution a very precise and clear mechanism for how Canada can initiate new social or economic programs in areas of provincial jurisdiction, with the consent of seven provinces as has been the case for many years, makes considerable sense. If other provinces decide to implement basically the same programs, it makes equal sense for the federal Government to have a responsibility to provide financing, just as it would to other provinces which are part of the federal program.

The third and perhaps most important myth to discuss is that making Quebec a distinct society somehow detracts from the power of the federal Government to shape the future of this country. Again, we have heard a great deal of nonsense in the House about how that notion of a distinct society undercuts or destroys the power of Ottawa to take leadership in this country in areas like industrial policy, trade policy or other economic fields, which are certainly important to my constituents. If one carefully examines the Meech Lake Accord as outlined in our Order Paper, it is absolutely clear on this issue. It states:

> Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces—

In short, this will not shift power in any significant way. Instead, it is a very crucial psychological recognition of something which anyone who has worked in Quebec or has worked with Quebecers and knows something of that province simply must accept as a reality. Quebec is a distinct society.

I tell Canadians who are concerned about this, including people in my constituency, that I very much wish they could visit Quebec to see its various sections so they could come away with a sense of the great distinctiveness of such things as the civil code in that province, the majority dominance of the French language, and the different economic structure of that province. We should not be concerned about the myth of the distinct society being a danger to us.

Fourth, I want to talk about the unanimity clause because it is also an area about which a great deal of mythology has been suggested. The myth is that somehow every future decision associated with our Constitution will require unanimous support of the provinces. This is simply not true. The vast areas which make up our Constitution will not require any changes that are different from the present constitutional arrangement for changes. It is only federal institutions will require this unanimous consent in the future. That has to be stressed to people, too. I do not like that. I think that it is a mistake. I think that it is a step backward with respect to federal institutions. I do not think that it is something that needed to be done. However, I do not think that it is a major and significant change about which people across the country should be concerned.

• (1710)

After talking about these myths I want now to talk about what I do see as serious problems within this Accord. There are three of which we as a Parliament have to be very aware. First, the role given to the Territories of the country is virtually nil within this Accord. That is a serious mistake for the future of the country. There have just been elections in the Northwest Territories. At present, there is a New Democratic Party Government in the Yukon which is doing interesting and

exciting things. It is important to the future of these Territories that they, too, should be able to join the constitutional family without having to run this gauntlet, in a sense, which they have to run of all the other provinces before the approval process can be completed.

I think that this is something which the Hon. Member for the Yukon (Ms. McLaughlin) has made very clear to the House. It is something which Conservatives, such as the Hon. Member for Western Arctic (Mr. Nickerson), have spoken out on very clearly. I think that it would be a serious mistake for the House of Commons not to listen to those voices from the Territories and make changes as suggested in the amendments proposed by my Party which would bring the Territories into a fuller potential future in Canada.

Second, there are some very serious problems with respect to aboriginal rights. We, as a country, forget far too often the traditions, the people, the tremendous sacrifices which the aboriginal people of Canada made in helping to build this land. I can tell Members of the House that in my constituency great battles were fought in which the aboriginal people, under the leadership of the Iroquois, helped us to make sure that this country stayed independent in the War of 1812. Had it not been for the powerful alliance which existed at that point, this country could well have been conquered by the United States. We could be in a position today in which our independence has already been surrendered, rather than facing at least the last fight in the free trade talks over whether or not that independence will have to go.

These aboriginal Canadians have said to us very clearly that this agreement is not satisfactory. I quote from the words of the Chief of the Assembly of First Nations, George Erasmus, who has said to us that the circle of Canada "will only be complete when the rights of aboriginal peoples in Canada are unequivocally expressed and protected in the Constitution, and when that relationship between the First Nations and the rest of Canada is respected". He went on to tell the special committee that the amendment which was made to the constitutional Accord "fails to give explicit constitutional recognition to the existence of First Nations as distinct societies that also form a fundamental characteristic of Canada. If anyone is more distinct, surely it is the peoples of the First Nations".

He went on from that point to state very clearly that there should be changes to this Accord which would recognize this fact and which would, as he put it, establish a renewed constitutional process specifically dealing with treaty and aboriginal rights. Our agenda, as he put it, is unfinished; the process should continue until the agenda is complete. I want to suggest that that agenda of the aboriginal peoples cannot simply be forgotten by the House of Commons. It is just not right for us to forget what we owe to the aboriginal people of Canada.

I would like now to talk about the third serious problem which I see. It is that the women of Canada fought a very serious and important fight to have Section 28 of the Charter established, which section gave to Canadian women equality with Canadian men. It was a hard fight. It took a great deal of pressure. It took a great deal of mobilization. It is not a fight which should be reversed by this constitutional Accord.

Yet women's groups across the country have said to us that that threat exists in this Accord. We have heard this from the President of NAC. We have heard this from the President of the Advisory Council on the Status of Women. The New Democratic Party has also moved an amendment in this area.

It is an amendment which reflects the statements of our members of the special committee who said the following. They said that Senator Lowell Murray defended inclusion of the non-derogation clause guaranteeing that neither Canada's multicultural heritage nor aboriginal rights would be affected by the linguistic duality-distinct society interpretive clause on the grounds of an abundance of caution. They said, "We want that same caution applied to Section 28 of the Charter, sexual equality". I believe very strongly that this House should accept that amendment as a constructive addition to this constitutional Accord.

• (1720)

My final point is simply to say that the Government has so far adopted a position, which I must describe as pigheaded, that it will not shift this Accord in any respect. With a document as serious as this is and as crucial to the future of our country, we should not be prepared to do that. Therefore, I urge the Government, and plead with it, to look at the amendments which we have put forward, which do not detract at all from the Accord, and to accept them. In that manner, we will have for our children and for our country in the future a better constitutional arrangement with which to move forward.

Mr. Nunziata: The Hon. Member who just spoke referred to the Government's position as "pigheaded". He also referred to the Meech Lake Accord as crucial to the future of our country. The Hon. Member spoke about three serious problems in the Constitution. The Hon. Member used the word "serious" on a number of occasions, first with regard to the role of the Territories, then with regard to aboriginal rights, and finally with regard to equality *vis-à-vis* Section 28 in the Constitution.

Having said all that, the Hon. Member still intends to vote for the Accord. He cannot have it both ways. He cannot talk about the objections as being myths—and he spoke about a number of myths—and then speak about serious problems in the Constitution. The Hon. Member talked about aboriginal rights, the role of the Territories, and women's rights. If the problems are as serious as the Hon. Member states they are, I ask, why is he voting for the Accord?

Mr. Crosbie: Because he is inconsistent, and proud of it.

Mr. Nunziata: Why, pray tell, has he decided that the Government's position is pigheaded because it will not accept

amendments? I happen to agree with the Hon. Member that the Government's position is pigheaded.

An Hon. Member: No, no, it is not.

Mr. Nunziata: The Hon. Member refers to the Government's position as pigheaded. How would he refer to his own position? If the Government's position is pigheaded because it will not accept amendments from the New Democratic Party, how can one explain the position of the NDP when it states that it has serious problems that the Government will not accept, and it is pigheaded for not accepting them—

Mr. Orlikow: Why don't you ask your Leader?

Mr. Nunziata: —but, on the other hand, we intend to vote for the Meech Lake Accord.

Ms. Jewett: What about John Turner? Tell us about John Turner.

Mr. Nunziata: It is typical NDP. Approximately an hour and a half ago his colleague, the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie), stated that aboriginal rights are not endangered by the Accord. Those were the words of his colleague, that aboriginal rights were not endangered by the Accord. An hour and a half later, a member of the same political Party stated, and I quote, "very serious problems with aboriginal rights". My friends, you cannot have it both ways.

In closing, I wish to ask the Hon. Member, who is a member of a political Party which prides itself on being committed and the Party of conscience and principle, is it any wonder that Canadians really think that members of the NDP are a bunch of hypocrites for the position that they have taken?

Mr. Langdon: I appreciate the question from my colleague, the Hon. Member for York South—Weston (Mr. Nunziata).

I wish to say two or three things, because I think it is a serious question, even if it comes from the Hon. Member for York South—Weston. First, I wish to say that perhaps I am an eternal optimist. Perhaps I think it is possible that the Conservative Party, with its abysmal showing in the public opinion polls, will somehow come to its senses on this issue before the amendments that I spoke to have to be voted on, and that it will accept the obvious clarity and logic of my colleague and former professor, the Hon. Member for New Westminster—Coquitlam (Ms. Jewett).

I very much hope that each of our amendments will be accepted, because we would not have moved such amendments if they were not serious problems. For instance, with respect to the question of aboriginal rights, I am afraid that I have to tell the Hon. Member that I am prepared to take the words of the head of the Assembly of First Nations as representative of what aboriginal people in this country think about this Accord. If he states that in his view aboriginal people are badly treated, I take that very seriously. It is I who has to do the judgment, not anybody else.

I also wish to say that the Member's question fails to reflect the fact that his own Leader is taking a position which has called for vast changes in this constitutional Accord. Yet the Hon. Member is prepared to vote for the Accord.

My analysis of the myths which have been perpetrated, among others by the Hon. Member for York South—Weston about this Accord, is that they themselves are wrong-headed. We have the pigheaded Tories, and we have some wrong-headed Liberals.

Mr. Mayer: And we have empty-headed New Democrats.

Mr. Nunziata: Mr. Speaker, I rise on a point of order. I distinctly heard a member of the Conservative Party opposite call the Hon. Member empty-headed. I would like you to rule, Mr. Speaker, on whether that is unparliamentary.

Mr. McDermid: That is not what he said.

Mr. Nunziata: Did he mean that New Democrats in general are empty-headed?

Mr. McDermid: That is what he said.

Mr. Nunziata: If that is the case, I withdraw my point of order.

Mr. Mayer: His voice wavers so much because he is empty-headed.

Mr. Langdon: That is an interesting comment coming from a distinguished Minister of the Government. I must say that there will be a time when that Minister will deeply, deeply regret that particularly nasty comment.

An Hon. Member: That sounded quite threatening.

Mr. McDermid: You called us pigheaded. We can call you empty-headed.

Mr. Langdon: I will say to the Minister right now that he will discover at some stage just exactly how ridiculous and how inconsistent his statement is with everything that anybody in his Government has ever stated.

Mr. McDermid: Here comes the threat.

Mr. Mayer: You can dish it out but you can't take it.

Mr. Langdon: No, no. I have no comment with respect to empty-headedness. That is up to the Minister's usual level of political rhetoric. But his other comment was something which has to do with medical issues—

• (1730)

Mr. Jepson: Mr. Speaker—

Mr. Deputy Speaker: Order. Another Hon. Member wanted to ask a question of the Hon. Member for Essex—Windsor (Mr. Langdon), the Hon. Member for New Westminster—Coquitlam (Ms. Jewett).

Ms. Jewett: Mr. Speaker, I am afraid, with all this "brilliant" repartee going on around here, that we have left my hon. friend very little time to respond to my question.

Because he is an economist and as a former student, I know a brilliant one, I wonder whether he has time to elaborate a little on the point he was making about the mythology of the spending power having somehow been eroded.

Mr. Langdon: Very briefly, Mr. Speaker—and I will try not to enter further into this debate with the ignoramus opposite—

Mr. McDermid: That is parliamentary?

Mr. Langdon: —I say to the Hon. Member for New Westminster—Coquitlam (Ms. Jewett) that the spending power issue is something that gives to the Government of Canada much more capacity to act in the future than it has had in the past in respect of new programs and in respect of initiatives. It also gives it the possibility of undertaking equivalent activity with other parts of the country which do not want to be part of a federal-provincial agreement in itself. That is a major point.

Perhaps I could just make one last point. I want to make absolutely clear that, despite the strong hope or sense of optimism which I have in respect of our amendments, I think nobody should be unaware of the fact that when one weighs the reservations against the myths which are untrue, one still has a document for which one has to vote because of its steps forward, despite the fact that it also includes some unfortunate backward steps.

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, when most Members of Parliament rise they always indicate what an honour it is to participate in a debate. I am sure this one has special meaning for all those who have had an opportunity to speak. This is a very important constitutional document, one of the most important in Canadian history. I think it is a privilege for all Members of Parliament to have an opportunity to give their comments on this very important process.

Let me say something about constitutional development within Canada. I think the Meech Lake Accord and everything which has preceded it must be looked at as an evolutionary process. I remember reading a foreign publication at one time in which they were trying to fix a date for Canadian independence. To try to do that is like imposing another society's concept of constitutional development or nation-building, because it would probably be very difficult to pin down to one particular date the time when Canada became an independent country.

There has been a series of very important constitutional dates throughout Canadian history since 1867, and I would suggest that the passage of the Meech Lake Accord will add another important date to the process.

As well, I think Canadians should understand that not all parts of the Canadian Constitution are written. Indeed, many important parts of the Constitution are unwritten, and they, too, make up what is collectively known as the Constitution of Canada.

The Charter of 1982 is a constitutional document; it is not the Constitution. The British North America Act is a constitutional document. However, for those who have studied this area, such an ancient document as the Constitution of 1689 is a Canadian constitutional document as well.

I am very pleased to direct my comments to the 1987 constitutional Accord, and later I should like to make comments in respect of some of the proposed amendments. The 1987 constitutional Accord is about bringing Quebec back into the constitutional family. I speak not as a Quebecer but as an English Canadian from Niagara Falls, Ontario, who is very proud to have been born in that area. As a Canadian I feel it incumbent upon me to involve myself in this discussion and to give my comments on what I perceive to be the future of the country.

As I grew up, as a child in Niagara Falls during the 1960s and as a young adult during the 1970s, one of the most troubling things for Canadians was the problem—and I believe it started at the beginning of the 1960s—referred to as separatism. At least, some of us who lived in the part of the country from which I came viewed it as a problem.

What was most troubling about it was not that there were people questioning the existence of the Canadian Confederation, which in itself was troubling, but that there was an indication that this movement was growing and seemed to have widespread support according to media reports. What bothered me most about it was that some sociological studies showed that many young people had embraced the idea of separatism. We had been given indications—and certainly I remember discussing it at university—that it would be only a matter of time, with so many young people growing up and calling into question the Canadian Confederation, that a separate state in the Province of Quebec would become a reality. For those of us inside and outside the Province of Quebec it was a very heart-breaking concept to try to grasp. All of us know of the intertwined history between French-speaking Canadians and English-speaking Canadians, going back two centuries. We know of the hundreds of thousands of Canadians who have fought and died for the entity known as Canada because they believed in it. That prospect for those of us growing up in Niagara Falls at that time—and I am sure it was the same in other communities across the country—was a very heart-breaking one indeed.

I have been a supporter of the Progressive Conservative Party since I was a child. When Mr. Trudeau was sworn in as Prime Minister of Canada in 1968, it was my sincere hope that he could reconcile the different areas of Canada and that he

could put an end to the continual questioning of the Confederation.

It is one of my great disappointments in his administration—and I would suggest that it must be one of his own personal disappointments—that he was not able to do that. I would suggest that on many different issues—and if we had time I would like to recount them, but I do not believe we have time—Mr. Trudeau exacerbated the situation or the tensions which existed between French-speaking Canadians and English-speaking Canadians.

A hopeful sign for all of us was the 1980 referendum. All Canada watched that debate as it progressed. I believe the whole country was tuned in the night that the results of the referendum were delivered. As one English-speaking Canadian at that time, I would have done anything to ensure the survival of Canada, the unity of our country. I was very pleased that after the successful conclusion, in my mind, of that referendum debate in 1980, Prime Minister Trudeau said: "All conditions are off. Everything is on the table to be negotiated. We will usher in a new era of co-operative federalism with the provinces. We will sit down, make a deal and get Quebec into the constitutional family". You know that was not done, Mr. Speaker. I believe, as most Canadians believed, that that very unfortunate indeed.

• (1740)

Another unfortunate aspect of the 1980 referendum debate was how quickly it faded from the minds of most Canadians. When it was finished, I believe there was a collective sigh of relief. Many Canadians consciously or unconsciously said, "Let us move on to other things". I believe that need to recognize some of the strains within the Canadian Confederation was still there.

I was very interested in the special committee on the constitutional Accord, and the comments of one individual, Madame Solange Chaput—Rolland who said, among other things, in referring to the 1980 referendum and time subsequent:

> Inside Quebec, seven years ago, we decided that Canada was our country. We have yet to find out whether our loyalty was well placed. Frankly, in 1982 I wondered if the agonies, the pains, the quarrels, the bitterness following the referendum had been necessary. We voted for Canada; Canada through its central Government totally absorbed in its will to patriate the British North America Act of 1867, cared very little about those who had openly stated their will to remain linked to this country. Promises and dreams were shattered; not a single Quebecois will want to go through such emotions again. You English-speaking Canadians have asked during years; what does Quebec want. Now you know. It has been described in five proposals not written by constitutionalists, jurists or nationalists; but by men duly elected by "we the people"—

That is a very emotional appeal and a very poignant one which cries out for the necessity of passing this agreement by the House of Commons.

In putting together this agreement, I would like to pay tribute to our Prime Minister (Mr. Mulroney). It was his vision, his leadership and his determination more than that of any other individual that made the 1987 constitutional Accord possible. Coupled with this war the co-operation of the 10 provincial Premiers who put aside their differences and showed that co-operation is still possible in the federal-provincial context.

It was very important and significant as well that the Leaders of the New Democratic and Liberal Parties on the day after the agreement was struck gave their endorsement to it. It is unfortunate that we are now dealing with a number of amendments. I will indicate why I believe that it is unfortunate. It seems to me that after the initial support of this document by the Leaders of both Opposition Parties it would appear that they, or at least some of the members of their Parties, would like to have it all ways. Some of the Members would like to support the Accord and some do not. Some would like to support the Accord with a number of amendments. I do not think that has been productive.

When I first had a look at the report of the special committee on the Constitution, the first thing that struck me was the opposition addenda to the report. There was a very pious declaration of support by Members from both opposition Parties. Right in the opening sentence, for instance, the Liberal Party said that its members:

> —once again confirm their support for the—Accord as a positive step forward in Canada's constitutional evolution.

The New Democratic Party Members in their first sentence said that they "fully support" the committee's report.

That is great and good news, Mr. Speaker. I presume that would include the recommendation from the committee that Parliament adopt the Accord in its present form. It would seem to me that, having given that support, it is inconsistent, as has been done, to tag on a number of amendments, which it has been said time and time again could lead to the unravelling of the agreement itself. I do not believe a lot of amendments will work.

At the hearings we were warned repeatedly that reopening the Accord for renegotiation would be fatal. A number of individuals appeared before the committee and made that point. From Queen's University, Peter Leslie and Richard Simeon; from McGill, Laurent Picard; as well as Gordon Robertson, Peter Meekison, and a long-time member of the Liberal Party, Jack Pickersgill, all of whom made the same point. If members of the New Democratic Party and the Liberal Party were frank, they would admit that even one amendment could destroy this Accord, that one amendment could bring irresistible pressure for a second and a third amendment, until at some point some Premiers would say that the whole deal is off.

I know that members of the opposition Parties will say, "Don't be so worried." I see that the NDP claims that its amendments could be accepted by First Ministers without in any way putting the Accord in jeopardy. That is good to hear. The Liberals say that their amendments should be acceptable to the First Ministers. "Should" is not the same as "are" or "would be" acceptable. What strikes me about this whole

discussion is the problems we have had in constitutional debates.

I notice in the opening chapter of the report of the special joint committee what a long, difficult and arduous task it has been to arrive at the position we are at, which is to be able to solve the crucial question concerning Canadian unity. Constitutional development has been very difficult and it has been very easy to unravel the agreements of the past. The special committee outlines the problems with the Fulton formula in the early 1960s and in the mid-1960s the Fulton-Favreau formula, the agreement at the Victoria Conference. It took one Premier after all that work to say, "No, I do not like this", or, for whatever reasons, to back out, and so the whole thing became unravelled.

If history teaches us anything, it should teach us how delicate the Accord is that we have before us. It should be respected. Complicating the thing as well, if we did want to accept amendments from the Opposition, is that the Province of Quebec and the Province of Saskatchewan have already ratified the agreement in its present form. We would be in a position where we would have to change the agreement and have it go back before those Legislatures, ask for their approval of the amended version as well as get all the other Premiers on board. It is not worth risking everything that we have achieved at this time to do that.

Our choice is between this accord and no Accord at all. I believe it is between this Accord which Parliament has before it right now or Quebec's continued isolation. I do not believe there are any other choices. Members of the Opposition must know in their hearts that that is the decision we are facing.

Let me say something about some of the specific points raised in the debates over the last few days, and with specific reference to some of the amendments. A subject that has been raised a number of times is the subject of equality rights. I believe we have ample evidence that the linguistic duality, the distinct society provisions, will not override, supersede or take away the sexual equality rights set out in the Canadian Charter of Rights and Freedoms. I would not mention this but I see the the Hon. Member for New Westminster—Coquitlam (Ms. Jewett) is in the House. She said on September 29:

> We do not think that our equality rights are jeopardized by Meech Lake. They are not.

I agree with her. I realize she had other reservations, but I think that point is well taken and I think it was a point agreed to by many of the individuals who appeared before the committee. the New Democratic Party admits the concerns, I believe, in that particular quote that I have just read, that the equality provisions are not ruined, are not overruled by what has taken place in the Meech Lake Accord.

• (1750)

We read in the addendum to the report, for example, that:

> The NDP Members of the joint committee do not believe the linguistic duality-distinct society interpretation clause abrogates, supersedes or overrides any other rights guaranteed by the Charter.

Ms. Jewett: Read on.

Mr. Nicholson (Niagara Falls): Yet at the same time they are proposing expressly to restate the same thing. Why? I suggest there is a considerable risk of having all this unravel by opening the Meech Lake Accord.

Ms. Jewett: It started in the Langevin Block with Section 16.

Mr. Crosbie: Calm down, Rambo.

Mr. Nicholson (Niagara Falls): The Liberals would like to exempt the entire Charter from interpretation in light of the linguistic duality-distinctive society clause. I suggest that if this proposal is accepted it will, among other things, make the clause meaningless. If we bought the Liberal amendments, the Charter would be interpreted in light of our multicultural heritage, which is very important, and aboriginal rights, as it should be, but not in light of our linguistic duality and Quebec's distinct identity. It would have the effect of ranking Quebec behind multiculturalism.

I suggest as well that by continuously saying that somehow equality rights are going to be taken away, they are raising groundless fears in the hearts and minds of the many people who are worried about this sort of thing. They have to live with those fears. Yves Fortier, a very respected legal mind, appeared before the committee and said on this very subject:

> I believe that those fears are totally groundless. And if it were not for the seriousness of those organizations that expressed those views, I would simply say we were dealing with a smokescreen.

I suggest to the opposition Parties that they have lost sight of the distinction between the Quebec round, which is what we are dealing with here, and the next round. No one is saying that Senate reform and the other issues are not important. We will get on with them because we believe they are important.

Let me sum up by saying that when the BNA was implemented it was generally conceded at the time that no single individual was more responsible for it than Sir John A. Macdonald. Our present Prime Minister should take a great deal of satisfaction in knowing that on this important constitutional document he, more than any other individual, is responsible. He is responsible for its creation and, I believe, its success. When the history of these times is written, I am sure Canadians, as many do today, will recognize his great contribution. He can take great comfort in knowing that he has done much to unify this country and made it a better place in which to live.

Mr. Nunziata: Mr. Speaker, in closing the Hon. Member talked about the great contribution the Prime Minister (Mr. Mulroney) has made to Canada. Might I remind him of the public opinion polls which show that about 23 per cent of Canadians still have some confidence in the Prime Minister?

The rest have totally and absolutely lost confidence in his ability to govern.

Mr. Crosbie: You should talk.

Ms. Jewett: Only Ed is on top.

Mr. Nunziata: If the heckling across the way will stop, perhaps I can continue. I know Members opposite are awfully sensitive when it comes to public opinion polls and the reputation of the Prime Minister, but this is not the time nor the place to be critical of him.

Mr. Crosbie: This is not a place for politics.

Mr. Nunziata: This is the time and the place to ask questions of the previous speaker. He should be fuming about free trade because he knows his constituents, the wine growers in Niagara Falls, are absolutely furious about the so-called free trade agreement. Yet this is not the time or the place to talk about free trade and the Hon. Member's political future.

Mr. McDermid: What have you got against Canadian wine?

Mr. Nunziata: Nothing at all. What does the Prime Minister—

Mr. McDermid: Why would you stop drinking it, then, because of free trade?

Mr. Deputy Speaker: Can we please get back to the debate at hand?

Mr. Nunziata: At one point the Hon. Member for Niagara Falls (Mr. Nicholson) said it was unfortunate that we were dealing with amendments. He said they were not productive. Those were his words. That reflects his Government's attitude about the future of our country. On a spring night several months ago the Prime Minister decided to act like a blackjack dealer and deal away the future of our country. He started a process which, I submit, was an absolute farce. A committee was put together, and I would like to commend it for the effort it put in, but even at the beginning it was obvious that the Prime Minister was not prepared to accept amendments. The Meech Lake Accord signed by the First Ministers was in effect the final document.

The Hon. Member talked about the fragility of the Accord. If it is so fragile that it cannot withstand an amendment that would guarantee the women of Canada the rights they fought for not so many years ago, then I suggest it is an unmitigated disaster not worthy of the effort we are putting into it. If it is so fragile that it cannot accept an amendment to recognize the rights of the aboriginal people of Canada, then it is not worthy of passage by the House of Commons. Surely he would agree that the women of Canada and the aboriginal people of Canada can be recognized in the Constitution without affecting the basic principles of the Accord, the primary one being the inclusion of Quebec in the Constitution.

Mr. Nicholson (Niagara Falls): Mr. Speaker, the Hon. Member raised the question of the Prime Minister (Mr. Mulroney). I suppose the Prime Minister can take a certain satisfaction and comfort in knowing that he will be Prime Minister for many years to come and the Right Hon. Leader of the Liberal Party (Mr. Turner) will never be Prime Minister again. I will tell the Hon. Member why.

This debate is as good an example as any. Some members of the Liberal Party say they agree with the Meech Lake Accord. Other Liberals say they agree with it but would like to see all these amendments made. Then we have other members of the Liberal Party who say they do not like the Meech Lake Accord and they are voting against it. That is why his Party is not going to govern the country and why ours is. We have our act together on this issue as on others and his Party, unfortunately for him but fortunately for the people of Canada—

Mr. Nunziata: Point of order. The Hon. Member seems to forget that the Liberal Party is first in public opinion.

Mr. Crosbie: That will not last very long.

[*Translation*]

Mr. Deputy Speaker: The Hon. Member for Champlain (Mr. Champagne) on a point of order.

Mr. Champagne (Champlain): Mr. Speaker, on the same point of order raised by my colleague from Toronto. It may be true that the Liberal Party ranks first in public opinion, but its leader comes last in the polls.

[*English*]

Mr. Deputy Speaker: Can we please get back to the debate?

Mr. Nicholson (Niagara Falls): Mr. Speaker, earlier in my speech I was talking about the long, sad history of the Liberal Party with respect to constitutional change and English-French relations. As an observer of Canadian politics in the past and a participant now, you will know just how much the previous Government under Mr. Trudeau did to exacerbate relations between English-speaking and French-speaking Canadians. He used every opportunity to pit English against French. The arrogance with which he conducted the negotiations after the referendum debate in 1980 is ample evidence.

• (1800)

I suppose it is entirely consistent with Canadian history that the political Party which did more than any other to create Canada in 1867 would be the Party to bring in now the very significant constitutional changes which will, I believe, ensure Canadian unity for generations to come. That will be to the credit of the Prime Minister, the Progressive Conservative Party, the present Government, and all those individuals who have supported it.

I suggest that the Hon. Member for York South—Weston (Mr. Nunziata) should get back to worrying about the

principles for which his Party stands and quit worrying about public opinion polls because they will not get him anywhere.

Mr. Keeper: Mr. Speaker, I have a question for my colleague. He mentioned that if even one Premier were to start questioning the Meech Lake Accord it would scuttle the whole thing, it would be game over. We are in fact to have a new Premier around the table very soon. There may be a New Democratic Premier, but there certainly will be a new Premier who will raise questions about why aboriginal rights and women's rights are not in the Accord. The Government will have to deal with questions on how to improve the Accord. It is not enough to say that we cannot touch this because it is too fragile. If it is meant to last for one hundred years or more, it must be strong.

The Member is afraid of the pressure of one modest amendment. Surely he can distinguish between frivolous amendments and worth-while amendments, amendments that deal with women's rights, aboriginal rights, and the North. Surely those selected amendments would improve the Accord. Surely the Government is not just a collection of 211 marshmallows that have to bend to every pressure brought to bear. The Government should use some judgment and improve the Accord rather than saying that it can do nothing because the Accord will fall apart, or that it can do nothing because then someone else will force it to do too much.

Mr. Nicholson (Niagara Falls): Mr. Speaker, the Member says that we will soon have a new Premier. We have just had an election in Ontario and it will be five years before the people of Ontario get a chance to change Premiers. He need not worry about that for a long time.

Mr. Keeper: In New Brunswick.

Mr. Nicholson (Niagara Falls): With regard to the fragility of this agreement, I refer to the historical analysis of constitutional development. On two or three occasions in our lifetime the federal Government and the Premiers thought they had come to a deal on an amending formula for the Constitution, an agreement to patriate the Constitution. Those agreements did in fact become unraveled because one Premier decided he did not like all the provisions.

By their very nature these things are fragile. They are very important. The subjects addressed in the amendments are important as well. However, I think members of the Opposition have missed the fact that while to conclude anything in this agreement will take unanimous consent, many issues will be decided on the seven provinces-fifty per cent of the population basis. In the next round of constitutional discussions they will be discussed as they should be because they are important.

Mr. Deputy Speaker: It being six minutes after six o'clock, this House stands adjourned until tomorrow morning at 11 o'clock a.m.

The House adjourned at 6.06 p.m.

HOUSE OF COMMONS

Thursday, October 8, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

JUSTICE AND SOLICITOR GENERAL

PRESENTATION OF FIFTH REPORT OF STANDING COMMITTEE

Mr. David Daubney (Ottawa West): Mr. Speaker, I have the honour of tabling, in both official languages, the Fifth Report of the Standing Committee on Justice and Solicitor General.

Our Committee examined the document entitled:

[*English*]

"Proposals to correct certain anomalies, inconsistencies, archaisms and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada", and has agreed to report it without amendment.

[*Editor's Note: See today's Votes and Proceedings.*]

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[*Translation*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

Hon. Pierre Cadieux (Minister of Labour) moved for leave to introduce Bill C-86, an Act to provide for the resumption and continuation of postal services.

Mr. Speaker: Shall the Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the Bill be read a second time? At the next sitting of the House?

[*English*]

Mr. Cadieux: Mr. Speaker, I rise on a point of order. May I suggest that the House Leaders meet and discuss the possibility of dealing with this Bill today at all stages as of three o'clock.

Mr. Gauthier: Mr. Speaker, I rise on the same point of order. I appreciate the Minister's invitation. I will transfer that message to my House Leader. We will meet as soon as possible.

Mr. Murphy: Mr. Speaker, we wish to indicate that we will not be making any arrangements to start the debate today.

We believe that the person who seconded the motion indicates that this is a management Bill. We do not believe that all other methods of resolving the dispute have been looked at.

I myself wrote to the Minister asking that he appoint a mediator. He has not done so. We will start debate on this Bill in the normal manner.

Mr. Cadieux: Mr. Speaker, may I suggest to the Hon. Member—and this is a friendly suggestion—that he wait until he has looked at the Bill before making his decision, in that part of this request may have been satisfied in the particular legislation.

Mr. Lewis: Mr. Speaker, I think the Hon. Minister has made a helpful suggestion. I will be in a position to meet with the other House Leaders and perhaps, after everyone has had an opportunity to read the Bill, we will all be in a better position to advise the House on when we might go forward.

Also, and not to belabour the point, the Bill could have been seconded by anybody. It is obviously a matter of cabinet solidarity that anybody can second it.

Mr. Murphy: Mr. Speaker, I think it is important to realize, if there is a Bill here, that this is one of the few times we have had back to work legislation when there has been no attempt ahead of time to speak to the opposition critics and to the House Leaders of the opposition Parties. If the normal courtesies had been extended, some phone calls, arrangements could have been made first thing this morning. Those things were not done, but should have been.

• (1110)

Mr. Speaker: Are there any other Members rising?

I have consulted with the Table on the procedure and I think, given the position taken by the Hon. Member for Churchill (Mr. Murphy), that the Chair really has no choice in the matter except to put the usual question to the House.

When shall the Bill be read a second time? At the next sitting of the House?

Some Hon. Members: Agreed.

* * *

PETITIONS

CONSTITUTIONAL ACCORD—UNANIMITY CLAUSE AND ABORIGINAL RIGHTS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I have the honour to present petitions from the residents of the Yukon Territory in relation to the Meech Lake Accord. These petitioners humbly pray and call upon Parliament to seek agreement to change the Constitutional amendment both in respect to the unanimity clause for the admission of new provinces and to include aboriginal rights in future First Ministers' conferences.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the following questions will be answered today: Nos. 181 and 182.

[*Text*]

CSC—INMATES DIAGNOSED WITH AIDS

Question No. 181—**Mr. Nunziata:**

How many inmates in the federal correctional system have been diagnosed as having (*a*) Acquired Immune Deficiency Syndrome (AIDS) (*b*) AIDS Related Complex (ARC) (*c*) Antibodies to Human Immunodeficiency Virus (HIV)?

Hon. James Kelleher (Solicitor General of Canada): Up to September 8, 1987, a total of 10 cases of AIDS-related conditions among inmates in the federal system have been reported.

(a) One inmate with AIDS was released on parole in late 1986. One inmate on day parole died on August 25, 1987 as a result of an AIDS-related illness.

(b) Two inmates with AIDS Related Complex are currently incarcerated.

(c) Four inmates have tested seropositive (the carrier form of the Human Immunodeficiency Virus) and are currently incarcerated. Two inmates have tested seropositive and are on mandatory supervision.

CSC—NATIVE OFFENDERS INCARCERATED

Question No. 182—**Mr. Nunziata:**

In (*a*) 1984 (*b*) 1985 (*c*) 1986, how many native offenders were incarcerated and what percentage of the total did they constitute in the (i) Atlantic region (ii) Quebec region (iii) Ontario region (iv) Prairie region (v) Pacific region (vi) Correctional Service as a whole?

Hon. James Kelleher (Solicitor General of Canada):

as of December 31, of each year

	1984		1985		1986	
Region	Native Offenders	% Total Population	Native Offenders	% Total Population	Native Offenders	% Total Population
Atlantic	49	4.03	43	3.59	35	3.02
Quebec	16	0.47	20	0.57	28	0.77
Ontario	158	4.93	152	4.61	134	3.99
Prairies	729	29.66	797	30.74	845	32.34
Pacific	201	11.09	215	11.74	209	11.43
CSC Total	1153	9.54	1227	9.86	1251	9.92

[*Translation*]

Mr. Lewis: Mr. Speaker, I would ask that the remaining questions be allowed to stand.

Mr. Speaker: The questions enumerated by the Minister have been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Wednesday, October 7, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"Part VI

Constitutional Conferences

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendment of Mr. Turner (Vancouver Quadra):

October 1, 1987—That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

and on the amendment of Mr. Broadbent:

October 1, 1987—That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution.—Mr. Broadbent.

and on the amendment of Mr. Caccia:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

Constitution Amendment, 1987

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

and on the amendment of Mr. Allmand

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms."

Mr. John Nunziata (York South—Weston): Mr. Speaker, I appreciate the opportunity to make submissions on this issue. I would like to begin by making some general observations and then proceed to indicate my specific concerns on the Meech Lake Accord.

A constitution is a body of fundamental principles according to which a state is governed. Changes to a state's constitution, as Machiavelli once advised, must be made with the utmost care.

In my view the Constitutional Accord signed by the First Ministers is not in the best interests of Canada or Canadians. It does not accurately reflect what Canada is or what it ought to be. It does not reflect in my view what I consider to be the views and aspirations of a majority of Canadians. The Accord, if enacted with its present provisions, will result in a weaker federal Government. It will set in motion a series of changes which, over time, will render the federal Government irrelevant.

Quebec's participation in the Constitution is essential. Nevertheless at some point we have to ask ourselves whether the price of obtaining Quebec's unconditional approval of the Constitution is too high for the Confederation as a whole. In my view, the Prime Minister (Mr. Mulroney) and the Premiers went too far in order to gain Quebec's participation. In the "real politik" of federal-provincial negotiations, Premiers cannot be faulted for negotiating on their own particular agendas. They have electorates to satisfy, constituencies to placate and political objectives to obtain.

It is the role of the Prime Minister in this process to ensure that, while every reasonable effort is made to accommodate provincial aspirations, the federal Parliament retains the power to enact and act in the national interest. The Prime Minister must ensure that Parliament has the power to set national standards and objectives for important social and economic programs, to assist smaller less advantaged provinces and to speak clearly for Canada in foreign affairs.

Of course, in a vast and diverse country such as Canada, a certain amount of decentralization is both healthy and inevitable. Federalism was and is the only system of government able to accommodate the distinct character of each province and the rich diversity which makes Canada unique among nations. The Fathers of Confederation recognized this fact in drafting the British North America Act and it is as true now as it was then. Canadian federalism has always been characterized by a healthy tension, a fine balancing act between central and provincial power.

In some respects, the debate over the recent constitutional Accord has become obscured by the simplistic notion that somehow we are debating a polarized vision of whether Canada should be a highly centralized or decentralized federal structure. In fact, Canada is already a highly decentralized federation.

The debate on the Accord, if it is to reflect reality, must centre on whether or not we wish to tip the delicate balance considerably further with respect to an even more decentralized federalism with fewer constitutional powers for the central Government and weaker national institutions. To appreciate how decentralized our federation has become, one only need examine the trends with respect to who spends the money.

Between 1968 and fiscal year 1987-88, the total amount of transfer payments made to the provinces by the federal Government rose from $2.8 billion to $29.8 billion. This represents a real increase of well over 100 per cent even if one takes into account inflation.

In addition, the federal Government's share of public revenues in Canada decreased from 47 per cent to 37 per cent between 1962 and 1986. In the same period the provinces, and municipalities, share rose from 53 per cent to 63 per cent, from just over one-half to almost two-thirds of all public revenue.

From a fiscal standpoint, Canada ranks with Switzerland as one of the most decentralized federations in the world. Given, the ascendancy of provincial power over the last 25 years, it is now time for Canadians to ask themselves whether we wish first, to push the pendulum even further toward more provincial authority and even greater decentralization, second, to maintain the *status quo*; or third, to seek to reassert federal authority. The constitutional debate will afford Canadians an opportunity to articulate their vision, their view and their dream of what Canada should be.

We already know the views of one prominent Canadian who has spoken out many times on the subject of Canadian federalism. In 1984, former Prime Minister Pierre Trudeau warned Canadians that:

With too much decentralization in the name of cultural security and provincial autonomy, the country risks fragmentation and disorderly competition in a world where, to an increasing extent, only the strongest and most disciplined can survive and prosper.

This is the crux of the issue. At the very least, federal power must be maintained to allow the federal Government to pursue national, social and economic objectives. Living in today's world economy has become in a very real sense survival of the fittest. The Japanese, the South Koreans and the West Germans, with their integrated and disciplined economies, have achieved a competitive edge in world trade based on cohesive national strategies. Their economic success which can

be measured in their huge trade surpluses has been marked by a national unity of purpose and a commitment to foster economic excellence in certain sectors of world markets. Important political decisions have been made in these countries not to support industries which cannot compete.

• (1120)

How does all this relate to the present constitutional Accord? I see the Accord as the thin edge of a large wedge with which the provinces can and will acquire more power to pursue their own economic, social and even political objectives, irrespective of any larger national purpose. The dangers of fragmentation and disorderly competition against which Mr. Trudeau warned three years ago are now coming to pass, albeit gradually. Like some constitutional Trojan horse that has been pushed inside our gates by the Prime Minister and the Premiers, the Accord looks good but its contents will cause no end of trouble in the years ahead.

Traditionally, the Liberal Party has always stood for a strong Canada in which Parliament has the necessary powers and jurisdiction to formulate public policy. Indeed, the Liberal Party in the 20th century has been one of the greatest nation-building institutions in Canada. We have consistently rejected concepts of special status, *deux nations* and the community of communities or any other doctrine which would weaken Canada.

At this juncture, I sincerely believe that it is the role of the Liberal Party to lead the way in ensuring that everything for which we have stood and fought over the years is not signed away with the stroke of a pen. Those Liberals who do not support the Accord have an obligation and indeed a duty to make their views known.

I have a number of specific concerns. Over the last number of months, prominent Canadians have expressed concerns with respect to particular provisions in the constitutional Accord. My concerns particularly relate to the clause dealing with a distinct society, the effect the constitutional Accord will have on the Charter of Rights and Freedoms, the clause which deals with Senate appointments, the clause which deals with appointments to the Supreme Court of Canada, the clause dealing with spending power, the amending formula which would require unanimity on certain matters in the Constitution, and finally, my main concern deals with immigration.

Regarding my first concern, I have asked myself, as have many Canadians, why it is necessary to give special status to Quebec. There are those who argue that Clause 2(1)(a) of the constitutional Accord is simply an articulation of today's reality, the *status quo* in Quebec. If that is the case, why is it necessary to recognize that in the Constitution?

There are those who argue that this particular clause will give some special constitutional power to Quebec. I suppose if this Accord is ratified by the federal Parliament and the by the provincial legislatures, ultimately it will be left up to the Supreme Court of Canada to decide what is meant by the distinct society clause.

Even though I fail to understand why it is necessary to have recognition of Quebec as a distinct society in the Accord, my concern is over what is excluded by this clause which reads as follows:

> The Constitution of Canada shall be interpreted in a manner consistent with
>
> (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;—

My mother, an immigrant to Canada, does not speak fluent French, nor does she speak fluent English. Under this clause, the characteristics of my mother are not fundamental characteristics of Canada. By implication, those who are not English speaking or French speaking do not possess fundamental characteristics of Canada. In my view, this clause is a betrayal of my mother and of the millions of others who have come to Canada from other countries.

The distinct society clause does not adequately recognize the multicultural community in Canada, the eight million or nine million Canadians whose origins are neither French nor English. If the purpose of the first clause in the Constitution of Canada is to articulate what Canada is all about today and what we want Canada to be in the future, then surely a fundamental characteristic of our country today is the multicultural heritage of our communities. However, that characteristic is not present in Clause 1 of the Constitution; nor is the recognition of aboriginal peoples.

Surely when trying to describe what Canada is all about, one would have to recognize the aboriginal peoples as a fundamental characteristic of Canada. Therefore, it seems to me that on the basis of Clause 1 alone, the constitutional Accord cannot be supported.

That clause goes on to say that it is the role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in the first paragraph. However, it goes on to say that it is the role of the Legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in the distinct society clause. Canadians are asking themselves what that means. Why is Quebec required under the constitutional Accord to preserve and promote the fundamental characteristic, while on the other hand it is a duty of the Government of Canada and the other legislatures to simply preserve it? Is it any wonder that some of those right-wing Premiers from western Canada chose to support this provision? They do not want to promote in any way the fundamental characteristics of Canada, they simply want to accept what exists which is very little and not be required by the Constitution of Canada to do anything more.

My next concern is over the effect this particular Accord will have on the Canadian Charter of Rights and Freedoms. In my view, the Charter must, and I emphasize, must be supreme.

No law from the Parliament of Canada or from any of the legislatures should in any way affect the Canadian Charter of Rights and Freedoms. If we truly believe that there are certain rights and freedoms that exist for all Canadians, then surely we must all agree that the Parliament of Canada and the legislatures cannot in any way abrogate those very basic and fundamental rights.

In the last number of months, experts have indicated that the constitutional Accord threatens the Canadian Charter of Rights and Freedoms. In particular, the women of Canada have made a very persuasive case indicating that the Accord will turn back the clock over that for which the people of Canada fought seven or eight years ago. As a result of this Accord, which was signed in a 10-hour or 15-hour period, those rights for which the women of Canada fought will go out the window. It is possible that sometime in the future the Supreme Court will decide that the distinct society clause, for example, might be used to take away rights for which the women of Canada fought. That ought to be of concern to each and every Member of the House.

My next concern deals with appointments to the Senate of Canada. It is obvious that Senate reform will be impossible as a result of the constitutional Accord because of the amending formula that exists in the Accord. Unanimity will be required to reform the Senate. It does not take a brilliant mind to conclude that Senate reform will be impossible in the future.

• (1130)

Premier Getty indicated at the time the Accord was signed that somehow Alberta and western Canada were winners because of the provision dealing with Senate appointments. All that has happened is that the patronage, if you will, has been transferred from the federal level to the provincial level. A Triple-E Senate will be a dream for centuries to come because of the unanimity requirement in the Accord.

Right now the power to appoint Senators rests with the Parliament of Canada. The Senate of Canada is a national institution. There are safeguards to ensure that Senators reflect the views and aspirations of the different regions. Over a period of time, it seems to me, when we have a Senate completely dominated by provincial appointees, it is obvious their first concern will be for the provinces who appointed them. They will in effect lose track of the national interest.

We have serious concerns over this provision in the Accord. The Liberal Party has called for an elected Senate and I truly believe that if the regions of Canada want equal representation, that is the route to take.

Regarding Supreme Court of Canada appointments, in my view the court is a national institution. The Government of Canada must retain the ultimate authority to make appointments to that court. I ask myself why it was necessary to transfer that authority from the Government of Canada to the provincial Governments. It is obvious the provinces wanted that power because they believed if they had it, over a period of time provincial appointees would be more concerned with provincial interests rather than the national interest. It seems to me the Supreme Court of a country must reflect the national interest. Therefore the national Government must retain the ultimate authority to make appointments.

Much has been said about the spending power provision in the Accord. I agree with those who argue that that provision is ambiguous. Very little is known about how a future Government or future Supreme Court will choose to define what "reasonable compensation" means; what "program" or "initiative" means; what the word "compatible" or the words "national objectives" mean. I agree with those who argue that in future it may be impossible for the Government of Canada to implement a national program such as daycare when one or more of the provinces might decide to opt out and receive compensation.

As to the amending formula, it is obvious, as I indicated earlier, that Senate reform will be impossible. However, there are other concerns flowing from the unanimity requirement. Others have argued in a very persuasive fashion that the unanimity requirement would make it impossible to create provinces from the Territories in future because one or more of the existing provinces might decide to vote against that and the dilution of whatever authority they might have. I believe that is a serious concern.

I note that you are indicating my time has expired, Mr. Speaker. Let me say in closing that this Accord in my view is not in the best interests of Canadians. It cannot be supported and I do not intend to support it unless the Government in its wisdom decides to adopt the amendments presented by the Liberal Party of Canada.

Mr. Malone: Mr. Speaker, I have no doubt that the Hon. Member for York South—Weston (Mr. Nunziata) spoke with very strong convictions about his view of Canada. The debate over this matter is one in which the Members will hold different views and hold those views strongly. However, as a westerner, I believe the kind of Canada he proposes in his notion of a different Constitution would serve to rip this nation in half.

He fails to understand the geography of this land, the second largest nation in the world. There are more Members of Parliament from Toronto and Montreal than there are from Manitoba, Saskatchewan, Alberta, the Yukon, Northwest Territories, and all of British Columbia except for the lower mainland. Two cities have more votes than those people who live on 70 per cent of the land. Yet the Hon. Member says that is just fine. He supports a centralist notion of governing Canada. That concept would work well in England, Belgium or some other geographically small nation like Switzerland, but it defies reality in a country of some four and a half thousand miles from ocean to ocean.

It is a fact that it is our history that makes westerners and Atlantic Canadians and others feel deeply and strongly about

regional strength. The Hon. Member should know that when the first four provinces of this country, Nova Scotia, New Brunswick, Quebec and Ontario, were formed, they were granted the right to govern their resources. When Prince Edward Island joined one year later it was given the same right. When British Columbia came into Confederation it, too, was given the same right. Yet when the three prairie provinces became part of Canada, they were denied the right to their resources. That was not under their jurisdiction. I remember the old-timers in my province who had fought for 25 years from 1905 to 1930 to obtain the right to their resources. Not in one of those years were they able to raise enough money to pay for provincial needs such as roads, hospitals and schools. The best they ever got was about 30 per cent, this because of a centralist view which believed their resources belonged to Canada.

More recently a Liberal Government put in place the National Energy Program, ignoring the fact that Ontario sold its iron and steel at world prices. It ignored the fact that Quebec and Ontario sold their hydro power at world prices. Every product in every province was able to be sold at world price. However, the Liberal view, and I presume the view of the Hon. Member for York South—Weston, is that a centralist government can impose, irrespective of jurisdictional consideration, a centralist view.

• (1140)

I wanted to make some comments on the Senate but, unfortunately, will not be able to. In conclusion, if we had a Canada such as the Hon. Member proposes we would have no Canada at all because that would tear the map to pieces.

Mr. Nunziata: Mr. Speaker, I am a westerner. The Member laughs, but British Columbia is the province of my birth. I grew up there. I understand the problems in western Canada and Atlantic Canada. It is precisely for that reason that we need a strong central government to protect the regions.

The Hon. Member seems to indicate that a strong federal Government is synonymous with Quebec and Ontario, that when we talk about a strong federal Government we are talking about a Government which is more concerned about Quebec and Ontario. That is not the case. The Parliament of Canada exists to represent all 10 provinces and the territories. If the goal is to have equal recognition of the regions, surely we must reform the Senate. With regard to this Chamber we all believe, to a certain degree, in representation by population. Therefore, the Province of Ontario and the Province of Quebec will have, perforce, greater representation in the House of Commons.

That is not to say that a reformed Senate cannot create a better balance in representation in the two Houses of Parliament by giving more equal representation to the regions. That is only possible if we reform the Senate. Under the Meech Lake Accord it will be impossible to reform the Senate because of the unanimity requirement. If we are truly concerned about equal representation and, as the Member put it, regional strength, the route to go is to reform the Senate by moving toward an elected Senate in order to give it more power.

Mr. Malone: Mr. Speaker, the Member and I do not separate on the need for changes in Senate reform. We separate on the Member's notion that the unanimity clause absolutely guarantees that the Senate cannot be reformed. It may make it more challenging but there are examples of very major decisions, including Meech Lake itself, being brought about because of unanimity.

To make the presumption that Canada could never reach a compromised and all-inclusive conclusion among the provinces and the federal Government is to presume that there is a Government of the past in Ottawa which views the provinces as someone to fight against. If you are looking for reconciliation and a federal Government which can work with other Governments, you will see that unanimity is not only possible but has been demonstrated.

Mr. Nunziata: Mr. Speaker, I believe that unanimity was achieved with the Meech Lake Accord because the Prime Minister gave everything away. Is it any wonder that the Premiers accepted what was given to them? I do not blame the Premiers for signing the Meech Lake Accord because they received so much in return for so little.

On the subject of Senate reform and unanimity, surely the Hon. Member will agree that the Provinces of Ontario and Quebec alone will never agree to giving Prince Edward Island equal power in the Senate of Canada. Let us not be naive. There is no way a stronger or more populous province will give equal representation in the Senate of Canada to a less populous province. That will never happen. There is more likelihood of reforming the Senate under the present amending formula which requires the agreement of seven provinces and 50 per cent of the population.

Mr. Rod Murphy (Churchill): Mr. Speaker, many of the people who have spoken in this debate on the Constitution have said that there was bad process involved and that the document itself is flawed. I agree with both of those comments, but must also say that every other time we dealt with constitutional amendments, whether in 1981 or earlier, the process was bad and the resulting document was flawed.

It is ironic that many of the amendments being proposed by Liberal Members of Parliament, many of whom were here in 1981, ask for things for which they did not ask when they formed the Government. For that matter, many of their amendments are counter to the very spirit of what the Liberal Government of 1981 was trying to accomplish.

When I look at the list of amendments presented by the Liberal Party I wonder where those Members were in 1981 when a joint committee studied the document of the then Prime Minister, Mr. Trudeau. A number of amendments were moved, some of which were passed and some of which were

defeated. These Liberal Members did not move those amendments in 1981, nor did they argue for them. It is somewhat hypocritical for them to say that these amendments are essential in 1987. Having said that, I agree with the content of many of those amendments because they ask for some of the things we were calling for in 1981.

The document with which we are presently dealing is flawed. The Yukon and the Northwest Territories have been hurt by the Meech Lake Accord. It does no good for Conservative Members to say that when the time comes all 10 provinces will be on side. We do not know when that time will come, but we do know that the Yukon and Northwest Territories will have to go through a process which no other province has ever had to go through in the history of our nation. That process will be most difficult.

The provisions which the Liberal Government introduced in 1981 required the consent of the federal Government and seven provinces with 50 per cent of the population before a new province could be created. Now all 10 provinces must agree with the federal Government.

The Acting Speaker (Mr. Paproski): Order, please. If Members wish to have conversations I would appreciate if they would go into the lobby or behind the curtains. The Hon. Member for Churchill (Mr. Murphy) has the floor.

Mr. Murphy: The process for the Yukon or one of the territories to become a province will be very difficult. From the history of constitutional changes I know that Premiers, provinces, and the federal Government have their own agenda when they come to First Ministers' Conferences. If a majority of provinces are willing to allow the Yukon in as a new province, it is likely that one, two or perhaps three of the provinces will have other items they want included in the Constitution. Perhaps they will use oil, property rights or another particular cause which genuinely might be important to them as a bargaining chip in supporting the entry of the Yukon. That has been the history of our country in terms of constitutional amendments.

• (1150)

No Prime Minister and no Premier has gained everything they sought. In the future, the Premier of Nova Scotia may have some concerns that she wants addressed in the Constitution and may use the Yukon as a bargaining chip. That is not acceptable.

The other group about which I am concerned with regard to the Constitution is the aboriginal people of Canada. I stated during the special debate on the Meech Lake Accord in June that we have again forgotten the native people of this country. The Prime Minister (Mr. Mulroney) stated that with the Meech Lake Accord, we have completed the circle of Confederation. He was again neglecting the native people of Canada because that circle is not completed as far as they are concerned. There is no process in this Constitution guaranteeing that their rights will be on the agenda of future First Ministers' meetings. The Government has been unwilling to even guarantee that there will be a meeting in the future to deal with aboriginal rights.

We have asked for this guarantee in questions during Question Period and have suggested amendments to that effect. However, the Prime Minister has not even been concerned enough to write a letter to native leaders or the Premiers indicating that he will put this item on the agenda of a future meeting.

The Prime Minister said in answer to questions in the House that with Quebec as a full-fledged member of the Constitution as a result of Meech Lake we would be in a better position to expand the definition of aboriginal rights in the Constitution to reflect more than the very narrow present definition. The Prime Minister has used that as a reason why we should support the Meech Lake Accord. Yet he will not even guarantee that there will be a meeting on aboriginal issues next year, the year after, or even three years from now.

I consider that to be a failure of the Prime Minister and not of the Premiers, even though the Premiers of British Columbia, Alberta, and Saskatchewan were reluctant to move on this important matter of aboriginal rights during the final rounds of negotiations. They are not the ones primarily at fault because it is the federal Government's obligation to represent native people according to the present Constitution and the Indian Act.

The Prime Minister was the chairman of the Meech Lake meetings and should have been representing the native people of this country. The Prime Minister could have at least guaranteed that aboriginal rights would be included on the agenda of the next meeting of First Ministers if they could not have been dealt with at the Meech Lake meeting itself. He should have at least made that effort on behalf of the native people.

My colleague, the Member for New Westminster—Coquitlam (Ms. Jewett), reminds me that the joint committee which studied the Constitution during the summer and into the fall recommended that aboriginal rights should be on the agenda, and that it would not breech the spirit of Meech Lake. It would not create any division among the provinces that would result in the elements of the Meech Lake Accord being broken.

The Prime Minister is always willing to go to Washington or attend international conferences. I might say that he speaks with some eloquence on the rights of the oppressed majority in South Africa. Yet he is not even taking a small step on behalf of the native people of this land. He could do so without upsetting the Meech Lake Accord or causing resentment within the population of Quebec. Yet he will not take that step.

I believe his reluctance to do so will hurt him in the next election, because native people have a strong sense of trust in a Prime Minister. They strongly believe in the relationship

between the federal Government and native people. When I visit the many reserves and other native communities in my riding and talk to native people, especially the elders, they talk of John George Diefenbaker and all the subsequent Prime Ministers as the people who were responsible for making sure that the Government looked after the interests of native people. I am sure the Member for Yukon (Ms. McLaughlin) has the same experience when she visits native people in her riding. Native communities have always had much respect for Prime Ministers. They are among the last to become involved in snide politics and personal contests when it comes to the Prime Minister.

When I have occasionally made nasty remarks about one of our Prime Ministers, they have told me they were offended because such remarks are inappropriate.

Native people feel especially grieved by what has happened. They see that the Prime Minister, the chairman of the Meech Lake meeting, is not willing to make any effort to guarantee that the next First Ministers meeting or even the one after will deal with aboriginal issues.

Mr. McDermid: He answered that in the House fully.

Mr. Murphy: One of the Conservative Members says that the Prime Minister has answered that fully. He only said that he will get around to it. What does that mean? It does not take much to write a letter. The Prime Minister writes letters to the Premiers constantly It does not take much to stand up for the native people of this land and guarantee that native rights will be on the agenda of the next First Ministers meeting or the one after. He has not done that.

Mr. McDermid: He explained why.

Mr. Murphy: I challenge the Conservative Member to read *Hansard* to see if there is such a guarantee.

Mr. McDermid: He explained why.

Mr. Murphy: You will have a chance to speak in a few minutes when I sit down. Start looking.

I am concerned about a number of other issues in the Meech Lake Accord. I have said that I will support the Accord because I believe it is important that the people of Quebec become partners in Confederation and share in the process of amending the Constitution in the future. I think it is even more important that they know that there is the willingness, on the part of those of us who are from outside of Quebec, to bring them in, to work with them, to accept the flawed package. I say that because we realize the value of having the mood in Quebec pro-Canada. We recognize the value of that. We are very happy to see that Quebec also agrees that this is an acceptable process.

• (1200)

We are willing, I guess, to swallow some of the things we do not like in the Accord, just as we swallowed things we did not like in 1981. It is a flawed document. There are concerns on the part of women's groups, natives, and people in the Territories. There are concerns on the part of people who want to guarantee that the national Government has the ability to act on issues of national concern. But, after having looked at the report of the committee, which represented members from all Parties, I believe that the flaws, and they are there, are not so drastic that we cannot support this constitutional Accord.

We recognize the problems. We have some constructive amendments. We hope that the Government will give due consideration to those amendments. We hope that in the future, when these issues are before the House and when the First Ministers sit down each and every year, we will have a better process, that we do not have the First Ministers, when they have their yearly meeting on the Constitution, sitting until six or seven in the morning and coming up with another amendment to the Constitution, one which the House of Commons has to accept.

It is time that when we deal with the Constitution we have a better process, a process by which people can feel that they are actually in a position to make amendments, in which people who are left out of the process, like the people of the Yukon and the Northwest Territories, the aboriginal people of this land, will have a chance not only to have their voices heard but to have a chance to make the type of amendments that are necessary.

My time is up. I want to say that for someone who has been interested in the Constitution for many years, and as someone who took a course, I guess it is over 20 years ago now, on Canada and French Canadians and the history and all the problems that we have had, it is very important, and I am very glad to see that we have a document, although flawed, that does bring Quebec into the family.

The Acting Speaker (Mr. Paproski): Are there questions or comments?

Mr. McDermid: I cannot let this moment pass without commenting on my hon. friend's remarks regarding the Prime Minister (Mr. Mulroney) and the native peoples of this country. As he knows, I was Indian Affairs and Northern Development spokesman for our Party for a year and I became very involved and very interested in the entire scope of problems facing the native peoples. I think what the Prime Minister said in the House should be repeated because to me it made abundant sense. It is fine to schedule meetings. It is fine to say that we will have a meeting next month on it, and another the next month, and so on and so forth. But if nothing is accomplished at those meetings, if they are held just for the television cameras and for everybody to state their positions, they do not achieve anything.

What the Prime Minister said very clearly in his explanation is that the next time they have a meeting—and the sooner the better as far as he is concerned—he wants something accomplished. There is a great deal of work going on now behind the

scenes with the native groups and the provinces, who play an integral part in our Constitution, to assure that when we do bring the native situation to the Constitution in a meaningful way that it can be accomplished and that it will be good for everyone involved, especially the native peoples.

The Prime Minister said that there is no sense in calling a meeting just for the sake of having a meeting. We should have successful meetings, and we should accomplish something. That is exactly what is being worked on now, toward that end, for the native peoples of Canada.

Mr. Murphy: Mr. Speaker, what the Conservative Member has said is fine, to a point. We have guaranteed that the subject of fish will be on the agenda at the next First Ministers' meeting. We have guaranteed that the topic of the Senate will be on the agenda of the next First Ministers' meeting. We have no guarantee that we will resolve fishing issues at the next meeting. We have no guarantee that we will resolve the problem of the Senate at the next First Ministers's meeting, unless we bring some big shovels.

Ms. Jewett: So we can bury it.

Mr. Murphy: Yes, so we can bury it. But why not at least have the native issue raised as a guaranteed item at that meeting? Native people will feel there is at least that much commitment. Now they know that they will not be considered at that meeting. It is fine to say that there is work going on behind the scenes, but the Hon. Member also knows that because there is no guarantee of a meeting of the First Ministers on aboriginal rights the funding for native groups has not been increased. For that matter it has been cut. So it is fine to say that there will be meetings of officials but the funding has been cut. It has been made more difficult for native people to prepare their case so that they can get on the agenda of some future meeting. That is the truth.

It is not good enough to say that the Prime Minister has good intentions, that he does want to see it work in the future. He has to do more than that. There has to be some guarantee that that will happen. That is not there, and it is regrettable. But the Prime Minister has not taken the leadership in that area, which is very obvious to the native people in my riding and right across the country.

Mr. McDermid: I have a short supplementary, Mr. Speaker. I will just take a moment because I want to follow up on what my friend said. The native people have had three meetings. They were disappointed at each one. Should the Prime Minister schedule another meeting and disappoint them again without having anything accomplished? Let us make sure that at the next meeting we can accomplish something. That is why he is doing it.

The Hon. Member talks about the scheduled meetings ahead. That is right, there are scheduled meetings on certain topics. Those have not been scheduled before in the constitutional conferences. The native people have met three times. I sat through those meetings and I sat through the native peoples' conferences on the Constitution. The NDP are going around saying the funding has been cut. That is very unfair. The funding ran out on—

Mr. Heap: It is unfair.

Mr. McDermid: It is unfair for the NDP to say it has been cut. What happened is that the program ended and the Government is now looking at a new funding program. It is examining a new way to fund the natives on the constitutional matter. To say it has been cut is untrue. The program ended; that is not cutting the funding.

Mr. Heap: Will they guarantee to renew it?

Ms. McDonald: Did they have any funding?

Mr. Murphy: Mr. Speaker, I suppose there are many ways of looking at programs being cut or programs ending, but the net effect, expressed in the Hon. Member's own words, is that there is nothing happening at the present time—

Mr. McDermid: Wrong.

Mr. Murphy: —because the program has ended. It means that native groups are down to a very skeleton staff in terms of trying to develop constitutional positions. It is very hard for them to have meetings in order to discuss these matters with each other. The research cannot be done. Here we are, over six months since the last meeting of the First Ministers on aboriginal rights, and there is still no funding program in place. To say that because there have been three meetings on native issues in the past and they were not successful is not quite true, because they were successful. They brought native issues to national television. There was a population of native people and white people who got to hear for the first time about aboriginal self-government. They got to hear about the problems on the reserves. They got to hear about the concerns of native people. That was a success in itself.

I can tell Hon. Members that in my riding people in native communities were glued to the television sets for each and every one of those meetings because it was so important to them.

• (1210)

It was important for them to hear their national spokesmen speaking articulately to the Prime Minister and to the Premiers. That was very important, and I do not think the Hon. Member argues that point. However, to say that because it has been done three times without success we should not guarantee a fourth meeting at this time is wrong, because it takes away the attention native leaders deserve.

Also, there have been many more than three meetings on the Senate in the House of Commons and in the Senate itself. I think former Prime Minister Trudeau had about 15,000 different proposals on the Senate at which the House looked. We sent committees on the Senate across the land time after

time and, God help us, it is not any better now. It is guaranteed as a topic at the next meeting, and it is certainly not for any lack of attention. It has had too much attention; it does not deserve any. It is a guaranteed topic.

Yes, the aboriginal people have had three attempts, but they are not being guaranteed a fourth attempt because they might be disappointed. I think the native people are willing to risk that disappointment. They want a chance to be heard. They want a chance to be able to negotiate their position. It is being denied them, and that is worse than a disappointment.

Ms. Jewett: Mr. Speaker, the Parliamentary Secretary may not have read the concluding chapter of the joint committee report. I doubt if he has read it because, if he had done so, he would know that, unlike the Prime Minister (Mr. Mulroney) and unlike himself, his colleagues on the joint committee recommended a reinstitution of funding. He did not do that.

The Acting Speaker (Mr. Paproski): I would hope that the Hon. Member would direct her questions to the Hon. Member who just spoke. I am really not too concerned about what the Parliamentary Secretary said. Her questions should be directed to the Member who just finished his speech.

Ms. Jewett: Also the joint committee recommended a planning process, leading up to the renewal of meetings on aboriginal rights, particularly self-government.

Does the Hon. Member for Churchill (Mr. Murphy) realize that there was a unanimous recommendation concerning the meetings of First Ministers, a work plan, and a refunding process? Does he know that the joint committee recommended that a new parliamentary joint committee should be established on a permanent basis to conduct hearings on these and others matters before the First Ministers met?

The Acting Speaker (Mr. Paproski): The Hon. Member for Churchill (Mr. Murphy) has a minute or so in which to answer.

Mr. Murphy: Mr. Speaker, I thank the Hon. Member for her question. She asked whether I was aware of the document. Yes, I am. The reason I am aware of it is because she gave a very detailed report to our caucus and explained that process.

I believe it was her intention to make sure that it was on the record yet again.

[*Translation*]

Mrs. Claudy Mailly (Parliamentary Secretary to the Minister of Communications): Mr. Speaker, I was profoundly shaken by the constitutional crisis, and that is why I am delighted to see a peaceful solution to this problem, a solution that respects the values we hold most dear.

[*English*]

I ran for office because I was hoping that I could do directly what I had failed to do indirectly by being involved with citizens' groups. I wanted to find a peaceful solution to the problem we had in terms of the aspirations of the French-speaking people of Quebec who wanted to find their place in the sun, their place in the country, and to be able to live as first-class citizens in their own country, speaking their own language and enjoying their own culture. I could not do it through citizens' groups because too many counter-currents were stopping us from really focusing on what was our purpose.

I also felt that the solutions which were being made available through the political process at that time were going to lead to violence. I believe that the use of violence is not acceptable under any circumstance, in any cause whatsoever. Contrary to what some Members of the House might say, that it could be used to help certain causes, I do not believe so.

I think the saddest day for peaceful persons is when they must defend their lives against an aggressor and perhaps kill the aggressor in the process. To me that is a use of violence which is essential but is a very sad one.

Having rejected violence, we had to find an accommodation. Of course accommodations are not as spectacular as the use of violence or the use of aggressive political ways to impose one's vision of the country on other people. However, it would lead to a solution which would be acceptable to me and would be one that would last.

• (1220)

[*Translation*]

I attended primary school in my native city of Montreal during the 50's. In school, nationalism, our culture and our language all seemed to be wrapped up in the Catholic religion. We were subjected to a type of parochialism which gave us a certain poverty of spirit and a narrow vision of our social, religious and even economic life. I rejected this parochialism because of this vision. In the dictations that we were given to practice our linguistic skills, for instance, we were told that the federal Government was the enemy because it was trying to interfere with our school system, that, because the federal Government was Protestant and Anglosaxon, we might lose both our religion and our language, and that we should therefore not allow the federal Government to interfere with education in Quebec.

This vision robbed us young Quebecers of a modern education system which would have prepared us for the future in a modern country where we had to compete against very sophisticated businesses. By rejecting this parochialism, I also rejected the leadership role which the Catholic church had assumed in the nationalist movement. I therefore had to look elsewhere for a means to achieve my goals, which were to develop as a French-speaking Quebecer, and also as a modern woman in North America who would be able to choose a career either in business, in science or in the arts if I wished, instead of being restricted to certain fields judged appropriate for francophones. In my opinion, the fight of the clergy was

too narrow and too focused on their own personal interests. We had to look elsewhere.

By rejecting this parochialism and this narrow vision, I also rejected the vision of the Trudeaus, the Chrétiens, the Johnstons, and even, I regret to say, the Sheila Finestones. I wanted a country where we could show generosity to all members of our society and to our two cultures. I wanted a wide-open country. I therefore accepted the English fact from a very early date. It might seem strange that I would speak about the English fact because we mostly hear about the French fact. However, for us, in Quebec, the English fact represented the minority. I welcomed this concept with pleasure and I also welcomed the American fact as part of the reality and the vision I had of my own identity as so deeply rooted in my language and culture that it could recognize the beauties of other cultures.

Mr. Speaker, I fear neither the Americans nor the English-speaking Canadians. I feel quite confident, but I am always prepared to fight against threats to my language and my culture.

Throughout the 1950s there was something else threatening our language and our culture besides this Jansenism which advocated a much too limited universe for us: economic poverty, or the fact that francophone Quebecers made up most of society's poorer segments. So we had to find a way to fulfill our economic expectations while preserving our language and our culture. With the 1960s came the quiet revolution, and I stress the word "quiet" because it was not marked by violence, and the purpose of this quiet revolution was to make us a strong economic people. Then a member of the Lesage government, Mr. Lévesque was among those who believed in economic nationalism. Hydro-Québec was a telling case. I might point out that Mr. Lévesque never condoned violence, but he was convinced that we would be able to fulfill our aspirations through the economy. So the quiet revolution yielded an economic lever to remove the obstacle to our development as francophones of French culture in Quebec.

As PQ leader Mr. Lévesque also paved much of the road to Meech Lake. Some people are concerned over the weakening of Bill 101 precisely because, in our efforts towards nationalism, both economic and political, because language of work became an issue, that is where we made great progress, but in terms of economic nationalism people also had in mind the question of commercial signs which was part and parcel of the environment in Quebec's society. And today we are concerned that Bill 101 might be weakened because we do not want to lose what we managed to gain during the 1960s and 1970s and the few years after, which is to secure a truly francophone environment in Quebec. I am sure, Mr. Speaker, that an honourable solution will be found to protect in Quebec our English-speaking minority, while maintaining the benefits obtained through Bill 101.

The very first explosion of violence occurred in the 1960s. I was still living in Montreal at the time. The first bomb was placed in front of the U.S. Consulate. At the time, there was a connection with the extreme Left which was very active because of the Americans' involvement in the Vietnam War. There was a leftist infiltration of the nationalist movement which resulted in violence in Quebec. Later on, unfortunately, there was a lot of blood shed by our best young people, because this ideological violence was continued to further nationalism. For us, it was the greatest tragedy. That is when I felt deeply the sadness of living in a violence-prone society: bombs which exploded in residential letterboxes; children who had to remain inside their schools because there was a bomb in a letterbox outside; bombs in department stores or supermarkets. Those were really the darkest pages in our history.

What solution were our politicians suggesting at the time? They were suggesting, it is sad to say, confrontation. They would say: "Let us beat the hell out of these people. Let us smash this nationalistic movement which has gone berserk and become violent", instead of asking why violence had spread among us and was so much a part of our lives.

In my view, Mr. Speaker, the Meech Lake Accord is the right way to deal with this pervasive climate that owed its existence to the fact that we let violence and aggressive politics become part of our lives.

As for the economic poverty that prevented us, French-speaking Quebecers, from becoming a modern and prosperous society, the Quiet Revolution changed all that in the 60s. Many of us in the Conservative Party are nationalists who fought during the 50s and the 60s for recognition of the French fact in Canada, and we are now in a party that still believes in economic change that will help francophone Quebecers prosper in this country.

I do not agree with the Hon. Member for Montreal—Sainte Marie (Mr. Malépart), who gives Mr. Bourassa all the credit because, according to the Hon. Member, he formulated the conditions that lead to the Meech Lake Accord. In fact, the way that was paved by Mr. Lévesque was finished by the present Prime Minister (Mr. Mulroney) who worked so hard to bring us to Meech Lake where, if we had not had the negotiating process, Mr. Bourassa's conditions would have made no difference at all. People must communicate, negotiate, and consult. They have to talk about what they want to implement.

All the nationalists who decided to run under the PC flag in 1984 met again in Ottawa, where they have worked in their Party under a leader who had the courage, the vision and the power to gain acceptance for his vision of this country, which is very similar to mine, Mr. Speaker, and to do so calmly and peacefully.

And that is why I am very proud to be part of this Government and to serve under a Leader who has had the courage to go on, despite the many pitfalls. There were times when he was asked to consider specific interests that would have made his ratings rise in the polls, suggestions which he refused to entertain. For instance, he took part in a very fair and very

generous debate on the demands of franco-Manitobans. He refused to take the easy way out, to heed the advice of those who told him: Don't get involved, the subject is too controversial, and you will get into all kinds of trouble. Ignore these issues and go on to other things. Just ignore the franco-Manitoban demands. However, he did not take this advice, and he put the experience acquired with the Manitoba question and franco-Manitoban demands to good use when considering the rights of francophones in Quebec.

Mr. Speaker, people who accuse the Prime Minister of being lacking in generosity, vision and courage are grossly unfair. I had the same experience as Brian Mulroney who started out with a party that was looked upon as the pariah of Canadian politics because 100 years ago, when Louis Riel was hanged, the Conservatives were in power. Mr. Chapleau told his leader, Sir John Macdonald: If you do that, French Canadians will never vote Conservative again. There was a century of history and tradition to overcome. The Prime Minister, who believed in the economic drive of Canadians, who knew that without a strong economy, a people cannot nurture its language, its religion and its culture, the Prime Minister continued his struggle within the Party.

He could have taken the easy way out and become a Liberal. My riding was Liberal ever since Confederation. The same was true in his riding. He could have decided to become a Liberal like Mr. Trudeau, who left the CCF and the Socialists when he decided the Liberal Party could bring him to power. He changed his stand, but Mr. Mulroney did not. He stayed with the Conservatives, he kept his vision and he led us to the Meech Lake Accord. He has given all of us pages in history which are certainly an improvement over those of the 70s, and he brought to me personally the realization of his dream and the results I had hoped for when I became involved in politics. We found a peaceful solution, a solution respectful of our most cherished values, and I am proud today to speak in this debate which, like the debate on the death penalty, will contribute to our self-actualization.

In conclusion, I would like to tell my Quebec colleagues, and especially my friends such as Don Johnston and Sheila Finestone whom I have known a very long time—I knew him when he was my Member of Parliament in Westmount: Good luck, I respect your ideas, but please remember that we now have a more generous vision of Canada thanks to the Meech Lake Accord.

• (1230)

[*English*]

The Acting Speaker (Mr. Paproski): Order, please. I will allow the Hon. Member to complete her speech, but I would hope that she would refer to Hon. Members by their riding when speaking about them. It is something of which new Hon. Members should be aware.

Questions or comments?

[*Translation*]

Ms. Copps: Mr. Speaker, the Meech Lake Accord provides for the protection and promotion of minority rights in Quebec, but not in the other provinces. Why is the Conservative Party not willing to protect and promote the rights of minorities outside Quebec?

Mrs. Mailly: Mr. Speaker, it is not because the Conservative Party is not ready, but rather because discussions leading to the Meech Lake Accord were aimed at integrating Quebec into the Canadian Constitution. That was the goal of the discussions. At that point, the purpose was not to look at other details and other matters, whose time certainly will come. Among other things, the rights of francophones outside Quebec is a matter of major importance. So are aboriginal rights, the rights of individuals such as the right to own property. There are a lot of things still to be done. The rights of the provinces, the Northern Territories. We still have major matters to look at, but the aim of the negotiations that led to the Meech Lake Accord was to integrate Quebec into the Canadian constitutional family. That was the root of all the violence during the 60s and 70s. So that is what we discussed.

But we did not close the door—to the contrary, the door is now open. If Quebec had not been integrated, we could not have pursued the constitutional process because without the presence of Quebec it was not decent even to sit down and discuss the country, because to me at least the core of the country was absent from those discussions.

Mr. Gauthier: Mr. Speaker, one of the basic features of this country is linguistic duality. But I would like to ask the Hon. Member for Gatineau (Mrs. Mailly) whether she has a definition of the concept of a distinct society. Certainly she must be aware of my interpretation. And I know that many Quebecers have a definition of what a distinct society is all about that is different from mine.

I wonder whether she, as a Quebecer, could give us today her definition in a few words. In order to refresh her memory, I personally will suggest to her that Quebec is different from other provinces because it is the province with a French-speaking majority. But it also has an important English-speaking minority and a native component, or anyway a native people that is equally important. That in my view makes it distinctive, that is what Quebec is all about—a French-speaking majority, a very large English-speaking minority and a large native minority. Is her definition different from that?

Mrs. Mailly: The distinct society clause in the Meech Lake Accord is quite clear. Its purpose is to enshrine the special character of Quebec and its francophone majority which until now had to be protected by all kinds of legislation because otherwise it could not maintain and enhance its position. As I see it, the Meech Lake Accord is quite clear in that it refers to the francophone majority and the Anglophone minority which is already protected by our institutions and has its own schools, and in fact has a lot more rights than francophone minorities

elsewhere in this country. Those are well-known facts, Mr. Speaker. I am not afraid of the terms: "Distinct society", the way some Liberals are, and I fail to see how they restrict the rights of the anglophone minority. In fact, as I said earlier, I am delighted with the diversity of my society. I am delighted by the fact that we are part of North America. I do not feel threatened. I feel strong in the knowledge that I have my own culture and my own language.

I agree that we have a distinct society because we have a francophone majority. We also have an anglophone minority, and we have our native people, who I think are better treated by the provincial government than by the federal Government, for many reasons, because since the provinces each have their own particular problems and priorities, it has been difficult to harmonize the federal policy for our Native Peoples across this country. In Quebec, I think our native people are treated very well.

The Acting Speaker (Mr. Paproski): The time allowed for questions and comments has expired. Resuming debate. The Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria).

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I welcome this opportunity to take part in the debate on the Constitution Amendment, 1987.

Mr. Speaker, I come to this debate with a background that has, I think, bestowed on me a very special privilege. First of all, I belong to the franco-Ontarian minority. I was not born franco-Ontarian. I was born in Quebec, and one of my parents was a franco-Ontarian and one was a French-speaking Quebecer.

Mr. Speaker, at a very early age I moved to Ontario with my family, and from then on, we always lived in this province which I call my own. The name Boudria in Quebec goes back to at least 1689, and so I feel my roots are there, although I have no personal memory of having lived there myself.

The question I imagine all Canadians are asking today is, which Members are going to vote for or against the Meech Lake Accord. Before I go any further, Mr. Speaker, I would like to say that I intend to vote for the Constitution Amendment, 1987. I am not doing so because it is the best agreement that could be made. In fact, I think there are still a number of shortcomings, and I would say major ones. The fact is not whether the agreement is the best possible one. It is not. But the question we ask is this: Is it better to have an agreement or not to have one? I think that as Canadians, we are better off with the Constitution amendment, 1987, imperfect as it is, than without one altogether.

Mr. Speaker, it would be even better if Parliament were to adopt the amendments proposed by my Liberal colleagues. I would like to take this opportunity to congratulate the Hon. Member for York Centre (Mr. Kaplan) and all my Liberal colleagues who took part in the debate in committee and who drafted the amendments.

[*English*]

The amendments our Party is proposing to the 1987 constitutional Accord would make the document better, in my opinion. The amendments would make it better because they would include in the Accord as a fundamental characteristic of Canada the aboriginal people, the multicultural and regional identities and the advantages of developing the Canadian economic union. They would also make the agreement better by offering more protection to official language minorities in Canada outside Quebec. It would also again improve the agreement by ensuring that all provisions of the Charter, not just Section 25 and Section 27, have been included with regard to certain clauses. It would make the agreement better because it better addresses the issue of Senate reform. It would allow for the appointment of Senators from the Territories.

• (1240)

Our amendments would also provide for a deadlock resolution mechanism in the event of disputes. They would ensure greater national consistency in programs available to Canadians. Not least, the Liberal amendments would provide for bilateral agreements between Canada and a potential new province. I am referring of course to the Northwest Territories and the Yukon. My colleagues have also indicated we want an amendment to restore aboriginal rights to the constitutional agenda.

Needless to say, I am of the opinion that these amendments would make the constitutional Accord better. I do not believe any of them are offensive to any of the provincial Governments. We have not heard any provincial Government say they would be offensive. I therefore conclude they would not be. In any event, I ask what would be wrong in proposing these amendments to the provinces?

Unfortunately, the Prime Minister (Mr. Mulroney) decided we were not to entertain amendments and therefore I am led to the conclusion that the committee process we went through was certainly not as useful as it could have been. Granted there was some benefit in the fact that we received positive input from a number of Canadians, but it would have been that much better had we been able to fully utilize the information provided to us and which we, the Liberal Party, have used in our proposed amendments.

I want to speak briefly to the unanimity issue. In certain respects I am not quite as frightened of are some people. What we are trying to achieve is a means by which our Constitution can be amended in future. The process cannot be so flexible that one group can have almost free access to changing the Constitution. If that happens it is really not a Constitution, it is just like any other Bill. On the other hand, if it is totally inflexible then it is no longer a living document. We have to try and achieve a balance between the two. That is what makes a good Constitution.

How do we achieve that? The 1982 document with the requirement for agreement by seven of 10 provinces was a

good compromise. However, there are perhaps issues on which we would want unanimity. Certainly the admittance of new provinces should not be one of those, in my opinion. That should remain bilateral. Neither am I of the opinion that unanimity is impossible. The fact we have a Meech Lake Accord certainly disproves that theory.

Whether we like it or not, we had a form of unanimity clause even before the constitutional Accord was signed. I say that for the following reason. Only one province did not sign the 1982 Accord. We all recognize that although that province was legally bound by the Accord, there was a certain moral authority missing in our Constitution because Quebec had not signed it. Therefore, we can say in retrospect that, although it was not legally there before, there was still a moral requirement for unanimity. Otherwise, why would we all agree that it was necessary for Quebec to sign the Accord? All the interventions I have heard so far, some against and some in favour, have agreed it was necessary to have Quebec sign. Therefore, I conclude that unanimity on that issue was at least a prerequisite to making our country whole again.

[*Translation*]

Mr. Speaker, there was a long debate as to whether Quebec was a distinct society, as to what a so-called distinct society was. As a Canadian born in Quebec but who has spent most of his life outside Quebec, I can readily see that it is indeed somewhat different from the other provinces. Whether it is the fact that Quebec's linguistic majority is not the same as the linguistic majority in the rest of Canada, whether it is the fact that Quebec has its own particular legislation, and I am referring specifically to Quebec's Civil Code, whether it is the fact that Quebec has Senate designations—this is peculiar to that province for, as we know, Senators in the rest of Canada represent their province, whereas Quebec Senators represent a specific region—whether it be for a number of other reasons, we all know that Quebec is a society which differs from the rest of the country to a certain extent. Quebec is neither better nor worse for that, but the fact remains that Quebec is a different province. I might single out the fact that traditionally Quebec has had three judges on the Supreme Court of Canada, another element which is certainly distinct or, if you will, peculiar to Quebec as a province.

[*English*]

However, having said that, I think the document would have been improved if we had said that the minority language outside Quebec has an equal status with the minority language inside Quebec. In other words, the document we have now refers to the distinct society of Quebec as having a role of promoting and protecting itself, one of its components being the minority language. The role of this House and the provinces is to protect the minority language and not to promote it. At least the word "promote" is not there. That leads me to believe there is a difference there which is certainly not justified. If that difference in the document were corrected by one of the Liberal amendments, it would take nothing away from Quebec but it would make many other Canadians feel much better.

[*Translation*]

Being a franco-Ontarian I feel that the document might be improved along the lines I have just described without taking anything at all away from francophones in Quebec or from the anglophone majority in that province.

Mr. Speaker, in the past some people said in other speeches that Canada was a country with decentralized powers, and so it is. It has been said that Canada comes second only to Switzerland as far as decentralization of the taxation power is concerned. I find such a statement rather strange since Switzerland is one of the most stable democracies and one of the countries with the highest standard of living in the world, and this comment would seem to suggest that a country which has something in common with Switzerland is deficient in some way. Naturally, this is not be the case, Mr. Speaker.

It is also important to remember the origins of this country. At the Constitutional conferences during the 1860's and even before, at the time of the Union in 1840, the provinces of Upper and Lower Canada joined together under the name of the United Province of Canada. At the time, a majority from both regions was necessary to ensure that the voice of the two components of this United Province would always be heard. We all know that this formula was not practical and it was amended by the British North America Act in 1867.

We must also remember, Mr. Speaker, that Canada is a union of provinces and not a country divided into provinces. Sometimes, my constituents ask me why education comes under provincial jurisdiction. Why did the federal Government give the provinces jurisdiction over education? To such a question, I reply: You have the right question, but you are not asking it properly. The fact is that, when the provinces united, they delegated certain powers, including residual powers, naturally, to the federal Government, and kept those which were appropriate for them or which they believed necessary to govern their affairs. Mr. Speaker, the answer to the question I asked earlier is this. We cannot change the fact that the provinces have large powers in our system. They had these powers before and they will still have them after the Lake Meech Accord.

What is also important is to emphasize that, without the Meech Lake Accord, repatriation of our Constitution was incomplete, as I have already pointed out. As a Canadian, I want my country to be complete, I do not want it to be divided as it has been historically on several occasions. I do not want my country to remain under the threat of separation; I want it to be a cohesive and powerful entity. I therefore ask myself this question: Was such a thing possible without the agreement of Quebec, without its joining the Constitution? The answer is no.

A second question which some people ask me is this: Have we paid too much for this agreement? But have we paid too

much compared to what? How can we make such a comparison? I was not at the bargaining table. The agreement was not negotiated by myself or by the Right Hon. Leader of the Opposition. I am therefore unable to say whether or not something better could have been achieved during the negotiations. I trust that the Right Hon. Leader of the Opposition would always be able to negotiate better than the Prime Minister. This is probably true. However, I have to congragulate the Prime Minister for having succeeded in signing this agreement with the Canadian provinces to achieve unanimity and make our country a cohesive and united entity.

• (1250)

[*English*]

Unlike those of many countries, our Constitution is not comprised of only one document. We are sometimes quick to point out that it took us a long time to repatriate our Constitution, from 1931, with the Statute of Westminster, to 1982. However, we should not believe that we have not evolved constitutionally over that time. Our Constitution is made up of 24 documents; 13 Acts of the British Parliament, seven Acts of the Canadian Parliament and four British Orders in Council. The combination of all those documents has gradually amended our Constitution to its present form.

I hope that that process will not come to an end, that we will continue to evolve and change the document through a slow and gradual process which will ensure that our country is made stronger. Our country will not be made stronger only because more power is given to the central government. It will not necessarily be made weaker because less power is given to the federal Government. Our country will be made stronger if we all work together to keep it the great country that it is. Granted, if we reach a stage where the federal Government has no power and the provinces have it all, that would effectively mean the end of our country. I do not believe that we are doing that with this constitutional Accord.

I would like to speak briefly about Senate reform, something which the Fathers of Confederation probably wanted since the day after the British North America Act was enacted. We have tried to reform the Senate for a long time but have had only very modest success so far. However, that does not mean that the task has ended.

For instance, I do not think it is necessarily wrong that Senators should be nominated by the Premiers. There are those who say that the people nominated by the Premiers will be accountable only to the Premiers. That is not true because Senators are appointed for the rest of their lives. That would be the same as saying that Senators appointed by federal leaders are accountable only to them. We know that that institution has maintained a certain independence in any case.

I know that the time for this debate is drawing to an end. I am happy to have had the opportunity to participate. This is one of the most fundamental issues we will ever discuss. I am of the opinion that the document is not the best one that could have been signed, but it is certainly better than the *status quo*. It would be even better with the amendments which our Party has proposed.

The Acting Speaker (Mr. Paproski): The next speaker will be the Hon. Member for Winnipeg North Centre (Mr. Keeper). I will call it one o'clock.

It being one o'clock I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

THE CONSTITUTION

MEECH LAKE ACCORD—LIBERAL PARTY AMENDMENTS

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, like most Canadians I very enthusiastically welcome Quebec's inclusion in our Constitution which is of primary importance. However, I am shocked and appalled by the Government's failure to provide adequate opportunity for debate and voting on proposed amendments to the Meech Lake Accord. I believe the amendments put forward by Liberals are both sound and vitally important.

These amendments relate to the following: first, the recognition of aboriginal peoples, multicultural and regional identities and the advantages of lower trade barriers between the provinces; second, more protection to official language minorities; third, ensuring that the Charter of Rights and Freedoms is paramount and that the basic rights and freedoms of Canadians are not diminished by potential conflicts with any section of the Accord, including equality rights of the sexes; fourth, accelerating the move toward an elected Senate; fifth, that Supreme Court appointments must be made via a mechanism ensuring a full complement of Supreme Court justices at all times and protecting the basic rights of northern Canadians by giving their Governments the same rights as the provinces to propose candidates for the courts; sixth, clarifying the opting out clause where the provinces may opt out of national shared-cost programs, thus ensuring greater national uniformity in programs available; seventh, eliminating the rigid unanimity provision for Senate reform and returning to the seven provinces and 50 per cent of the population formula.

It is absurd that the federal Government will not give these amendments the proper consideration they deserve and take steps to implement them in the Meech Lake Accord.

[*Translation*]

GENEOLOGY

IMPORTANCE OF KNOWING ONE'S ORIGINS

Mr. Marcel R. Tremblay (Québec Est): Mr. Speaker, I would like to seize the opportunity I am given today to draw attention to an important event for the 180,000 people on this continent who proudly bear the Tremblay surname.

Indeed, Mr. Speaker, on October 17 and 18 next, more than 2,000 Tremblays will assemble in Charlevoix to celebrate the three hundred and fortieth anniversary of their ancestors' arrival in Nouvelle-France: Pierre Tremblay and Ozanne Achon.

Pierre Tremblay came to Quebec City on August 6, 1647 and settled in 1659 at *l'Ange-Gardien* where he had four sons. A statue was unveiled in his honour, in 1974, by the mayor of *L'Ange-Gardien*, Mr. Lionel Tremblay, my father.

Like some other families, the Tremblays came to Canada to settle in the regions of Quebec, Toronto, Vancouver and the Maritimes, and from there populated the rest of the country and part of the United States.

It has been said that more than 20 million people living in Canada and in the United States originate from Quebec and that more than 15 million people living in the United States have Canadian origins.

It would therefore be a good idea, Mr. Speaker, so people could learn about their origin and their roots, to set up information centres that would be better located in the Cities where came the majority of those newcomers, such as Halifax, Quebec City, Montreal, Toronto and Vancouver.

Besides being used as an information instrument, those centres would be an excellent historical and cultural tourism instrument for ethnic groups who came and populated Canada, and from here, the United States.

What do the Tremblays think about that? The matter is open for debate, Mr. Speaker.

* * *

[*English*]

NATIONAL FAMILY WEEK

STRATEGY TO FIGHT FAMILY POVERTY URGED

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, this is National Family Week. While this symbolic recognition is important, it is not enough.

Today's families face tremendous social and financial pressures, and we must provide people who comprise Canadian families with more than one week of recognition a year.

We need a cohesive, comprehensive policy for Canadian families. Instead of inadequate piecemeal programs, we need a strategy for fair taxes for our families, for affordable housing, for accessible child care, for education, training and work opportunities for our young people.

Most important, we need a strategy to fight family poverty. One-fifth of Canada's poor are children. The lack of such a strategy to fight poverty has resulted in food banks becoming one of Canada's fastest growing industries. This is coupled with a disgraceful number of homeless families in Canada.

As an important step I appeal to the Government to announce today that it will drop plans to impose a tax on food. Canadian families have it hard enough without worrying about this possible added burden. I make a special request for those living in the North, where food costs are already between 30 per cent and 50 per cent higher than those in southern Canada.

Northerners in particular, and Canadians in general, do not need and certainly do not deserve a Draconian food tax. Let us help families where it really counts, in the pocketbook.

* * *

• (1405)

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—ENERGY INDUSTRY BENEFITS

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, last year Canada exported over $1 billion worth of electricity to the United States. The Americans have unwisely boxed themselves into a corner. Excessive environmental zeal and over-regulation in that country have prevented the necessary construction of new power stations to fill any new demand or even replace aging plants. They will be virtually at our mercy.

The free trade agreement assures the freest possible bilateral trade in energy, and ensures non-discriminatory access to the U.S. market for our electricity. These developments, together with the Minister of Energy's instructions to the National Energy Board to reduce regulation of electricity exports, will ensure a growing and prosperous trade in electricity between the two countries, one which should prove to be very much to Canada's advantage.

* * *

INDUSTRY

FUTURE OF FIRESTONE PLANT IN HAMILTON—MINISTER'S ROLE

Ms. Sheila Copps (Hamilton East): Mr. Speaker, yesterday in the House we saw the spectacle of the Minister responsible for the Firestone situation respond to a set-up question from one of the Hamilton-area Conservatives by saying that he was

personally going to involve himself in the dossier of the 1,300 workers who are about to lose their jobs at Firestone. However, when cornered outside the House, the selfsame Minister actually refused to say that he would even pick up the phone to talk to either of the two companies involved. Instead, he promised that he would send a letter—send a letter, Mr. Speaker, when we are in the middle of a national postal dispute.

The Minister knows that 1,300 jobs are involved. How can he stand in the House with the kind of hypocrisy that I have not seen in many years and claim that he is going to fight for workers, jobs, buttress the point made by the other Conservative Member in the House, and then turn around and say he will not pick up the phone, contact the parties involved and get them back to the negotiating table?

If the Minister wants to have a shred of credibility left tell him do not use the mails, get the parties together and save those jobs. Otherwise he has misled the House, he has misled the people and, in particular, he has misled the people of Hamilton.

* * *

THE LATE WILLIAM SKOREYKO

Mr. William G. Lesick (Edmonton East): Mr. Speaker, I regret to inform the House, particularly those Members who have served for a considerable period, of the recent passing of former Edmonton East Member of Parliament, Mr. Bill Skoreyko.

Mr. Skoreyko came to this place for the first time in 1958 and, overall, won election seven times, serving the people of Edmonton East for the next 21 years. He was able to do so because of a deep commitment to the people of his riding; a commitment which superseded the pursuit of personal, more prestigious goals. He was, in short, a constituency man who knew how to get things done for his constituents.

I know that I can speak for all Members of the House when, in expressing condolences to Mr. Skoreyko's wife and children, I say that an elected representative can have no finer example to emulate than Bill Skoreyko.

* * *

DISARMAMENT

CALL FOR AGREEMENT ON BANNING CHEMICAL WEAPONS

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, Ottawa is currently host to an International Conference on Implementing a Global Chemical Weapons Convention. The conference is co-sponsored by the Canadian Centre for Arms Control and Disarmment and the American Academy of Arts and Sciences. The work of this conference is occasion for us in the House to take note of how important it is to conclude a comprehensive and verifiable ban on chemical weapons production and the destruction of all existing stocks of chemical weapons.

Canada has a particular reason to be as interested in this issue as we are. It was Canadian troops at Ypres who were the first to suffer from the use of chemical weapons in the form of mustard gas.

I urge the Government to spare no effort in doing what it can to secure an agreement on chemical weapons and, in so doing, make a truly historic contribution to international security and disarmament.

* * *

TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mr. Jim Jepson (London East): Mr. Speaker, I believe we have just witnessed the signing of a truly historic free trade agreement, one that history will reveal was a giant step forward for the economic prosperity of Canadians. While the agreement, I believe, was historic, what I hear from the Liberals and the "Old Democratic Party" is hysterical and purely partisan politics, rather than looking at the agreement in the best interests of Canadians.

Let us see what the public is saying about this agreement.

• (1410)

> Congratulations on the signature of the free trade agreement. We're really glad now that we have often spoken out publicly in favour of such a pact. We are truly optimistic that 3M Canada's 2,000 employees across the country will benefit from its promise of increased exports and lowered import costs.
>
> On behalf of all these employees and all Canadians from coast to coast we say: great that you pulled it off. And again, congratulations.
>
> John Myser,
> President and General Manager
> 3M Canada Inc.

The telegram says it all. I say to my friends in the Liberal Party and in the "Old Democratic Party": get with it and join with us in moving boldly and with vision into the 21st century.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON NORTHERN ONTARIO

Mr. Maurice Foster (Algoma): Mr. Speaker, people in northern Ontario are very disappointed in the free trade deal which has been signed between Canada and the United States.

In the steel industry we have not gained guaranteed access to the United States market. Even the anti-dumping duties

which have been imposed on Algoma Steel are still in place. We are still subject to countervailing duty and dumping duty. There is no dispute handling mechanism in place, only an appeal procedure.

The softwood lumber deal is costing northern Ontario $40 million per year in export tax. It has been enshrined in the agreement, and we are still subject to countervail duties should the Americans decide to impose them.

Most of all, in terms of the uranium mining industry and refining industry, the policy of further upgrading of uranium within Canada before sale to the United States has been abandoned. This policy will return us to being hewers of wood and drawers of water.

I point out to the Government that I think it has made a very bad deal for northern Ontario.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—ATLANTIC COAST FISHERY BENEFITS

Mr. Howard Crosby (Halifax West): Mr. Speaker, one of the big winners in a free trade arrangement between Canada and the United States is the Atlantic coast fishery. Enhanced access to the eastern United States market will assure full sales and top prices for Canadian fish and fish products, already a billion dollar industry.

This very year, fish plant workers were demanding government action to remove United States import barriers to restore jobs and employment to Nova Scotians.

Now those barriers will be removed and the fishing industry will benefit, so what does the new guardian angel of East Coast fishermen, Bob White, say? He says that the trade pact will destroy our economy and produce a "dog-eat-dog" society.

Mr. White and the Canadian Auto Workers Union promise to improve the employment conditions of fishermen and plant workers, but they want to destroy and defeat the very initiative which will assure that employment—free trade.

There will be a plethora of disinformation on the Canada-United States trade pact from its opponents, but Bob White better come clean with Nova Scotia fishermen and workers if he wants to retain his credibility as a labour leader. He should leave disinformation about free trade to his friends in the NDP.

S. O. 21

DECENTRALIZATION

LABORATORY CENTRE FOR DISEASE CONTROL—OPPOSITION TO RELOCATION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I want to express serious concern over today's announcement in Winnipeg that 85 jobs and a major portion of Canada's National Disease Control Research Centre are to be transferred from Ottawa to Winnipeg.

As the Member of Parliament for Ottawa Centre I want to say that there is a great deal of concern among people in my community that closed door decisions to transfer existing federal facilities and jobs to other parts of Canada are not fair. Their basic objection and mine is that this decision was made with no opportunity for public review of the impact on Ottawa, nor of the costs or benefits of this transfer.

I have written to the Minister of National Health and Welfare (Mr. Epp) to express my objections and to ask for such a public process that would end this secret bidding game between communities. I am particularly perturbed that this transfer to Winnipeg may substantially increase the operating costs for the Disease Control Centre, because that only can mean reduction in other areas of research at a time of federal spending cut-backs.

It is not good enough just to move a few political plums across the landscape and call that economic development. What we need is a real commitment to jobs in which every Canadian community can be a winner.

* * *

[*Translation*]

FREE TRADE

PAN-CANADIAN CRUSADE OF ROBERT BOURASSA

Mr. Geoff Scott (Hamilton-Wentworth): Mr. Speaker, I should like personally to congratulate the Quebec Premier, the Hon. Robert Bourassa.

His offer to travel throughout the country to promote the free trade agreement shows that he can rise above partisanship. Mr. Bourassa has said that he is willing to fight within Quebec and outside Quebec to help the passage of the agreement.

After all, Mr. Speaker, we have to choose between a strong and open Canada willing to compete with the other nations of the world during the forthcoming decades, or a Canada which keeps a more traditional, closed and protectionnist approach.

Also the Quebec Premier has chosen the open approach, the one chosen by the Government of Canada. What a difference, Mr. Speaker, with the traditional, protectionist and closed approach formerly taken in Quebec. Well done, Mr. Bourassa!

● (1415)

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON WATER RESOURCES

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, after reading the energy section in what actually is an economic union rather than a free trade agreement, I have to conclude with great reluctance that energy in the long term could mean water. Electricity is generated using water. Therefore, it is not inconceivable that 20 or more years from now Canadians could be asked by the United States to ship our water south by way of diversions as the inevitable extension of the continental energy policy the Prime Minister (Mr. Mulroney) is committing Canada to through the proposed free trade agreement.

This section looks like the Trojan horse of the agreement, disguising demands for water by the United States in the next century, a possibility that cannot be discounted.

I invite Canadians to let their parliamentarians know their views. The question is this: Is the Government of Canada ultimately committing us, under the disguise of a continental energy policy, to share Canadian waters so as to meet future needs south of the border? If so, is this what Canadians want? And if not, does the Prime Minister of Canada have a mandate to proceed?

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—*WINNIPEG FREE PRESS* SUPPORT

Mr. Bill Attewell (Don Valley East): Mr. Speaker, I just returned from Winnipeg late last night. I would like to put a few quotes on the record from an editorial entitled "Free Trade Hysteria" which appeared in yesterday's *Winnipeg Free Press*. For example:

> John Turner's fears for the future are scarcely worth dealing with because they consist of little more than the ritual recital of almost every protectionist cliché ever devised by man.
>
> Mr. Broadbent's argument is more serious, more subtle and every bit as wrong.
>
> The NDP Leader is forced now to concede that all of his fears about Canada agreeing to destroy its social programs, wipe out regional development policies and crush its cultural industries were unfounded. Instead he argues that greater trade with the United States will lead to the erosion of the Canadian view of society that led to development of medicare, old age pensions, et cetera.

The editorial continues:

> In fact, all these Canadian social, political, economic and cultural innovations were being developed at the very time when trade with the U.S. and investment from the U.S. were increasing rapidly.

In closing, the editorial states:

> The real danger to social programs and cultural industries is not free trade but a stagnant or declining economy. Clinging to the status quo in a dangerously protectionist world would have risked economic stagnation or decline.

ORAL QUESTION PERIOD

[*Translation*]

FREE TRADE

IMPORTANCE OF THE PROVINCES' APPROVAL

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Minister for International Trade. In November 1985, the Prime Minister promised to the provinces that he would not sign a free trade agreement without their approval if it included matters under their jurisdiction. Last night, the United States Secretary of the Treasury, Mr. James Baker, said to some American Senators that there would be no agreement without the approval of the Canadian provinces.

Considering this statement from the Secretary of the Treasury, is the Minister still claiming that she does need the approval of the provinces to go ahead with free trade?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I explained in the House that the Prime Minister has consulted widely with the provinces. He has addressed their concerns in the negotiation of the free trade agreement. He has made it explicitly clear that this is a federal treaty which is within federal jurisdiction, and consent of the provinces is not required.

APPROVAL OF PROVINCES

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, the Minister is making a very serious and grave error of judgment. The United States Secretary of the Treasury has now declared in front of the American Senate that Americans will not go along with the Accord unless there is full approval of the provinces. The Minister well knows that in the agreement there are a number of areas that touch directly upon matters under provincial jurisdiction, including the licensing of professionals in the service areas, the regulation of the wine industry, the pricing and allocation of supplies of energy, and the list goes on.

● (1420)

The fact is that the agreement does touch the provinces. The Americans have said that they will not sign an agreement without provincial concurrence. Why does the Minister, standing before that evidence, reject that reality? Is it not required that the provinces give unanimous approbation and approval to this agreement if it is to go ahead?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have explained that the provinces have been taken though every element of this agreement. Their concerns have been taken into the negotiations. I see no reason why they would not proceed with an agreement which is in their interests and which they acknowledge is in their interests. I would put the onus on the Hon. Member: deliver us a Premier who will not sign, before he makes those allegations.

Mr. Axworthy: Mr. Speaker, when we become the Government, we will be glad to carry out all negotiations with the provinces.

Some Hon. Members: Hear, hear!

Mr. Axworthy: Until that time, it is the responsibility of the Minister.

Some Hon. Members: Oh, oh!

Mr. Axworthy: We are hearing comments from those who are worried about their pension plans.

RESPONSIBILITIES OF PROVINCES

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my supplementary question is for the Minister. Mr. Dick Self, the chief U.S. negotiator in the area of services, said today in Washington that the Canadian Government had assured the U.S. during negotiations that the provinces would implement the free trade agreement.

A November study done by the Government of Ontario showed that in the area of services alone there would have to be 16 different provincial statutes amended to provide for the kind of access included under this agreement. That clearly means that the provinces have a responsibility, and in effect have a virtual veto right. We want to know when the Government will clearly define and establish the responsibilities and the role of the provinces under this agreement before we go any further down this misbegotten path.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think the Prime Minister has indicated what the role of the provinces is, and the provinces have acknowledged that there is the need to be fully consulted and to have their needs taken into account.

It is very interesting that that kind of allegation would come from a member of a former Government which never consulted the provinces on the Auto Pact.

POSSIBLE JOB LOSSES—REQUEST FOR GOVERNMENT ESTIMATES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is for the Minister of Employment and Immigration. In the past two days when I asked the Minister of Employment and Immigration and the Minister of Finance to give us their official estimates of jobs to be lost to free trade, they did not answer. Yesterday, outside the House, the Minister of Employment and Immigration said that there was a possibility of losing more than 500,000 jobs to free trade, a much greater number than the 350,000 jobs to be created as predicted by the Economic Council.

The Government owes it to business, to unions and to individuals, to make these official forecasts available so that we can all plan for the future. If the Government can make known to the public its estimates for job creation, surely it can make known its official estimates for job losses. Will the Minister do that today?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I am going to explain exactly to my colleague what I meant, and what I mean when I speak of free trade in relation to employment. I think that the agreement with the United States will translate in outstanding opportunities for Canada and, in the months ahead, we will see tens of thousands of jobs being created. I will go even further than that. Contrary to what you might think, without the mechanisms contained in this agreement, we would be losing thousands of jobs. Consequently, the situation is very clear for the Minister of Employment and Immigration. The free trade agreement is a wonderful opportunity to continue the magnificient job already done by the Government in terms of employment. There is no question of jobs being lost because of this free trade agreement.

[*English*]

READJUSTMENT AND RETRAINING PROGRAMS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, the Minister is continually contradicting himself as are other Ministers. Yesterday he said outside the House that there was the possibility of 500,000 jobs being lost, and many people heard him. If that possibility exists, how can the Minister say nothing should be done about it until January 1, 1989, as he did yesterday? We already have 1.2 million unemployed, 4.5 million functionally illiterate, and at the same time a shortage of skilled workers. It takes five years to train an engineer and three years to train an electronics technician.

• (1425)

Some Hon. Members: Question.

Mr. Allmand: Would the Minister make some decisions today and put on the table his readjustment and retraining plans for the many workers who will lose their jobs as a result of this agreement?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I just told my friend what I think about a free trade agreement and the jobs created in the future. Canadians are tired of hearing the Liberals for three years complaining about the fact we do not create jobs. We have had close to one million jobs created in this country. You can cry and cry and cry, but you have never been able to create so many jobs in 20 years.

EFFECT OF AGREEMENT ON HYDRO RATES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Minister for International Trade. In the last few days we learned that Canada lost sovereign control over the price and security of supply of petroleum. Today I want to ask a question pertinent to our loss of control over our hydroelectric resources.

The Minister will know that in the agreement the Government produced there is a clause which says there is agreement to assure the freest possible bilateral trade in energy, including non-discriminatory access for the United States to Canadian energy supplies.

Will the Minister confirm for the House that what this means is that no province will have the right as a matter of policy to charge hydro rates to the citizens or industries of that province lower than the export price to the U.S?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I should make it very clear that what we did in the energy negotiations in the free trade agreement was to enshrine our energy policy, not the NEP. The Hon. Member is suggesting we go back and leave the door open to that kind of program.

As to electricity, I am not sure of the thrust of the Hon. Member's question but I can assure him that the powers of the NEB remain in place and the pricing policies of Quebec and other hydro-producing provinces remain in place.

RIGHT TO DECIDE ENERGY PRICES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I hope the Minister has read the agreement. It is her responsibility to answer to the House of Commons about an agreement her Government has signed. She should know what is in it.

Hydro resources are of profound importance to many provinces. Therefore, will she tell us if the provinces will continue to have the right to decide as a matter of policy that citizens in those provinces can have lower energy prices than U.S. citizens will pay for that same energy? Yes or no, answer the question.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, it might be possible to answer the Hon. Member if he asked the question in a way one can respond to. Shrieking across the floor of the House is not conducive to answers.

I can only repeat that in our energy negotiations we secured access for all forms of energy which this Government has put in place. I can also assure him that any rights the provinces had before this agreement concerning their own policies, they will have after this agreement.

• (1430)

Mr. Broadbent: In that case, Mr. Speaker, the United States officials who have been saying something to the contrary have been profoundly misled.

PROVINCIAL RIGHTS TO DECIDE RATES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I want to get this clear from the Minister. Is she now saying, not only to the people of Canada but to the United States officials who were involved in these negotiations, that the Province of Manitoba or the Province of Quebec, for example, can charge a lower rate for hydro electric energy to the citizens of their provinces after this agreement goes into effect than they will be charging the United States? Will she answer that yes or no?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I repeat that any rights the provinces had in this area before this agreement was initialled, they have now.

[*Translation*]

GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is for the Deputy Prime Minister and it concerns the free trade agreement with the United States.

On Monday, the Prime Minister stated in a speech before the Canadian Exporters Association that massive programs will be needed to protect Canadians who will lose their jobs because of the free trade agreement. On Tuesday, the Minister of Finance stated in this House that there would be no need for such programs after all and that he did not expect massive adjustment programs to become necessary. Wednesday, the Minister of Employment and Immigration stated outside the House, according to a report in this morning's issue of *Le Journal de Montréal*: "The most pessimistic scenario on free trade is that 500,000 Canadians will lose their jobs during the 10-year period when tariffs between the United States and Canada are being phased out".

Mr. Deputy Prime Minister, I would like to ask you which of these three contradictory statements is the right one, that of the Prime Minister, that of the Minister of Finance or that of the Minister of Employment and Immigration. Who speaks for the Government?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I gave the same reply earlier to the Hon. Member for Notre-Dame-de-Grâce—Lachine East. This is not so far from Laval for the Hon. Member not to understand what I said. I believe that it is quite clear that the agreement with the United States represents an extraordinary opportunity for Canada to create tens of thousands of jobs. I believe that this is very obvious and the Hon. Member recognizes this fact as well as I do. The Prime Minister simply said that if there are adjustments to be made, and we shall find out in due time if there are, the Government will act accordingly. As for the Minister of Finance, he simply confirmed that Canada is now spending $6 billion for employment adjustment programs. We shall assess the situation and take action based on the results of the agreement with the United States when

these results come into effect, that is beginning in January, 1989.

REMARKS OF MINISTER OF EMPLOYMENT AND IMMIGRATION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, labour training programs have been slashed by 32 per cent since this Government took office. The Prime Minister mentioned massive programs. Obviously he was referring to something new. Mr. Speaker, I should like to get back to the loss of 500,000 jobs. I would like to ask the Minister whether he denies this morning's report in *Le Journal de Montréal* to the effect that 500,000 Canadians would lose their jobs? If we look at press clippings concerning the survey made by the City of Montreal, or the car parts industry, or textile workers, those are the thousands of jobs which correspond exactly to the Minister's remarks. Will the Minister be telling us now that what he said yesterday to *Le Journal de Montréal* and to other newspapermen is a lie and that people in the press gallery reported falsehoods?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I have two things to say to my colleague. First, I too read Quebec papers: yesterday's *La Presse*, yesterday's *Le Devoir*, yesterday's editorial by Alain Dubuc. Second, Mr. Speaker, once again I gave him the answer a moment ago. I told him a moment ago: I am telling you that the agreement with the United States will create tens of thousands of jobs. The Economic Council of Canada puts it at 350,000. I can quote major sources. Once again, Mr. Speaker, things are clear. Annoyingly enough for my friends opposite, the Government is saying that the agreement with the United States will give Canadians the unbelievable opportunity to find tens of thousands of jobs. And, once again, you were never able to do something concrete to put Canadians to work!

[*English*]

STATEMENT ATTRIBUTED TO MINISTER ON POSSIBLE JOB LOSSES

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the same Minister. Would he try to come to terms with the statements which he made yesterday and on which he has still not provided the House with a straight answer? Does the Minister in fact deny that he said yesterday that up to 500,000 jobs could be lost? Does he deny that report? Does he deny that studies have been done by his Department on this issue?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, suffice it to say that tens of thousands and even hundreds of thousands of jobs will be created as a result of the agreement with the United States.

INQUIRY IF REPORTS CONCERNING JOB LOSSES ARE FALSE

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, we cannot let the matter rest.

Could the Minister state quite simply and frankly whether reports that many jobs will be lost are falso? Are those reports false? Could you just answer the question, please?

[*English*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, for the third time, Canadians want to know how many jobs will be created by this agreement with the United States. I have said that thousands and thousands of jobs will be created.

SOFTWOOD LUMBER EXPORT TAX

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is directed to the Minister for International Trade. On August 24 in this House the Prime Minister stated, in response to a question about the 15 per cent export tax on softwood lumber and about free trade, as follows:

> If we are successful, as a necessary follow-up we would want to try to deal with each one of these irritants to make the situation even better than it can be under a trade arrangement.

The free trade agreement does nothing at all for softwood lumber producers. In fact, the agreement locks in that 15 per cent export tax. Therefore, how can the Minister for International Trade honour the Prime Minister's commitment to make things even better for softwood lumber producers?

While she is on her feet will she tell us how she is going to be able to rescind this punitive tax, especially in those regions of Canada where stumpage fees are already sufficiently high, such as northern Ontario and the Province of New Brunswick?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I remind the House that when we brought in the softwood lumber tax the Opposition said that we would lose thousands of jobs and devastate the industry. In fact the industry has enjoyed record production and record profits. The industry's shipments are up in a wide variety of markets and provincial treasuries have gained hundreds of millions of dollars.

With regard to the memorandum on softwood lumber, we are working within the terms of it. We have given the provinces room to increase their stumpage as they desired. We are working to conclude that MOU arrangement.

Mr. Penner: Mr. Speaker, I advise the Minister that in my constituency five sawmills were closed down because of the 15 per cent export tax.

Some Hon. Members: Shame!

EFFECT OF AGREEMENT ON PULP AND PAPER INDUSTRY

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, why did the Government do nothing at all in the free trade agreement to help softwood lumber producers? Since the Americans still have the freedom to bring countervail action against Canadian products going into the United States, what can the Minister now say to the pulp and paper industry to

assure it that it will not be a target of U.S. protectionism in the near future?

• (1440)

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, we can say to the pulp and paper industry and to the softwood lumber industry that if there are any future actions of that kind, any countervail actions, or anything in that whole area which we perceive to be unfair, we can take it to binding dispute settlement and have a fair hearing.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF UNITED KINGDOM PARLIAMENTARY DELEGATION

Mr. Speaker: I have the pleasure to bring to the attention of Hon. Members the presence in the gallery of a parliamentary delegation from the United Kingdom led by Mr. John Hunt, Member of Parliament.

Some Hon. Members: Hear, hear!

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON SOFTWOOD LUMBER INDUSTRY

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is directed to the Minister for International Trade. After she imposed this punitive 15 per cent tax on the Canadian forest industry, she said that as soon as a free trade deal was arranged the Government would deal with this 15 per cent tax. We did not think that she meant entrenching it in the agreement so that it is there forever.

Will the Minister explain why she not only betrayed the industry once, but has betrayed it a second time now by entrenching this punitive 15 per cent tax in this agreement in perpetuity?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think that the only betrayal is on the part of the New Democratic Party which is betraying the union that supported this tax on the basis of saving jobs, which is betraying the provincial New Democratic Party in British Columbia which supported this on the basis of saving jobs. The only betrayal has been the misinformation that that Party has put forward on this issue.

INCREASED STUMPAGE RATES—RETENTION OF EXPORT TAX

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, on a number of occasions the Minister stood in her place and indicated that as the Provinces of New Brunswick, Ontario and others, particularly British Columbia, increased their stumpage rates this tax would be phased out. That is what she told every Member of the House, particularly those Members from the wood-producing areas of the country.

Stumpage rates are being increased and some are up to the appropriate levels. The Province of British Columbia is increasing its. Not only are the stumpage rates up, this punitive tax remains in place. If that is not betraying the forest industry, what is? Why did the Minister agree to an agreement that entrenches this 15 per cent tax on exports?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I should point out to the House that the objectives we had in mind in dealing with softwood lumber in the face of a U.S. countervail are being met. The provinces have had an opportunity to increase their stumpage as they planned to do. The revenues have been returned to the provinces as they so desired, and officials are now having discussions on the replacement measures required to terminate the MOU.

[*Translation*]

FREE TRADE—AGRICULTURE—MANAGEMENT AGENCIES—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, yesterday the Minister of State for Agriculture tried to be reassuring about supply management and the marketing boards. The Minister of State (Agriculture) forgot to mention that with the Free Trade Agreement, his Government is gradually going to dismantle every marketing board, and the most obvious example is the removal of tariffs on TV dinners, breaded chicken shipped in bulk, yogourt and ice cream. All these products will now enter the country duty free.

I want to ask the Minister how he can claim that marketing boards will have no problems, when their markets and products will be directly affected by this agreement?

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, in recent years, the processing industry has always had to purchase certain products outside the country every year, because Canadian production was not adequate. There were quotas. Those quotas have been maintained at the same levels, so that producers are protected. They are in the same situation they were before.

As for tariffs, if products were to invade our market, as you said, we would still have the option of putting those products on the protected list, so that Canadian production would not be disrupted. I do not think producers have anything to worry about. We have met our commitments in this respect.

SALE OF DAIRY PRODUCTS—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, dairy producers have no reason to feel reassured, because the Government had told them agriculture was not on the table and would not even be mentioned in the Agreement, however

there are whole sections dealing with it. Nobody, therefore, will accept any reassurance from this Minister. Mr. Speaker, the Minister said "if there are increases"; yet, according to page 11 of the Agreement, increases of up to 10 per cent will be allowed. This means, therefore, in the case of yoghurt and ice cream, the import levels may be increased by 9.9 per cent, without any action being taken by the Government. I therefore ask the Minister: how does he think he can reassure dairy producers who must absolutely sell their production on the domestic market?

Hon. Pierre Blais (Minister of State (Agriculture)): If my hon. friend had taken the trouble to contact the president of the Canadian Federation of Dairy Producers as I did, he would know that the president has made no untimely statement. Quite the contrary! As a matter of fact, I am meeting him again tonight. He has made no statement. He was quite pleased to see that as our Canadian dairy products are of top quality and often of better quality than American products, he will have access to the American market. He was quite unconcerned about a possible tariff reduction, because if subsidized American products were to flood our market, we would still be protected under the GATT. The Hon. Member should do his homework before raising such questions.

[*English*]

SOFTWOOD LUMBER EXPORT TAX

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Minister for International Trade. The Minister and the Government promised that there would be the removal of a softwood lumber tax with a free trade agreement. Why has this tax not been removed?

Hon. Pat Carney (Minister for International Trade): Clearly, Mr. Speaker, because we have not signed that free trade agreement. It was initialled just on the weekend. As I have told the House, we are working on replacement measures now.

REMOVAL OF EXPORT TAX

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, will the Minister be very precise in indicating to the House and to the people whose lives depend on the harvesting and processing of softwood lumber in this country exactly when this tax will be removed from this industry?

Hon. Pat Carney (Minister for International Trade): Hopefully soon, Mr. Speaker.

EFFECT OF TRADE AGREEMENT ON PURCHASE OF FIRST HOMES

Mr. Bob Hicks (Scarborough East): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. Far be it for me to change the subject, so I will remain on the question of free trade.

Young couples in my riding are apprehensive about some of the ramifications of free trade, especially young couples who have not yet purchased their first home.

Will the Minister clarify for Canadians and Members of the House what effect this free trade deal might have on a young couple purchasing their first home?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as the Economic Council said, a free trade deal could result in Consumer Price Index savings of 5.7 per cent to 7.5 per cent. When one considers the low end of the scale, 5.7 per cent, it means an additional $1,000 in spending power for the average worker in Canada. If one considers the 5.7 per cent in terms of setting up a new household in Canada, the potential savings are approximately $8,000. That is an enormous saving to ordinary Canadians who can see in this free trade pact a real opportunity to raise their standard of living, and perhaps the opportunity to set up that household.

* * *

[*Translation*]

PUBLIC WORKS

REQUEST FOR DETAILS OF PROPERTY SALE AT MIRABEL

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question to the Minister of Public Works deals with the sale of lots in the Mirabel Industrial Park. Could the Minister explain to the House—

Some Hon. Members: Not again!

[*English*]

There is nervousness already, Mr. Speaker, and I have not started.

[*Translation*]

Mr. Boudria: Could the Minister explain to the House why, according to a CBC documentary, the Canadian Mortgage and Housing Corporation has sold for two cents a square foot to some friends of the Progressive Conservative Party property in the Mirabel Industrial Park? And why did the Government give a $750,000 subsidy to these same friends of the Progressive Conservative Party?

[*English*]

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, before I respond to the question, would the Hon. Member be good enough to clarify if he is referring to the park where the previous Government spent $15 million in the 1970s and $2 million in advertising for tenants? When this Government came to power the only tenants we found were cows grazing on the grass. Could he clarify that situation?

• (1450)

INQUIRY CONCERNING PURCHASE OF LANDS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, yes, I am referring to the $15 million property that was given to Tories for $160,000. That is true, Mr. Speaker. That is exactly the question that I am asking.

Is it not also true that one of the principals buying this property is Mr. Gervais Desrochers? Is this the same Gervais Desrochers who benefited from the Met Life sweetheart deal? Is this the same Mr. Gervais Desrochers who benefited from the Joliette Airport? Is this the same person? Is this kind of deal being made to benefit the Tories at the expense of every single Canadian taxpayer? Is that what is going on?

Some Hon. Members: Hear, hear!

Mr. Clark (Yellowhead): Way to go, Adolf.

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, the Government gave $1.2 million in grants to two companies—

Ms. Copps: Adolf, is that what you said, Joe?

Mr. McInnes: —which in turn brought an investment of $8 million and 42 jobs. That is the activity that we were able to generate, compared to nothing when we came to office.

* * *

[*Translation*]

FREE TRADE

AGRICULTURE—POSITION OF UNION OF AGRICULTURAL PRODUCERS

Mr. Barry Moore (Pontiac—Gatineau—Labelle): Mr. Speaker, I have a serious question for the Minister of State for Agriculture. The comments made this week by the President of UAP in Quebec are of concern to me and to farmers in my constituency. The President stated on television this week that the signing of the Free Trade Agreement would endanger the joint programs, that is the existing marketing boards. Mr. Speaker, I would like to know if those comments are warranted?

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, I for one was very disappointed that the President of such an important group as UAP should make such devastating comments. I feel that UAP's President, who himself sat on the Sub-Committee on Agriculture, during the negotiations, ought to have been more cautious, taking the time to sit down and examine the facts before making such a statement. I much prefer the statement made last night by Premier Bourassa of Quebec, who was very reassuring to farm producers, and I think people know that marketing boards are here to stay and we will continue supporting them, Mr. Speaker.

[*English*]

SOFTWOOD LUMBER EXPORT TAX

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, my question is for the Minister for International Trade. We want to give her one more opportunity to make clear what the Government's view of the position of the softwood tax is *vis-à-vis* the free trade agreement. In the early part of the Question Period the Minister refused to answer the question. She then implied that if the agreement were to be signed that the tax would somehow be removed; and then when she was asked for a time on that she said "hopefully soon".

Is the Minister now saying, because the rest of the world is under the impression that that tax is entrenched in the agreement, that this agreement is amendable? That would be another change in the interpretation that the Government is giving to the House with respect to the agreement. Is the agreement amendable? If not, how can she stand in her place and maintain that the softwood tax will somehow be removed when the agreement is signed, when it is entrenched by that very agreement?

Some Hon. Members: Hear, hear!

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, because if the Hon. Member were as familiar with the softwood agreement as he should be, he would find that it provides for replacement measures to be put in place. We made sure that it was in the free trade agreement so that it could not be reopened and new countervails put in place to attack the industry.

I have said that the provinces have been able to increase their stumpage as they planned. We have returned $230 million worth of revenues to the provinces, as they desired. Production is at very healthy levels. Prices are high. Profits for many companies are at high levels.

Discussions are now taking place with the officials of the provinces, which own the resource, to see whether or not replacement measures can now be enacted. That is what the softwood lumber MOU provides. That is what we are trying to do. We are trying to retain, and have successfully retained, the right of the provinces to maintain a resource they own and manage without American interference. That is why it is in the free trade agreement.

Some Hon. Members: Hear, hear!

LEVEL OF STUMPAGE FEES

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I wonder if the Minister could tell the House whether she is now backing away from the claim she made just a while ago that as soon as the agreement was signed this tax would be lifted and/or is she telling the House that New Brunswick, for example, will have to raise its stumpage fees even higher to have the burden of this tax lifted?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member is misrepresenting my position. I have said very clearly that the discussions are taking place. I have pointed out that the agreement, in fact, has not yet been signed. It will not be signed until January. The provinces are continuing to work on their resource in the manner that they desire, very well. All the proper steps are being taken.

UNITED STATES DEFENCE CONTRACT MARKET

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, my question is for the Minister of Supply and Services. Under "National Security" the free trade agreement states:

> Nothing in this Agreement shall be construed—to prevent any Party from taking any action which it considers necessary for the protection of its essential security interests—relating—to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment—

This means that Canada has not gained free access to bid on the billions of dollars of defence-oriented small business contracts in the United States. If this free trade agreement is such a great deal, why did the Government not convince the Americans to remove their protectionist Small Business Set-Aside Program which would have opened up the American defence contract market to Canadian small business to supply non-lethal defence-oriented material and equipment made in Canada, particularly at a time when Canada has a $2 billion deficit in military purchases from the United States?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I should remind the House that the Canadian negotiators put on the table a full procurement package covering all procurement in federal, provincial and civil fields. It was the Americans who took it off the table. In the final negotiations a modest procurement package was put back in the agreement. It is one, as the agreement states, we can build on in the future.

ACCESS TO U. S. DEFENCE CONTRACTS

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, the Minister knows very well that that kind of answer will not wash. In view of the fact that this Government has given away our energy resources, it has negotiated away our—

Mr. Speaker: Order, please. In view of the hour I would ask the Hon. Member to put his question directly.

Mr. Hopkins: Mr. Speaker, why would the Canadian Government not insist that the huge defence contract market for non-lethal military equipment be opened up for Canadian small business? I repeat, particularly when we have a $2 billion deficit in defence trade with the United States, why would the Government not do that?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I note that the Liberal Party is against free trade. This Hon. Member wants more free trade. I will certainly take his suggestion under consideration.

Some Hon. Members: Hear, hear!

* * *

HORTICULTURE

ACCREDITATION OF LABORATORIES TO TEST HONEY

Mr. Jack Scowen (Mackenzie): Mr. Speaker, my question is directed to the Minister of Agriculture. It is almost a year now since the first anniversary of the problem in honey caused by the Quebec Government. This anniversary is not exactly cause for dancing in the streets by myself or the honey producers of Canada. Will the Minister inform the honey producers of Canada when the laboratories will be accredited to test honey so that the pressure on producers who want to sell their product will be lessened?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, I would like first to commend the Hon. Member for Mackenzie for his work in this regard. And I know how important it is to him. I can assure him that normally, today, there are five new laboratories across Canada that will be licensed to test honey. Those five new laboratories, located across Canada—in Moncton, Saskatoon, Grande-Prairie, and Chatham—will be accredited and will complement the existing ones. This should, at least in my view, help expedite inspection and testing operations.

* * *

• (1500)

[*English*]

LABOUR RELATIONS

EMPLOYMENT OF WOMEN—GOVERNMENT POLICY

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Minister of Labour. Why is it the Government's position that we should be taking women's jobs with good salaries and making them part-time jobs for women at minimum wage? Why is that government policy?

Hon. Pierre H. Cadieux (Minister of Labour): It is not government policy, Mr. Speaker.

POSTAL STRIKE QUERY

Mr. Rod Murphy (Churchill): Mr. Speaker, if it is not government policy, why do they insist upon doing it time after time after time, and why are they doing it in the postal strike?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, that is not happening in the postal strike. There is no such issue on the table.

The postal strike is kind of ironical because the Post Office would like to negotiate job security, treatment of its workers, and so on. The union, on the other hand, wants to negotiate management matters—how the Post Office shall be organized. It would be useful if there were a reversal of roles.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON ATLANTIC FISH PRODUCTS

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is for the Deputy Prime Minister. The people of Newfoundland came to know the Prime Minister when he was president of an American subsidiary called the Iron Ore Company of Canada, in Labrador. They now greatly fear that he is attempting to become the Prime Minister of an American subsidiary called Canada.

This morning all three political Parties in Newfoundland and their leaders, including the Conservative Premier of Newfoundland, formally condemned the free trade agreement, because of no guarantees for access of Atlantic products to U.S. markets, because of its impact upon regional development, and because of its impact upon procurement policy for Atlantic businesses to access federal government work.

Given that the Government could hardly fail to understand, in view of the controversy over the Canada-France fish talks, the importance of Atlantic Canada's fishery to our region, why did the Government sign a free trade deal which does not guarantee in any way, shape, or form the access of Atlantic Canadian fish products to the U.S. market? In fact, we are left as exposed as we ever were, under this free trade agreement.

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the people of Newfoundland are and will be supporting this agreement, because for a hundred years they have been waiting for a free trade arrangement between Newfoundland and the United States and now they will have one between Canada and the United States of which they are a part.

One of the great advantages of the free trade arrangement is that Newfoundland fish products can be processed to their final, fully value-added form, because tariffs will be removed on fish products sold into the United States.

It is a magnificent deal for Newfoundland, and one which will be supported by the people of Newfoundland, believe me.

Mr. Tobin: The only thing the people of Newfoundland trade freely in these days are anecdotes about the Minister's tomfoolery in the House of Commons. There is no guaranteed access for Atlantic Canadian fish products, specifically Newfoundland fish products, under the free trade deal.

MINISTER'S POSITION

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, in face of the declaration by all three political Parties in Newfoundland, including the Minister's colleague, Conservative Premier Brian Peckford, how can he stand in the House and support a free trade agreement which is not in Newfoundland's interest and will in fact damage Newfoundland and all other Atlantic provinces?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the hon. gentleman can try to cod the people of Newfoundland, but they will not be codded by him or anyone else who opposes the free trade arrangements which we are entering into hopefully with the United States that will be approved both by the House and by Congress.

In addition, the hon. gentleman is incorrect. This does not interfere with procurement matters. It does not interfere with the policy that was brought in by this Government to encourage procurement in Atlantic Canada. It does not interfere with regional development assistance to Atlantic Canada. It does not interfere with subsidies to Atlantic Canada. It does not interfere with any of the things the hon. gentlemen opposite said would be interfered with.

Now they are looking for something else to carp and crab about.

EFFECT OF AGREEMENT ON MAGAZINES AND PERIODICALS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, my question is for the Minister of Communications. The Canadian publishing industry is concerned about how the free trade proposals might affect Canadian magazines and periodicals because of the lower postal rate they now enjoy.

Could the Minister please clarify what impact these proposals might have on Canadian magazines and periodicals?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, the subsidized postal rates on foreign magazines that are printed in Canada are, on average, about 1.5 cents more than on Canadian magazines. What is proposed is that that 1.5 cent differential will be phased out over a period of 10 years.

What I want to make very clear is that we have not agreed to phase out the 35-cent differential which exists between magazines printed in Canada and magazines, which are unsubsidized, printed in the United States. That 35-cent differential will remain to the benefit of Canadian magazines.

I know, Sir, that there has been a great deal of concern about this, and I am very pleased to be able to have the opportunity to clarify it.

PRIVILEGE

MEMBER'S STATEMENT ON MEDICAL CONDITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, yesterday in the House during debate, the Minister of State for Grains and Oilseeds (Mr. Mayer) referred to my wavering voice. I would like to make a short statement about my medical situation in this context. I have a condition that is termed "familial tremor" which accounts for this wavering. That condition is inherited from one's family and is most often restricted to a trembling in one's hands.

In about 50 per cent of cases, my doctor tells me, at some stage this transfers to one's voice as well, which happened in my case close to four years ago. It is possible to take medication for the condition, and that is what I have been doing for two years. The medication improves but does not completely solve the voice problem. Speaking more slowly also assists the problem.

This condition is not something which has been easy to accept, even though it is stable and permits me to serve my constituents, I hope well. I hope, however, that by accepting and coping with this physical disability as a Member of Parliament it will help others in our society who have physical disabilities and wish to serve their communities.

Some Hon. Members: Hear, hear!

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, the Hon. Member and I spoke yesterday in the House after the exchange. He knows full well that as a result of the private conversation between the two of us that there was absolutely nothing personal intended in the remark which took place in the heat of an exchange in the House.

I apologized to him then personally and I have absolutely no hesitation in doing so now publicly. I meant nothing by the remark of a personal nature in any way. I certainly apologize and would be prepared to withdraw whatever the Hon. Member took as being offensive, because there was absolutely nothing on my part that was meant to be so.

Some Hon. Members: Hear, hear!

Mr. Speaker: As your Speaker and with your support we have been emphasizing the whole question of opportunities for those who are disabled in one way or other. I want to thank the Hon. Member for Essex—Windsor (Mr. Langdon) for his courage in making the statement he did and for the great restraint with which that statement was made. I also want to thank the Minister who has responded in the best tradition of this place.

Some Hon. Members: Hear, hear!

PRIVILEGE

MINISTER'S COMMENT DURING QUESTION PERIOD

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, it is with some regret that I rise on this question of privilege, particularly after the issue which was raised only moments ago. It is not that I want to seize in any way that opportunity to raise another issue which I consider serious.

• (1510)

During the course of Question Period and in the heat of debate, as it is sometimes understandable, we sometimes make references that we should not. I overheard a member on the government side, namely, the Right Hon. Secretary of State for External Affairs (Mr. Clark) refer to me on at least three different occasions as "Adolf". I do not know the reference that was made but I do know what the name "Adolf" means to me, to many of my colleagues on all sides of the House, and I would ask through you, Mr. Speaker, that the Right Hon. Secretary of State seizes the occasion to perhaps correct the record.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I am sure that everyone in the House would understand that I was thinking of Adolphe Fontaine who I last saw in Cumberland in the Hon. Member's constituency.

Mr. Riis: That is sick.

Mr. Clark (Yellowhead): The New Democratic Party's House Leader who tried to leave his Party to join another when he thought things were getting difficult is shouting from his seat.

If that remark led to any other interpretation in the House that gave offence, I naturally withdraw it.

Mr. Riis: Mr. Speaker, I have to rise on this very, especially bad occasion when the Secretary of State for External Affairs (Mr. Clark), the Minister responsible for Human Rights for Canada, yells "Adolf" across the floor at a person and continues to laugh at the suggestion—

Mr. Clark (Yellowhead): At you.

Mr. Riis: I think this is a very sad day.

Mr. Shields: You are sanctimonious.

Mr. Riis: It has nothing to do with being sanctimonious.

Beauchesne's Fifth Edition identifies a number of words as being unparliamentary.

Mr. Speaker: The House has heard the complaint of the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria). The Hon. Minister has unequivocally withdrawn what he has said. That being the case, perhaps I should have recognized the Hon. Member for Kamloops—Shuswap (Mr.

Riis) before recognizing the Minister. I apologize to the Hon. Member for that because I know he had a contribution to make. I think we have the point of the Hon. Member. In view of the complete withdrawal by the Minister, that closes the matter.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, this being Thursday, I ask the Minister of State (Mr. Lewis), the Government House Leader, to give us a statement of the business which the Government intends to call for the coming week.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, this afternoon we will continue debate on the Meech Lake Accord.

We have suggested to the opposition Parties that if they find themselves in a position to commence debate on Bill C-86, an Act to provide for the resumption and continuation of postal services, at any time up to 6 p.m., we would be prepared to adjourn the Meech Lake Accord debate and commence debate on Bill C-86 and continue through this afternoon and into the evening, if necessary, in order to pass this important legislation at all three stages. If that is not possible, then we would call Bill C-86 tomorrow with the same point of view in mind, namely, that we would complete debate at all stages on Bill C-86 tomorrow. We would, however, prefer to do that this afternoon.

On Tuesday we shall either continue to debate Bill C-86 or recommence debate on Bill C-55, the refugee determination legislation, and Bill C-74, the environmental protection legislation. We are also considering the possibility of an opposition day once we have Bill C-55 completed.

The House will know that the Prime Minister (Mr. Mulroney) and other Ministers are involved in the Commonwealth Conference in Vancouver which will bring great credit to our country. For that reason we will recommence the debate on the Meech Lake Accord during the week of October 19.

* * *

POINTS OF ORDER

ALLEGED MISLEADING STATEMENT

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, yesterday during Question Period the Leader of the New Democratic Party in a question to the Minister for International Trade (Miss Carney) advertently or inadvertently mislead this House.

I refer you, Sir, to page 9764 of *Hansard* at the top of the page, second line:

> According to a study produced by Statistics Canada and released just over an hour ago in Edmonton—

That statement is totally and absolutely false. The study referred to was prepared and released by Mr. Mel Hurtig on behalf of the Council of Canadians. To my knowledge, Mr. Hurtig never has been or is he now an employee of Statistics Canada.

Misleading statements of that nature which include misuse of material obtained from Statistics Canada reflect on the credibility of Stats Canada and cannot be tolerated by this House of Commons.

I am sick and tired of the self-righteous, sanctimonious, deceitful use of Question Period by the Leader of the NDP—

Mr. Speaker: As Hon. Members and as the public knows sometimes the Chair has to wait a few minutes to determine where an intervention is going and whether it is a point of order or a question of privilege. Perhaps the Chair should have risen a moment or two before it did so. The Hon. Member has made a point. It is not a point of order, it is a matter of debate.

Mr. Shields: A point of order, Mr. Speaker.

Mr. Speaker: I must ask the Hon. Member if it is the same point of order.

Mr. Shields: Yes, Mr. Speaker.

Mr. Speaker: I must ask the Hon. Member to co-operate with the Chair.

ALLEGED USE AT UNPARLIAMENTARY LANGUAGE

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a point of order arising out of the remarks of the Member who has just spoken. I thought I heard him say that the Leader of the New Democratic Party had advertently or inadvertently mislead the House by the question he asked yesterday. I also heard him use the word "deceitful", apparently making reference to the Leader of the New Democratic Party.

It is my understanding of the rules and practices of this House that you cannot say that a Member of this House deliberately, that is advertently, mislead the House. Also, Mr. Speaker, if you look at Beauchesne's rules of order at page 106 you will see that Beauchesne states that the words "deceived" and "deliberately deceived" have been ruled on a number of occasions to be unparliamentary. If the word "deceive" is unparliamentary then I respectfully submit that "deceitful" obviously must fall within the same ruling or the same context. I respectfully ask you, Sir, to call upon the Hon. Member to withdraw his remarks with respect to the charge that the Leader of the NDP advertently mislead the House and further that the Leader of the NDP was deceitful in his remarks.

There may be many things on which I take issue with the Leader of the NDP, but I think he is entitled to the same protection from you, Mr. Speaker, with respect to unparliamentary language as is any Member of this House.

Mr. Speaker: As I indicated to the House, perhaps the Chair rose just a moment or two too late on the intervention of the Hon. Member for Athabaska (Mr. Shields).

There are two aspects to what the Hon. Member said. First, he said that things said by the Leader of the New Democratic Party yesterday concerning a certain report were—let me put it this way—inaccurate. They may or may not be, that is a matter of debate. Second, he went on to say, at which time Hon. Members will know that the Chair did rise to interrupt the Hon. Member, that the Leader of the New Democratic Party had advertently or inadvertently mislead the House. That in itself one might let go. However, I regret to have to ask the Hon. Member to recall that he also used the word "deceitful". The word "deceitful" is certainly a word that is improper in this place as it denotes a deliberate attempt to do something that is less than honourable. I know that the Hon. Member for Athabasca (Mr. Shields) would want to withdraw that part of his remarks.

• (1520)

Mr. Shields: Mr. Speaker, perhaps I could clarify exactly what I meant. I do believe that the Leader of the NDP reflected very badly on Statistics Canada by announcing in the House that he was quoting from a study that was released by Statistics Canada in Edmonton an hour previously. I believe that is the way it appears in *Hansard*.

Statistics Canada has a reputation worldwide, and particularly in Canada, for the accuracy of its statements and figures. When an institution like Mel Hurtig's Council of Canadians—

Mr. Speaker: The difficulty the Chair is in is that the Hon. Member is bringing a complaint to the Chair, and it may very well be a very proper one, by way of a point of order. I have indicated that it is not a point of order and that it is a matter of debate and can be dealt with in another place and in another way.

I have also, as is my obligation, responded to the Hon. Member for Windsor West (Mr. Gray) who has pointed out, correctly as I have indicated, that at least one part of the intervention of the Hon. Member for Athabasca crosses the fine line between what is appropriate in this place and what is unparliamentary. I am afraid that procedurally I am in the position where the proper thing for the Chair to do is to ask the Hon. Member to withdraw that particular word "deceitful", because in the view of the Chair it is unparliamentary in the context in which it was used. I know that the Hon. Member would want to co-operate with the Chair.

I say to the Hon. Member that there are other ways and other places in which to raise the question that he has raised, and it could be done tomorrow or another day. Of course, if the Hon. Member or other Hon. Members need any assistance in understanding where and under what circumstances these matters can be raised, Table Officers and the Chair are always prepared to co-operate.

I would ask that the Hon. Member indicate to the Chair that he withdraws that particular word, and I would hope that the matter would be closed.

Hon. Edward Broadbent (Oshawa): Mr. Speaker, it has just been drawn to my attention that a question of privilege has been raised about what—

Mr. Shields: A point of order.

Mr. Broadbent: A point of order, rather, has been raised—

Mr. Speaker: I am very sorry, but it is not a question of privilege. A complaint has been made as to what the Hon. Member for Oshawa (Mr. Broadbent) said or intended to say yesterday. It is not a point of order, it is a matter of debate. This could go on for quite a long time if the Chair does not move to bring it to an end.

The Hon. Member for Oshawa, however, having had many years of experience in this place, wants to say just a little short something.

Mr. Broadbent: Your Honour, I appreciate your consideration and it will be short indeed. What I said in the House as reported at page 9764 of *Hansard* was that the study was produced by Statistics Canada, which indeed it was. It was produced by Statistics Canada. Statistics Canada was hired to do it and it produced the study—

Mr. Shields: Not true.

Mr. Broadbent: I stand by the words that were used. If the Hon. Member wants to dispute them, he may do so here, he may do so outside the House, he may do so next week and he may do so forever, but he will be wrong.

Mr. Speaker: The Chair takes the position that neither Hon. Member will dispute it any longer this afternoon. I would hope that the Hon. Member for Athabasca would indicate to the Chair that he withdraws the word "deceitful".

Mr. Shields: Mr. Speaker, at your direction and in deference to you, although I find it difficult to do, particularly after the last statement, I will withdraw the word "deceitful".

Mr. Speaker: I thank the Hon. Member and I want to say to all Hon. Members, and also to the public, as I have had occasion to say at other times, this place is not a tea-party and feelings can run high. It is my task to ensure that the rules are followed. I think Hon. Members will say of their colleagues and of this incident that the Chair has been supported and the rules have been followed. I thank all Hon. Members for their forbearance and co-operation.

Royal Assent

MINISTER'S COMMENT DURING QUESTION PERIOD

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I rose to withdraw remarks made earlier in the House. On reflection, I believe that the nature of my withdrawal was more equivocal than it should have been. I think we are at a stage in the deliberations of this House where all of us are showing some signs of weariness and fatigue.

I certainly accept that those of us who have the privilege of ministerial responsibility and who have had long service in the House have upon us a particular obligation to try to respect the rules of the House. Therefore, I want to make clear that I withdraw categorically and absolutely and that I regret the implications of the remark uttered in the heat of Question Period.

Some Hon. Members: Hear, hear!

Mr. Speaker: I speak for all Hon. Members when I thank the right hon. gentleman for his gesture which again is in the best tradition of this place.

MESSAGE FROM THE SENATE

[*English*]

Mr. Speaker: Order. I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-68, an Act to amend the Bretton Woods and Related Agreements Act, without amendment.

* * *

[*Translation*]

THE ROYAL ASSENT

Mr. Speaker: I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa

October 8, 1987

Sir,

I have the honour to inform you that the Honourable Claire L'Heureux-Dubé, Puisne Judge of the Supreme Court of Canada, in her capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 8th of October, 1987, at 4:45 p.m., for the purpose of giving Royal Assent to certain bills.

Yours sincerely,
Léopold H. Amyot,
Secretary to the Governor General

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTIONAL ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn on the 1987 Constitutional Amendment (p. 9422) and the amendments thereto of Mr. Turner (Vancouver Quadra) (p. 9585), Mr. Broadbent (p. 9586), Mr. Caccia (p. 9644) and Mr. Allmand (p. 9644).

Mr. Speaker: Order, please. Before the House took recess at one o'clock, the Chair had recognized the Hon. Member for Winnipeg North Centre (Mr. Keeper).

[*English*]

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I must say that I am glad that I can finally rise to my feet and that we can return to the ordinary business of the House. After the little to and fro that has just occurred, I feel the need to take a large breath of fresh air and relax a bit so that we may focus our attention on the national issues of the day.

The question we are now focused on is that of the Canadian Constitution, the rules by which this country is governed, as well as the Meech Lake Accord and the efforts made by the First Ministers to amend the Constitution. Like most Canadians, I have heard a great deal about the Meech Lake Accord. I have heard many different things about it. It is often confusing when listening to the debate on this question and reading about it in the newspapers because the people that one would consider authoritative have very different views on this matter.

For me, it was important to boil the question down, to try to get at the essence of the matter. For me as a Member of Parliament, it really boils down to whether the Meech Lake Accord is worth supporting, whether or not it has value and whether it is good for Canada. Along with that, I must ask whether the Accord can be improved. Is there any possibility of amending the document? Can the document be further improved? Those are the essential questions for me.

• (1530)

I want to say straight out that I answer in the affirmative to both questions. Is the Meech Lake Accord worth supporting? Yes. Is it possible to improve it? Yes. Of course, I want to elaborate a bit upon how I came to those conclusions and share with other Members, Canadians generally, and my constituents in particular, some of my views on this Accord.

There are a couple of important points which I think need to be dealt with. First is the distinct society clause and second is the spending power clause. The distinct society clause is the gold nugget of this Accord. It has made it possible for the First Ministers of this country to welcome Quebec back into the Canadian family. There are those who have said that from a legal point of view Quebec is a part of the Constitution. It has never been outside the Constitution. In a strict legal sense that

is true. Quebec is a part of the Constitution and functions within that framework. The problem is that if you extend that analysis to its logical conclusion, then we do not need to do anything about the fact that Quebec did not sign the 1982 constitutional package. Yet if you do that, you miss the whole point. You look at the Constitution strictly from a legal perspective and forget the question of national identity and whether people feel a part of Canada.

If we are about anything in this House and this country, we are about continuing the process of building a Canadian identity. One unique aspect of that identity is the existence of the Province of Quebec. It gives a special flavour to Canada. One reason we have a level of tolerance for different cultures is because of Quebec. That province, the majority of which is Francophone, has, over the course of Canadian history, had to fight for its rights, its culture, its language. Because the people of Quebec are such a significant part of our country, roughly one-third of our population, although I do not know the exact statistics, they have not only been able to fight on the basis of moral justice but also on the basis of political power.

Let us face the fact that political power makes a difference. If you have political power then you can put into practice your principles and beliefs and bring about good results. It is therefore my fundamental belief that one of the reasons Canada is a mosaic which respects its native peoples and is committed to the preservation of the culture of all ethnic groups is because there is a province called Quebec. The French fact is the reality. Should we ever lose the Province of Quebec then Canada will be that much poorer and we will have a tendency to drift in the direction the U.S. has taken. There is nothing fundamentally wrong with the vision of nationhood carved out in the United States. It is simply not the approach we have taken. It is not the Canadian vision. We have not adopted the melting pot approach. We have formed a cultural mosaic. In large part we can thank the Province of Quebec for that.

What this Accord means to me is that Canadians have opened their arms to Quebec. Canadians have said we want a country tolerant of different cultures and one that respects distinct groups. At the same time I want to say that while I respect cultural differences, while I respect my own heritage as an aboriginal person, while I respect the native groups who live in my riding and throughout Canada, and while I respect the francophone people of this country, that respect does not exist in a vacuum. It comes from the things we share as Canadians. Some may choose to attack the vision of Pierre Trudeau and John Diefenbaker of a one Canada. However, I say that there was an element of truth in what those men said about this country. Their vision has truth in it. Not the entire truth but it has truth. That is why it had the ability to move people. While we respect the cultural differences in this country, and that is important, it is crucial that it be seen in light of the things we share in common. We share a common citizenship. We share a common political structure in which we can live and grow and fulfil our potential. A necessary part of that is the capacity to respect the cultural differences which exist among us.

We can say that it is fundamentally important to this country that it has decided to move forward by saying to Quebec: Welcome back to the Canadian family. We want you to be a part of this country. We are willing to stand up and articulate that desire and put it in this country's laws.

Again, when I ask myself the question "Is this Constitutional Accord worth supporting?" I say yes because it deals with the fundamental nature of this country. It deals with what it means to be a Canadian.

I now want to go to another aspect of the Accord, as I said earlier, which deals with federal spending power. That needs comment because so many people have said that the opting out provision scuttles the capacity of the federal Government to establish national programs. If this Accord had been in place, they say, we could not have had medicare. We could not have pensions. We could not have the fundamental social programs that the Party of which I am a part, the NDP, and before it the CCF, fought for. We could not have those programs which Canadians have adopted not only because they are good but because they express fundamental values that we share as Canadians.

• (1540)

I have taken those criticisms and comments very seriously. I have talked to people who have that point of view and considered what they had to say. When you listen to expert advice from people who have negotiated at the highest levels of government and from constitutional experts who have profound knowledge in this area, you hear a variety of opinions. You must finally make your own judgment, as I have done.

My understanding of the opting-out provision is that if the federal Government wishes to establish a new national program, it will consult with the provinces and if the provinces do not want to buy into the national program, they can opt out and be financially compensated as long as they establish a parallel program. After considering that I have concluded that the opting-out provision does not impair our capacity to govern the country. It does not weaken the central authority or weaken the ability of good, strong political leadership to establish new national programs to meet the needs of Canadians.

This is an area in which I fundamentally disagree with the former Prime Minister, the Right Hon. Pierre Elliott Trudeau. There are some aspects of his vision of Canada which I share, one being our common citizenship from coast to coast. However, I think he is wrong in his judgment on the Accord.

I will explain why I believe that the federal spending power is still intact. Before the Accord when the federal Government and the provinces sat down to establish a national program, each party had something in its pocket. The federal Government had federal spending power and the provinces had

constitutional jurisdiction. They each had something to bargain with and when they made a deal, we had a national program for all Canadians. It happened that way because Canadians wanted those programs and there was the political leadership to bring it about. There were the Tommy Douglases of this world who wanted to move in that direction.

I do not believe that the Accord has fundamentally changed that situation. When we want to establish new national programs, whether for day care, the environment, the elimination of poverty, or the development of a strong Canadian economy in which all people can work, in addition to its unchanneled spending power, the federal Government will have the capacity to establish national objectives. On the other hand, provinces will have jurisdiction and the ability to opt out if they so choose.

Therefore, we still have two parties with something in their pocket and they will negotiate. If the people want a program and the political leadership exists to establish it, a deal will be made and Canadians will have a new national program. Therefore, let us not say that this Accord scuttles the capacity of political leadership. Political leadership is scuttled by cowardice and a lack of commitment to human need.

This Accord will assist us in addressing the fundamental needs of Canadians. The Accord requires that a strong Prime Minister with a set of objectives and ready to act consults with the provinces in areas of provincial jurisdiction. He would use all of his political muscle, but he would seek co-operation. We will, therefore, create new national programs in a way more sensitive to the regional and local needs of the country. Therefore, I believe that this Accord is worth supporting.

The second question which I asked myself about the Meech Lake Accord is whether it can be improved. I have spoken with some conviction about how I see the document. However, I do not want to mislead anyone. This is by no chance a perfect document. We have not arrived at the final objective. The document is not complete. I challenge those who say that we must accept this package without making any changes. There are several specific areas in which this document can be improved. They include the areas of women's rights, the North and aboriginal people.

Not only can the Accord be improved by way of constitutional conferences after it becomes law, it can be improved before. Why wait until it becomes law before improving it? Why not make specific improvements now? The perfect opportunity is fast approaching. A provincial election is soon to take place in the province of New Brunswick. We should take advantage of that occasion to bring to the table items which will improve the constitutional Accord.

I choose the word "improve" because I want to make it clear that I am not speaking of things which would scuttle the Accord. I am not speaking of things which are simply a mask or excuse to try to destroy the Accord. This Accord is valuable and can be made even more valuable.

Eleven political leaders sat in a room together until late at night because they were committed to bring something about. They can do that again. If it means they have to stay there all night, so be it. However, let them improve the Accord so that when we bring Quebec back into the Canadian family other people do not feel left out and resentful, so they do not feel that the only time the political leaders of this country act is when it concerns Quebec while ignoring women, the North, and aboriginal people.

In spite of the value of this Accord it is folly to risk the allegiance of Canadians to this new constitutional arrangement by refusing to improve it. If we can bring Quebec into the Canadian family now we can also bring in aboriginal people, women, and the North.

I believe that fundamentally this Accord is a sound document and that it is good for Canada. We are taking an historic step in nation-building. The step is not complete. If we are not to stumble we must make some changes in the Accord in order to improve it. Let us be clear that we are trying to improve it and not scuttle it.

[*Translation*]

Mr. Speaker, in concluding, I want to say that I think it is very important the Meech Lake Accord has given Canadians a chance to open the door to Quebec and to French Canadians.

Mr. Speaker, it is important for all Canadians to be part of our Constitution. And today we are very happy that the political leaders of our country are willing to say to Quebec: Welcome to Canada! We are on your side!

• (1550)

[*English*]

Mr. Berger: I want to congratulate the Hon. Member for his strong speech. There is no doubt that he stated his views with a great deal of conviction for which the House should commend him.

I want to ask him about the so-called generosity with respect to Quebec that he feels lies at the base of this Accord. When we talk about what constitutes Canada, surely he would agree that it is not only because Quebec, a French-speaking province, is part of Canada but that there are French-speaking Canadians throughout the country as there is an English-speaking minority in Quebec.

In my opinion, the Meech Lake Accord does not go far enough in recognizing the fundamental characteristic of Canada because the federal Government and provincial Governments are only willing to preserve this characteristic of Canada rather than promote it.

The Hon. Member is from Winnipeg, Manitoba. He knows that there is a substantial French-speaking minority in his province and his city. I am sure he heard the testimony of the President of la Fédération des francophones hors Québec before the Joint Committee on the Constitution when he said

that mere protection is insufficient to prevent or stop the ravages of assimilation.

I would like the Hon. Member to address that particular point. Does he not believe that when we are talking about recognizing this fundamental characteristic of Canada we must go beyond what I consider to be platitudes and undertake to promote this fundamental characteristic?

[*Translation*]

Mr. Keeper: Mr. Speaker, that is a very important question and I want to give it the attention it deserves.

First of all, as far as the Meech Lake Accord is concerned, I do not think we have finished working on the Constitution in this country. We are about to enter a new stage. I think the Hon. Member is very sincere and has made some very important points, and that it is really up to him to support amendments that will improve the Accord.

Personally, I think it is very important, for instance, for the French fact in Manitoba to be strong and flourishing. I remember that when I was a child in Manitoba, when the school inspector came to visit a school, the Catholic students, teachers and sisters had to hide the French books and put English books on their desks. That happened when I was a child in Manitoba, which is not so long ago. However, we have come a long way since that time, and there have been some difficult moments. For instance, we had a very serious debate in Manitoba on how bilingualism in the province should be allowed to develop. A debate that was lost by people like me who were in favour of bilingualism. We were beaten because of a fierce attack by the Conservative Leader at the time, and I can inform the Hon. Member that it is not always easy to progress as fast as we should wish. And when we can make some progress, I think it is very important for us to do just that.

Perhaps I should point out that the Government of Manitoba has just appointed a minister responsible for promoting services in French. I think this is something we can build on for the future. I hope that in the future, we will see greater respect for the French fact in Manitoba. Like the Hon. Member, I am doing what I can in this respect. But quite frankly, this Accord is incomplete where it concerns protecting, promoting or establishing the presence of the French fact outside Quebec.

[*English*]

The Acting Speaker (Mr. Paproski): Since there are no more questions or comments, before I recognize the next speaker it is my duty to announce the questions for the adjournment debate.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Stnading Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Yukon (Ms. McLaughlin)—Air Transport—Proposed transportation of plutonium through Canadian airspace—Territorial sovereignty; the Hon. Member for Saint-Léonard—Anjou (Mr. Gagliano)—Canada Post Corporation—Request for reinstatement of certain postal services—Provision of service—Government position.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn on the *Constitution Amendment, 1987* (p.9422).

And the amendments of Mr. Turner (Vancouver Quadra) (p.9585), Mr. Broadbent (p. 9586), Mr. Caccia (p.9644), and Mr. Allmand (p.9644).

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, it is a privilege, as a Member of Parliament, to be able to speak on a subject of as great importance to our national future as that which is before the House today. The whole question of how we will amend our Constitution is a subject which is at the very heart of our nation.

In commenting on this Accord, I think one must first stress the importance of the effort which has been made to bring about an accord that would seek to accommodate the full participation of the Province of Quebec in the mainstream of the life of our country. I believe all Canadians felt that the country was incomplete without the ability of Quebec to fully participate at the table when constitutional matters were being discussed. There was a great loss to the country as a whole while Quebec remained outside the Canadian community.

Quebec is indeed a distinct community in many ways. It has not only played a unique role in Canada's history, it plays a unique role in the life of Canada today. Therefore, I and I believe all Canadians are pleased that an accord has been struck whereby the Province of Quebec can take its full part in the life of this country.

When we gave approval to the Constitution, it was not possible to have the participation of Quebec because the Premier of Quebec at that time, René Lévesque, led the separatist party that was in fact seeking to separate Quebec from this country rather than join it. It would have been a

total anomaly for that Government to have allowed Quebec to become part of Canadian constitutional life, and the full life of this country. It was therefore not possible at that time for Quebec to become part of the entire process of the country and its constitutional making.

• (1600)

We felt this loss and now, since there is a Government in Quebec that can in fact accept and in fact participate fully on behalf of the people of Quebec in the life of the country, we want to grab that opportunity. We do not know, as we have not known in the past, when a Government might again come into power in Quebec, a Government which might detain or defer that possibility of Quebec having its full role. In fact, it might then be argued by successive Quebec Governments that, "Look, no progress has been made. Canada does not care whether we are part of it or not". They could appeal to the very fact that Quebec was not able to take its full part as an excuse for why Quebec should feel that it had no future in Canada. That is one of the great reasons why I think Canadians are relieved and rejoice that now Quebec and its Government have passed a resolution through its Legislature giving their support to this Accord.

We know that when a proposal was made to the people of Quebec that they should begin to consider separating from Canada, they were appealed to by Mr. Trudeau and by Jean Chrétien at that time and asked not to vote in the referendum for the move to separate Quebec from Canada, but rather to vote against such a separation. When Mr. Trudeau and Mr. Chrétien implored the people of Quebec, as Quebecers themselves, they said, and promised, that there would be a renewal of federalism. That promise was solemnly made. I think there is now an opportunity for us to show to the people of Quebec that that promise was not made in vain. That promise was made on behalf of those of us who were members of the Liberal caucus at that time. Mr. Trudeau spoke on behalf of our caucus, on behalf of our Party, stating that that effort would be made. So I rejoice with other Canadians that now through this Accord the Province of Quebec can play its full role.

Having said that, and with all my sincerity and all my ability to express how delighted I am about that facet of it, I do think that one has to say that no Constitution is ever perfect. It certainly means, too, that when we start making changes to the Constitution we are dealing with the most fundamental law of the land. It is the most important law. It is the basis of all the rest of the laws of our country. Therefore it is a law which should receive the most careful scrutiny, and the most thorough debate and the greatest opportunity for people throughout the country to make their views known and to express their encouragement of it, or their misgivings.

I also want to say with all the powers at my command, and I only wish that I had the tongue of an orator to persuade my colleagues on the Conservative side of the House that the way that they have approached this matter of looking at and discussing this very important resolution on the amendment of our Constitution, known by some as the Meech Lake agreement but which also was the Langevin Accord of June 3, 1987, deserves far more attention, far more serious thought, and far more debate than the Government is allowing to the Parliament of Canada, or for that matter to the rest of the people of Canada.

The motion which is before us has not much more importance in the parliamentary procedure than would a Bill put forward by a Private Member. It is appalling to think that a motion is being put before us in the House which affects the very foundation of our country, the Constitution, but that the way in which it is being treated in Parliament is no better, or hardly better at all, than that which can be accorded to a serious Bill that is put forward in Private Members' Hour.

I think Canadians realize that a Bill that has to do with St. Lawrence Seaway funding, a Bill that has to do with the protection of wildlife, or whatever Bill may be put before this House goes through a whole series of complicated processes to ensure that the democratic process takes place. With almost all Bills in the House of Commons there is first a debate in principle. That debate can go on and, usually, unless some kind of time allocation is brought in, every Member of the House has a chance to talk about it in principle. Then it normally goes to a committee. It goes either to a standing committee or to a legislative committee where the Bill is looked at, discussed and talked through. Amendments are proposed at committee. Then, having had a vote first of all in the House on principle, having been before the committee, it comes back to the House for another debate. There, in that debate, is an opportunity in the House itself, to put forward amendments and for each one to be considered and voted upon. Then, after those votes are over and that stage is passed then still another debate is held. In that third stage there is still an opportunity for more discussion and further thought before a final vote is taken and the Bill is passed.

I think that shows that in our democratic process we want to make very sure that in Parliament anything we decide has been given deep and due consideration, in fairness to all concerned. It shows that we have given an opportunity to the people of Canada to make their positions known through the committees, to give them an opportunity, in time, to write to their Members or communicate with their Members as to their views so we do not make any mistakes.

That is what happens with any normal Bill, a Bill that deals with perhaps some of the less important matters of the country in the House, at least less important than we would say is the Constitution of Canada. Yet the Constitution of Canada is being amended. It is being put before us with a time span and a way to deal with it far, far less democratic and far less thoughtful than would even an ordinary Bill in this House of Commons receive, or a Private Member's Bill for that matter.

We have placed before us one total package. We are able to give one kind of amendment, as a Party, to this Bill. In short,

we have but one debate on it. It went of course, to a committee over the summer, and then one debate. Then, when it is passed that is it. That is what the House of Commons can do with the Constitution of Canada, with the amendment of the most fundamental law of all, the Constitution of this country. It is amazing. It is bewildering that this is the only way in which we can proceed.

I think that if we look back at how the constitutional debate was carried on in the past, we would realize that a great deal of thought and a great deal of time was given to that debate—months and months and months. There were discussions among the provinces. The matter was referred to the Supreme Court of Canada for its opinion, to test out whether what we were doing was the right way to proceed. The views of the Supreme Court were taken into account, and changes were made.

I would like to point out further that when people or groups came to Ottawa, or sent their views to Ottawa about changing that constitutional Accord, their voices were finally heard. We saw that when the voices were lifted on behalf of the women of this country, in terms of their misgivings about the language or what was being taken out or what was in the Constitution, their views were listened to, perforce. That is the way it should be.

• (1610)

Changes were made again, with the provincial Ministers giving consideration to those proposals. Meetings were held, bringing them back again to see if further changes could be made. I remember very well the indignation of members of the Conservative Party who were in opposition at that time at the thought that they were not being given enough time to discuss such an important issue as the Constitution of Canada. Day after day they rose in their places and extolled the virtues of democracy, the importance of openness in Government, the importance of full participation, and the importance of opportunity to debate. I think many of us listened to their concerns with some sympathy.

In this particular debate we find amendments being made to the Meech Lake agreement which in fact might greatly hobble future changes in the Constitution.

It is true that the Constitution is and will evolve. However, because of the Meech Lake agreement or Langevin agreement in some cases the Government of Canada has made such evolution practically impossible in that the formula for amendments requires unanimity. It can be said that sometimes it is possible to obtain unanimity from the provinces. When we consider the fact that it will be possible for a province, because of someone like we had in Quebec, to prevent the approbation of what is reasonable and good for the country, to stand in the way interminably of progress which may be needed immediately in terms of changes to the Constitution as a result of some unforeseen problems.

This is why we in the Liberal Party feel that the Government should be open and should be listening not only to us as a Party but to the people of Canada who also have grave misgivings about this formula and about other matters. This is why the Liberal caucus has come forward, through the motion of our Leader and through the Hon. Member for York Centre (Mr. Kaplan), to indicate that the Meech Lake Accord should be amended to deal with some serious matters.

In my view one of the most serious matters concerns a return to a formula whereby we have seven provinces and 50 per cent of the population voting for an amendment to the Constitution rather than total unanimity of the provinces as the Meech Lake document suggests.

Time after time the Tory Government has proven its unfortunate proclivity to talk in very fine and glowing terms about democracy and about parliamentary reform. However, on the most important issue upon which we could possibly be focusing, it provides for us and for Canadians little opportunity to give proper thought to and debate on these matters. We cannot move each amendment one at a time as we should be able to do. We should be able to look at it, discuss it, and honestly reflect upon it because it is so important.

Since the Government has a tremendous majority in the House of Commons, I do not deny its right in the end, after debate, to decide that there will be no amendments. I would not deny that the Government has that right, but it should not deny us the right to make amendments and to have each one of them carefully considered by the House and by the people of Canada. We should be able to go through first, second, and third readings, to vote on each section, to look at the amendments carefully, and to give the most important law of the country clause by clause consideration.

There is not enough time for me to deal with all the amendments which have been put forward by my Party as very positive suggestions. Large segments of our population, such as women, who represent over 50 per cent of the population, aboriginal peoples, multicultural people, and those concerned about the future of the territories, have expressed misgivings about the present text of the Accord. They wish it to be improved or amended so that there will be no doubt about the matters which concern them. While I cannot deal with each of the amendments we have proposed to deal with the concerns expressed by these people, I call the attention of the House to some of them.

One concerns the future of the Senate, which I believe would be strengthened and made more meaningful if it were an elected Senate. Clearly this is the position of our Party.

Rather than continuing with a formula which entrenches the future of the Senate as an appointed body and provides a situation wherein the provinces may feel that they have some kind of investment in keeping the formula as it is in the Meech Lake Accord, let there be freedom, let there be breath, let there be life; let us breathe a new life into the Senate rather than stultify it along the lines of the Meech Lake Accord. Let

there be a move at this time to have future Members of the Senate elected. Then the process can be worked out in further conferences between the provinces and the federal Government. Further consideration could be given by the House and the Senate so that the Senate would play an even more dynamic and more important role than it does now.

Another of my concerns is in the area dealing with equality of the sexes, the rights of men and women being guaranteed and protected. We want to ensure that the Charter of Rights and Freedoms is paramount, and that the basic rights and freedoms of Canadians are not diminished by potential conflicts with any sections of the Accord, including sexual equality rights.

It would be wise if the Conservative Government would wake up to the realities which exist. There has been an example of this before. When the women of the country expressed concern, the Government of Canada under the last administration paid attention by making changes to the Constitution which took into account the solemn and sincere concerns expressed by them. Why does the Government minimize the importance of the concern expressed by women and their representatives, as well as by men concerned about the rights of women? They wonder whether the Meech Lake Accord perhaps puts into jeopardy the rights which were presumably obtained in the last go-around on the Constitution.

Those are some of the matters I wanted to bring to the attention of the Government. I ask it to consider them as being not only the views of my Party but the concerns expressed by the people of Canada. Will it not listen? Will it not open its ears to the concerns of Canadians who are happy to see Quebec being involved and being brought into the full life of the country?

• (1620)

They do not want to be accused of being unhappy about this, ungrateful or lacking a sense of patriotism because they want to bring up matters and points which they feel are very important for the future life of Canada, points which concern them and therefore life in this country as well. It is not an act of treason. It is not an act of lack of patriotism to be concerned about other issues in this Accord. Just because one expresses a concern about it, that does not mean one is not happy about the fact that Quebec is now brought into the full life of Canada.

Let us try and, in a spirit of understanding, move toward the possibility that the Government may still consider going to the provinces in the light of these proposed amendments which we have made with full sincerity and let them respond to the people of Canada and, in the same spirit, discuss with the provinces the way in which we can amend this Accord without trashing the Accord in its entirety. I do not think we need to throw out the baby with the bath water. I think we can try to amend, improve and repair what could be a much more perfect document so that future generations will say that we gave them something which they could change in the light of their future, that we did not deliver something that was a *fait accompli* which closed out any future evolution of the Canadian Constitution.

Mr. Berger: Mr. Speaker, the Member for Eglinton—Lawrence (Mr. de Corneille) was in this House in 1981 when we voted on the patriation of the Constitution which included a Charter of Rights. That Charter of Rights in Articles XVI to XXIII provided citizens with services in the official language of their choice. It dealt with minority language education rights. What we did in 1981 was to put in the Constitution in some respects the official languages policy which had prevailed for a period of 10 or 12 years prior to 1981.

As I understand it, those policies were based on the principle of linguistic equality, namely, that we were trying to achieve an equal status for the English and French languages for persons who speak English and French as much as possible throughout the country. In my opinion, the Meech Lake agreement goes against this principle of language equality because rather than having the same rights in Quebec as we have in Ontario or British Columbia, the possibility arises that rights may be different in one part of the country to the other.

Does the Member not agree with my interpretation that we are really retreating from the principle of linguistic equality with the Meech Lake agreement?

Mr. de Corneille: Mr. Speaker, I believe the subject which my colleague has brought forward is most important. The fact that he is concerned about it, as all Canadians should be, is clear that we are putting into language in the Meech Lake Accord matters of concern to people regarding their right and their children's right to be able to function fully in one of the two official languages of their choice and thus function fully throughout all of Canada.

I believe the intention on the part of those who signed the Accord was to achieve that. The question is, have they? That, first, is a matter which involves a great deal of legal expertise and interpretation. I am not going to propose that I have that constitutional expertise to give a wise opinion on the matter. If there is some doubt, it would not be a bad idea for us to incorporate in the language of the Accord that kind of reassurance. I have been pleading with my Government colleagues in this House for the Accord be made that much clearer so that people who have anxieties about it, not just for themselves but for the country and future generations, can understand it. We could then have legal experts conclude that yes, this is what it says. Unfortunately, we heard a wide variety of opinions in the committee. Therefore, that gave us reason to look at the proposed amendments made by our Party. We should talk about them, not just have concerns. We should be promoting the protection of languages in the provinces. Governments have a responsibility to promote and protect them as well as to acknowledge their existence.

Mr. Jardine: Mr. Speaker, I have a brief comment which will be followed by a question to the Hon. Member for Eglinton—Lawrence (Mr. de Corneille)

My colleague mentioned his support for an elected Senate. I recall reading a statistic which pointed out that something like 99 per cent of all Canadians would never run for elected office. If that is true, one would have to question whether, in fact, not only federally but provincially, the country is being well governed.

In that sense I have always felt the Senate does have a good role to play. Very talented, experienced and dedicated Canadians have a chance to serve their country by being appointed to that august body. Would the Hon. Member give me his views? An appointed Senate could be devoid of partisanship but it would not if we had an elected Senate.

Mr. de Corneille: Mr. Speaker, there may be some people in this august Chamber who are looking for an appointment to that other place. I do not want to be facetious, but I had to make that remark. There are probably a fair number of people who might look at that other place as being a good place to which to be appointed.

When my colleague said that 99 per cent of the people of Canada would not run for office, while they may not want to in the sense that it might be difficult because of leaving families—which many of us have to do to come to Ottawa or to go to some other place if one were a provincial Member—when the time comes and people are approached by fellow citizens and asked to run for office, even though they may have said no, that they would never run, they do respond. This reluctance to serve occurs with jury duty. I do not think anyone pounds on doors to get on a jury panel. But people serve because they feel it is genuinely important to make that contribution for their country.

• (1630)

As for the other small point, I do not have the time to enter into a debate about an elected as against an appointed Senate. I have expressed my views, and I think it is an important point. In general, the people of Canada feel that it would be a good thing if a chamber with such powers as the Senate presently has were also elected. They would then know that these people are there because they were elected by the people of Canada and not because they were appointed into a political position.

[*Translation*]

Mr. Marcel R. Tremblay (Québec Est): If I were to give my remarks a title, Mr. Speaker, I would call it the legitimacy of the Constitution. First of all, I should like to set the constitutional Accord in its proper context by saying that, together with a great many Quebecers, including Mrs. Chaput-Rolland who appeared before the Parliamentary Committee, I felt deeply hurt when in 1982 the Constitution was patriated without Quebec's consent.

I was certainly for the patriation of the Constitution combined with the Canadian Charter of Rights and Freedoms. But I deeply regretted and even objected to the fact that these political decisions were forced upon Quebec; as much as I objected to the decision of the Imperial Parliament in 1840 to impose the Union Act and to ban the use of the French language.

Although, as Hon. Jack Pickersgill reminded the Committee, the Parliament of Canada with its English-speaking majority insisted in 1867 on re-establishing the linguistic rights of French-speaking Canadians, the latter will always remember the attempt made in 1840 at depriving them of their rights and they are looking for assurances that such an experience will never happen again. Together with a great many others, I feel that it did happen again in 1982. Once again, Quebec was ignored.

In a speech he made on April 15 of this year, the Prime Minister (Mr. Mulroney) clearly indicated what was at stake at the Meech Lake meeting, and I quote:

"With the Constitutional Act of 1982, we have now a fundamental law governing our country, a social contract which is binding upon Quebec without the consent of its National Assembly.

It is unacceptable that recent wounds have not yet healed. Quebec, as a distinct society which enhances Canada, has to join the constitutional family.

For that purpose, we have to find a fair balance between the concept of equality among all provinces and the need to protect and strengthen the unique character which Quebec gives to Canada.

The isolation of Quebec was a problem we had to assume when we came to power. We cannot bequeath it to another generation which would perhaps have to resolve it under more difficult circumstances and in less propitious times.

The Prime Minister knew that the problem had to be solved quickly. He knew that the country, that Quebec could not go on living with a constitution which had not been accepted by all the partners in Confederation. He knew more particularly that values could not be imposed to a community and that a document as important as the Charter of Rights and Freedoms to gain its true worth had to be freely accepted by Quebec. This Charter of Rights and Freedoms represents common values shared by the people, it is a definition of its collective will. The real strength of a charter is based on the intensity of feelings for it shared by the citizens.

Therefore, as long as Quebec will not freely adhere to the Canadian Charter, it will remain weakened.

The Parti Québécois Government was ready to negotiate a constitutional agreement in May, 1985, provided that the greater part of the Charter did not apply to Quebec. It was an unacceptable condition for those who believe that Canadians can share the same ideals of justice and equality.

Finally, a federalist Government in power in Quebec since 1985 is getting ready to adhere to the Charter of its own free will and to acknowledge its legitimacy.

And now Canada, through its First Ministers, says it is ready to welcome Quebec under conditions that are good for Quebec and for Canada. Parliamentarians and citizens across the land are asked to join together for that purpose.

I am pleased with the consensus of the three leaders—including our Liberal colleagues—who view Quebec's return to the great constitutional family as a significant national goal. This clearly shows that the First Ministers' appeal has been heard by our parliamentarians.

The Parliament Committee has also shown that the appeal was equally heard by politicians, former civil servants and well-known English-speaking academics. The Committee Report suggests that nearly all the witnesses who appeared at the hearings unanimously recognized the importance for Quebec to resume its place of its own accord within the Canadian constitutional family. Those Canadians who appeared before the committee also insisted that it was most important to solve the dispute between Quebec and the rest of the country; the Accord struck a remarkable balance between Quebec's own interests, the principle of equality between provinces and the national interest; the Accord in no way infringed upon the rights of Canadians, and this opportunity should be taken to adopt the resolution that will open the second round.

That was the view voiced by Gordon Robertson, who was Cabinet Secretary from 1963 to 1975 and Cabinet Secretary on Federal-Provincial Relations from 1975 to 1979—he is one of the most experienced negotiators on constitutional affairs in Canada.

That also was the view of Robert Stanfield, who led our fellow-citizens in Nova Scotia before coming over to the federal scene.

This is also the opinion of Peter Meekison, former Deputy Minister of Federal and Intergovernmental Affairs of Alberta.

Moreover, it is the opinion of the Hon. Jack Pickersgill, who served with distinction under four Prime Ministers of Canada as a Minister and as a public servant.

It is also the view of Professor William Lederman, one of our most eminent constitutional law professors. It is the opinion of Peter Leslie, Richard Simeon and others, who have a very open minded and sensitive attitude toward Quebec.

I have every confidence that the appeal of the Premiers, who have the support of Quebecers and of many Canadians, will be heard by the Parliamentarians. Moreover, by repairing past mistakes, the 1987 Constitutional Accord will open the door to a new era in Canada by recognizing a fundamental characteristic of our federation.

By entrenching linguistic rights in the Constitution in 1982, we legislated to put behind us once and for all past attempts, such as in the Union Act of 1840, to make French disappear from Canada.

With the 1987 Constitutional amendment, all Canadians are giving their enthusiastic support to the concept of linguistic duality as a basic characteristic of Canada, the role of all legislative assemblies and of Parliament to protect this characteristic is being confirmed and the distinct society of Quebec joins the Canadian family.

Finally, our linguistic rights find new grounds for existence in our Constitution, Canada finds its soul and Canadians rejoice in their diverse character.

I believe that we cannot be indifferent to the fact that the Constitution was imposed on Quebecers, that they rejected its legitimacy and that Canadians do not at this time share freely accepted common values. The First Ministers did not remain indifferent to these facts this year, and neither did the distinguished Canadians I mentioned earlier.

A country is more than a series of abstract and rational concepts. To develop, it needs a soul. I believe that by voluntarily joining the Constitution and the Charter of Rights, Quebec is giving back this soul to Quebecers and Canadians. Quebec is finally telling Canada that it is willing to share in the dreams and aspirations of our great country and that it also shares its values in its own way.

This is why I believe that the signing of the Meech Lake Accord was an event of great moment for Canada and why I ask the House not to make it necessary for us to go back on this Accord.

In conclusion, I would recall the words of the committee and urge people who refuse to listen to the First Ministers' appeal to reconsider their position. To them the committee is saying:

> If one is to maintain that the terms of the 1987 Contitutional Accord should not be accepted because they exact too high a price in terms of their vision of Canada, then one must be prepared to accept that at least in the foreseeable future Quebec will remain officially estranged from the Constitution and that a Constitution without Quebec will continue to limp along without the willing participation of one of the key parties to Confederation.

That is the kind of future the opponents of the Accord envision for Canada. That is what most Canadians want to avoid by supporting the Constitutional Accord of 1987.

• (1640)

[*English*]

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I am pleased to rise and speak in support of the agreement commonly known as the Meech Lake Accord. I want to point out some very serious concerns which I think many of our colleagues have been expressing.

It seems to me that Constitutions of countries are very much like those of organizations which reflect the basic beliefs of, and establish over-all objectives as well as legal requirements for, its Members. They are rarely perfect but must be tested against experience and continuously adapted to reflect the

concerns of the entire organization as well as its component parts. Therefore, in a country as complex as Canada we must entrench national concerns and obligations as well as our historic concerns while responding to the very diverse needs of different regions and ensuring through our Charter of Rights that the rights of all our citizens are adequately protected.

It is interesting and significant to note that the Canadian Constitution is only about five years old. A very immature Constitution it is. I am sure all of us who have gained from this current review and analysis—those who were on the committee, of course, are now experts—would agree that there are very serious flaws, particularly in the Charter, which must be redressed. Some Members have felt that it is perhaps flaws in the Charter rather than flaws in the Accord which need further attention.

There are amendments that we want to see to the Accord itself. We all agree that the overriding flaw in the 1982 agreement was the fact that Quebec was not part of the Constitution of Canada. That was the primary objective of this round of negotiations toward constitutional review and amendment provided that it did not diminish any other rights.

This Accord brings Quebec to full and active participation in the patriated Constitution for the first time. We in the NDP are very pleased that this is the case. In our view it acknowledges that Quebec is a distinct linguistic and cultural society within Canada. It reflects resolutions which the NDP adopted as a priority at our 1987 convention in Montreal. We acknowledge, however, that there are a number of flaws in the Accord and we strongly urge the Government and the First Ministers to correct those flaws before it is passed into law.

It is important to recall that the process involved in this round of constitutional reform leaves very much to be desired. In my view it did not reflect the democratic process. We should remember that in the decisions made behind closed doors at Meech Lake there were no natives, northerners, women or the disabled represented. These decisions were made by 11 men, all white, who drafted a Constitutional Accord to be applied to all of us in Canada. There is no question that they did a remarkable job as far as they went, but after further study and consideration, particularly by the groups I just referred to, there are indications that serious flaws exist. We believe those flaws can be corrected with three simple amendments without jeopardizing the Accord itself.

I want to concentrate my remarks on two areas of particular concern, but before doing that I would like to quickly review the amendments we have put forward and which were expressed in a letter from our Leader to the First Ministers.

There are three essential amendments and they are consistent with the objectives of the 1987 Constitutional Accord. Our first amendment concerns fairness for Canada's northern citizens. We believe First Ministers should immediately remove the anomaly of Canadians living in the territories being denied the opportunity available to other Canadians of serving on the Supreme Court of Canada and possibly in the Senate as well. Of course, we as a Party are not as concerned about the Senate. As well, First Ministers should address the injustice of requiring unanimous provincial approval for the creation of new provinces, a degree of concurrence not required for any of the existing provinces.

Second, we believe the Accord should include a commitment to hold a First Ministers' conference to discuss aboriginal rights, in particular self-government. It should be amended to ensure that representatives of aboriginal peoples and the territorial Governments can participate fully in these discussions.

Third, we do not believe the linguistic duality-distinct society interpretative clause abrogates, supersedes or overrides sexual equality rights, or any other rights guaranteed in the Charter. This is the conclusion which our representatives on the committee came to after very thoughtful analysis of the expert testimony. However, there is doubt across the country and therefore we say the same abundance of caution reflected in Section 16 when it was added can be applied to sexual equality rights without jeopardizing the Accord. Therefore, we urge First Ministers to amend the Accord by adding Section 28 of the Charter of Rights and Freedoms which, as we all know, would reaffirm the equality of men and women.

We also recommend a complete Charter review, particularly regarding minorities, including visible minorities and disabled persons, in the very immediate future. We should give greater consideration to recognizing ethnocultural realities. We do not agree with the process that took place and we are very strongly recommending that any future process must be much more democratic with an opportunity for public input. This should be done through a standing committee of the House of Commons.

I want to concentrate my remarks on two areas of concern, particularly from the point of view of social policy. Those two areas deal with federal spending powers and the protection of equality rights. Both areas have been raised as concerns by social policy advocates and many women's organizations. In fact, women's organizations continue to raise these issues.

As to spending power, the Accord specifies that provinces will have the right to opt out of national programs but may still have costs shared by the federal Government provided the programs are compatible with national objectives. I must confess that as a strong advocate of federal leadership in social programs and with a very major concern about a national child care program, I was very concerned about this question.

• (1650)

Would it weaken the impetus for a national child care program which is urgently needed in Canada? Would it have prevented medicare from being established as a national program with enforcement of the five national principles which are implicit in medicare? Would it allow provinces to do what they wish with federal dollars as they have in the past with

federal moneys which have been transferred for post-secondary education?

There is no more urgent need in Canada today than the need for a comprehensive national child care program which will ensure the availability of a range of quality, affordable, flexible child care services in both rural and urban communities. The child care situation is a crisis. This has been documented repeatedly.

A national child care program was promised in very strong terms by the Prime Minister (Mr. Mulroney), but it is obvious that no action is being taken on this. I cannot help but wonder whether the delays are in any way related to the process of this Accord. Under the new Accord the federal Government has the right, in our view, to establish a national program of child care with clearly defined objectives which must be the criteria for provinces if they are to receive federal funding for child care.

The Canadian Day Care Advocacy Association, the National Anti-Poverty Group and others spoke strongly of the need for the Government to establish right now these national objectives and to outline the requirements for any national child care program which will receive federal funding. These organizations expressed fear that there would not be clear objectives established.

I share these fears, but I have concluded, as have my colleagues, that these fears are not related to the Accord so much as to what the Conservative Government will or will not do with regard to child care. We see it as a very important political issue. The Accord definitely obligates the Government to state national objectives which reflect its philosophy and will establish clear principles for provincial programs which receive federal funding.

We conclude that the problem is political rather than constitutional. A New Democratic Government will make child care a top priority and will establish clear, progressive objectives as a requirement for any provincial programs which enter into cost-sharing arrangements.

Medicare was started as a provincial program by Tommy Douglas in Saskatchewan and became a national program. We strongly agree with the revisions to the health Act which were brought in by the past Minister, Monique Bégin, which enforced the five principles of medicare with penalties. Such provisions should be included in all programs which receive federal funding. We are convinced that this kind of federal authority over spending powers remains under the new Accord. In fact, experts believe that the Accord strengthens the use of federal moneys provided that the federal Government defines these national objectives.

A national child care program will be the test of this section of the Accord. It will be the test of the Government as well. I have repeatedly asked the Minister of National Health and Welfare (Mr. Epp) to establish national child care objectives which will designate quality, affordable, accessible child care services as a base for any federal financing arrangements.

Finally I come to the aspect of the Accord which continues to be a very major concern to women's organizations across Canada. This concern, rather than diminishing, is escalating. We cannot ignore it. I implore all Members of the House, the Government, and First Ministers to give it major consideration. After major analysis, including analysis by legal experts, women's organizations still have a fear that sexual equality rights may be at risk under the new Accord.

I do not want to refer again to the many presentations which were made to the committee. I would like to pay tribute to my colleague, the Member for New Westminster—Coquitlam (Ms. Jewett), who contributed a tremendous amount of energy and expertise to that committee and our caucus. There is no one more concerned about equality rights for women as her history and record show.

I think I reflect her opinion when I say that we may not have the same concern about this as far as the Accord is concerned. However, we do agree that the concerns of women across the country must be dealt with. They must have the opportunity to express their concerns and have them reviewed as they have been requesting.

In summary, I would like to refer to two very recent letters which implore the Government of Canada and the First Ministers to consider their appeals. The first letter is an open letter of October 4 to Members of Parliament from the Ad Hoc Committee of Women on the Constitution. I will read an excerpt from that letter. They state:

> —governments want women to accept their assurances that the Accord's risks to gender equality are minimal; women are adamant that any risk is unacceptable, no matter how small.

Accordingly, they ask us to support recommendations made by the Canadian Advisory Council on the Status of Women on September 23. The letter continues:

> Specifically we seek your support for:
>
> funding through the federal Secretary of State for a women's national constitutional conference.
>
> It is hoped that this conference would find a way to amend the Constitution without re-opening the discussions on the Meech Lake Accord in a way which endangers Quebec's recognition in the Constitution.

No women, and I am sure no Canadians, want to jeopardize that aspect of the Accord.

They further state:

> —that an urgent federal reference to the Supreme Court of Canada on whether the Canadian Charter of Rights and Freedoms is detrimentally affected by the Meech Lake Accord—

—be undertaken.

> The federal government must undertake to consult the CACSW on the question and should guarantee that the CACSW—

attends at the hearing.

Subsequent to that we today received, as I imagine other Members have, a very urgent letter from the National

Association of Women and the Law dated October 6. This is a very reputable group comprised of outstanding women lawyers who have expertise in constitutional matters. The letter reads in part as follows:

> We urge you to consider our concerns. In our brief submitted to the Special Joint Committee of the House of Commons and the Senate on the 1987 Constitution Accord on August 4th, 1987, we raised a number of concerns relating to the status of the Charter of Rights and Freedoms and in particular women's equality rights.
>
> We continue to be concerned that by enumerating some rights in Section 16 and in specifically mentioning the Charter in other sections, the courts may interpret this as excluding or giving less scrutiny to other rights, including women's equality rights. This may create a hierarchy of rights.
>
> In addition, the Supreme Court of Canada decision concerning Ontario's Bill 30, pronounced on June 25th, 1987, would seem to create a hierarchy of constitutional documents, by making some sections of the 1867 Constitution Act immune from Charter review. The Department of Justice has used these arguments in the challenge from the Yukon Territories.
>
> In order to ensure that this is not the effect of this set of constitutional amendments, we believe that the Accord must be amended to clarify the relationship of the Charter to these clauses, in particular to the new s.2 of the 1867 Constitution Act dealing with language duality and Quebec as a distinct society.

• (1700)

It is important to note for the record that they advocate a women's national constitutional conference with the objective of developing an amendment to the Accord which would not endanger the Accord or Quebec's recognition in the Constitution but would protect charter equality rights. Our Party strongly believes that this would be helpful. We advocated the inclusion of Section 28, but we would certainly support an improvement on that.

They also ask that the resolution in the House be deferred until this convention can take place. That might be very difficult. They go on to say: "We ask you to support a Reference to the Supreme Court of Canada from the federal Government. In this way, we can all receive a judicial interpretation of the impact of the Accord on the Charter of Rights and Freedoms". They go on to ask for the assurance that an intent not to harm the Charter is clear in the words of this historic Accord. Surely the First Ministers, the Government, and all Members of the House would agree that we do not know that this will happen, but we must deal with the concern that it may affect 52 per cent of the population.

My colleague who sat on the constitutional committee requested both the Prime Minister and the Minister responsible for the status of women that funding be made available from the federal Government, and that all possible support be given by the provinces and the federal Government to the proposed women's constitutional conference. It would present another opportunity for experts to consider all sides of the question.

It has been very difficult for groups to achieve a consensus in the form of one conclusive amendment. While we have proposed the inclusion of Section 28 of the Charter as an amendment, this would help reaffirm equality rights beyond a doubt.

There may be further suggestions from such a constitutional conference. I urge the Government and First Ministers to support this request and facilitate it. I also strongly urge the First Ministers not only to consider but to accept and implement the recommendations that were referred to earlier. If any group must not be left out, it is certainly the native people.

We support the primary objective of this Accord, which is to bring Quebec into the Constitution of Canada. While we support that objective strongly and joyfully, we cannot agree that this should be done with any diminution of rights for other people. That is why we believe that a constitutional conference for women should be supported.

I urge First Ministers to agree to amend the Accord as we have recommended and as a women's conference may recommend so that aboriginal people, northerners, minorities and women can have no further doubt that their rights will also be fully protected under our Constitution and Charter of Rights.

Ms. Copps: Mr. Speaker, the Hon. Member knows that one of her colleagues from Vancouver was stripped of his responsibilities in the New Democratic Party because he is voting against the Accord. Does she agree with her leader on that action?

Ms. Mitchell: I do not know how my colleague from Vancouver will vote on the constitutional Accord. We have not yet voted. I certainly support my leader in almost everything he does. However, I think people have a right to their own opinions.

THE ROYAL ASSENT

[*English*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

> Mr. Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, the Acting Speaker (Mr. Paproski) with the House went up to the Senate chamber.

And being returned:

• (1710)

The Acting Speaker (Mr. Paproski): I have the honour to inform the House that when the House did attend Her Honour, the Deputy to Her Excellency the Governor General, in the Senate Chamber Her Honour was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills:

> Bill C-2, an Act to dissolve Canagrex and to amend certain Acts in consequence thereof—Chapter No. 38.

Constitution Amendment, 1987

Bill C-68, an Act to amend the Bretton Woods and Related Agreements Act—Chapter No. 39.

* * *

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Paproski): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill S-8, an Act to amend the Citizenship Act (foreign spouses), to which the concurrence of this House is desired.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn on the *Constitution Amendment, 1987* (p. 9422).

And the amendments of Mr. Turner (Vancouver Quadra) (p. 9585), Mr. Broadbent (p. 9586), Mr. Caccia (p. 9644), and Mr. Allmand (p. 9644).

The Acting Speaker (Mr. Paproski): The Hon. Member for Hamilton East (Ms. Copps) I believe had a question for the Hon. Member for Vancouver East (Ms. Mitchell).

Ms. Copps: Mr. Speaker, given that the NDP has been quite critical in the past of the divisions and different positions in the Liberal caucus with respect to Meech Lake, I would like to ask the Hon. Member how her leader can justify what he calls an exemption, or dispensation, for one Member to vote against the Meech Lake Accord.

Ms. Mitchell: Mr. Speaker, I understand why these questions are being asked, of course. But as far as the Hon. Member for Yukon (Ms. McLaughlin) is concerned I think it is important, as surely the Hon. Member realizes, that the Yukon had no voice at all at the constitutional table. The people of the Yukon had no vote of any kind on the matter. The only vote to express their deep concern about being excluded from deliberations concerning the amending formula, which could perhaps preclude them from becoming a province unless the agreement of all 10 provinces is received, is the vote of the Hon. Member for Yukon. Therefore we feel very strongly that that is a view that should be heard in the House. That is why we support the Hon. Member in expressing her view.

Ms. Copps: Mr. Speaker, as far as I am concerned the explanations of the New Democratic Party are at the height of hypocrisy. It is all right for the Hon. Member for Yukon (Ms. McLaughlin) to run an election saying that she will fight the Meech Lake Accord when every other single member of her caucus is forced to vote for it for fear of sanctions by their leader. I would like an explanation as to how members of the New Democratic Party can be so hypocritical.

Ms. Jewett: Don't be so silly! Don't even bother answering that question.

The Acting Speaker (Mr. Paproski): If there are no further questions or comments, resuming debate with the Hon. Member for Hamilton East.

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the Hon. Member from Vancouver characterizes me as childish. There is one thing I can say. It is that within the Liberal Party, unlike the jackboot treatment of the NDP, we permit our members and our leaders to express a number of views without necessarily squashing them by stripping them of caucus responsibilities, et cetera.

Frankly, I found it rather astonishing to hear the Leader of the New Democratic Party say that he was issuing a special dispensation to the Hon. Member for Yukon (Ms. McLaughlin) so that she could vote against the Meech Lake Accord when everyone else in his Party is being forced to toe the Party line for fear of being stripped of their responsibilities. Indeed, it has been a difficult struggle for us in the Liberal Party in terms of issues and positions. I know the NDP has been very vociferous in pointing out the divisions that exist in our Party. Those divisions do exist. I think the speeches that have been made in the House are testimony to that.

I believe that there are divisions internally in the Conservative Party, as there are in the New Democratic Party, which have been characterized in recent days by statements by various NDP Members that they will vote against the Accord. I cannot imagine how the Leader of the NDP (Mr. Broadbent) could go across the country and say that he supports the Accord in every single province and the territories, except the Yukon, when he will allow one of his Members to take a postion different from the position of his Party simply to win an election. Either he believes in it or he does not believe in it. Either the Party believes in it or it does not believe in it.

If it is the position of the leader that he is in favour of Meech Lake, then how can he say in the context of the House of Commons that one single Member will have a dispensation? Is a new Member of Parliament in a better position to represent her constituents than is a Member who has been around for a while? Should we start discriminating just because someone happens to win an election?

It was unfathomable to me that the Leader of the NDP would make that type of statement when he knew full well that the intention of the Hon. Member for Yukon was simply to get elected. If she is going to come here and vote against the Meech Lake Accord singly and solely, it is obvious that the Accord will pass. I think it would have been far more honest of the Leader of the New Democratic Party to say, as has the Leader of the Liberal Party (Mr. Turner), that there are divisions in the NDP caucus, divisions based on regional concerns and of ethnicity and based on other concerns as opposed to the approach which he has taken. He has stated, instead, that he will offer dispensation similar, presumably, to what comes from the Pope in Rome. The Leader of the New Democratic Party will offer dispensation to a single Member and everyone else is supposed to fall in line. I think it is about time that the people of Canada started to recognize that.

I have heard, for example, the Hon. Member for Vancouver East (Ms. Mitchell) make a very strong speech today in favour of the inclusion of women.

• (1720)

I know that the NDP will be sending out speeches across the country talking about all the wonderful things it will do to have women included in the Constitution. However, it seems to me that at least in the Liberal Party—and it has been a very tough time for us this last number of weeks—our leader is prepared to say that there is a variance of view, that there is a divergence of view, and that in the context of our Party and our caucus we will allow a full debate of all issues surrounding Meech Lake.

For me as a Liberal and as a Canadian it has been a very difficult experience to explore the number of issues surrounding Meech Lake. I think in particular of the exclusion of our aboriginal peoples. I think in particular of the concerns relating to provincial spending powers and how they might be applied on a national basis. I think in particular of the concerns expressed in my community about the possibility that we are relegating our multicultural groups to a second-class status.

However, I also think that in the context of the Meech Lake Accord the overriding belief of Canadians that when the Government of Quebec and the people of Quebec, in particular, said "Yes" to Canada, they said it because they believed that they were on the start of a new road to federalism. They said "Yes" because they thought they would see a follow-up from the referendum which would include a recognition of the distinct society in the Province of Quebec.

I believe on balance that Meech Lake has actually achieved the objective of the recognition of Quebec as a distinct society, and I embrace that particular recognition. As a Canadian and as a Liberal I am not afraid of the distinct society clause.

I think one of the joys of our country is that we have been able to embrace our differences and to celebrate our differences. We have been able, in the course of our history, to embrace multicultural groups, to embrace francophones and anglophones, and to bring people together.

[*Translation*]

Mr. Speaker, I had the opportunity to work in the Province of Quebec more than 12 years ago. That was the time when the Parti Québécois was in opposition against the Liberals, a time when the people of Quebec were experiencing what was called the "quiet revolution". And I could see for myself that my Quebec friends, men and women alike, did live in a distinct society which had evolved over a few centuries, a society which was still in evolution despite certain religious standards, despite the legislative standards of the Canadian government, or despite the standards of religious groups in the Province of Quebec. Things have changed since the time when the first francophones came to settle in Canada. And to me it is important, as a country—

I can still vividly remember the night of the referendum when everybody—even in the riding of Hamilton East where there are not many francophones—was watching television, waiting—I was not feeling very well myself as I waited for the referendum results. At that time I was extremely pleased when Quebec, with its distinct society and its distinct character, with its history and its French culture, chose Canada. I was very glad as a Canadian.

But unfortunately, at the time I think a good many anglophones thought: Well, fine, that is the end of the *francophonie* chapter. Now we can deal with other problems. That is exactly what happened when Quebec refused to sign the Constitution.

Canada was not Canada without Quebec in the Constitution. And I think that the Meech Lake or Langevin Accord, with all the amendments made to try and accomodate changes in financing, jurisdictional issues and what not, means that Canada, for the first time, says yes to Quebecers.

Mr. Speaker, if Canadians are open-minded enough to be able to say yes to the distinct society in Quebec and do it wholeheartedly, I think this Government should be just as open-minded for our native people and for Canadian women who are concerned because, according to certain legal opinions, this Accord may affect their equality rights.

If, as a member of this House, I try and have an open mind and be receptive to this notion of distinct society in Quebec, I suggest that we should have this same attitude toward minority groups in other provinces.

The majority in Quebec managed to survive for 200 or 300 years despite the invasion of foreign media, and of English or American radio and television. You did survive. All we are asking for is that the same opportunity be given to minorities outside Quebec. Unfortunately, if the Liberal amendments are not accepted, especially those concerning the promotion of cultures, and the promotion of minorities outside Quebec . . . You all know that the 10 Premiers, and I know some of them, were willing to recognize the distinctiveness of Quebec and the rights of minorities in Quebec. But they were not all willing to accept the same rights for the minorities outside Quebec.

It is for that reason that no consensus could be found regarding promotion of culture for the minorities outside Quebec. It is sad to see that, as a Parliament, we are willing, even glad, to accept the distinct character of Quebec, but opposed to protection of minority rights in other provinces. Why is it so? Even the Government of Quebec and Mr. Bourassa, I believe, think that accepting amendments would somehow contribute to a reduction of rights. I believe, and that

is the way I tried to live my life, that respecting and even promoting the differences between people in no way reduces our own rights. We are not a society like the American one, where everybody should be the same, should drive a car and keep up with the Jones. We are not like that. After the battle of the Plains of Abraham the decision of our soldiers to let the vanquished practise their religion and use their language started a new society. That is in fact the way the distinct society started. After that, we constantly had forces in our country who wished to make French disappear.

I know that even in Hamilton changes over the last 10 years have been tremendous. We can see students lining up till midnight to register their children in schools where they will be able to learn French, a fact which attests to extraordinary changes over the last 10 of 15 years. So I think the people and the mentality have changed, there is greater openness, less fear, due to the fact that anglophones and francophones better understand and know one another, whether that is on account of the quiet revolution or the referendum that forced us in the anglophone community to face a new reality in Quebec. All we in the Liberal Party ask for is that Members of Parliament be prepared not only to ally the fears in Quebec as far as the francophone community is concerned, but similarly outside Quebec. I know the Government will echo the words of its legal advisors and say: "We will look after the aboriginal people at the next conference; as to women, do not worry, there is no problem. There is no problem either with multiculturalism, because we will make appointments to some commissions or other." Unfortunately, to bring Quebec back as an equal partner, we have no choice. We must accept the Meech-Langevin Accord, pass it. At the same time, I think that we missed what could have been a real challenge for the Canadian Parliament because we could not widen our spectrum enough to be able to consider the first inhabitants of our country, our native people. We are not ready to consider the concern of women who really had to fight hard when the Constitution was written to get an equality rights clause that some premiers rejected. We know who they are, and at least one of them was trounced out of power because of his decision to drop the equality rights for women.

We proposed some amendments, on Senate reform for example. It is ironic, Mr. Speaker, because the Prime Minister frequently tells us in this House that the Senate is only a bunch of Liberal bagmen he would rather do away with. Now, the Liberal Party proposed an amendment which says that in the future the Senate will be elected, and that has been our policy since the last Liberal Party Congress in November, 1986. We should also note that it is supposed to be the policy of several Conservative Premiers, in particular the one from Alberta. We now have the opportunity, through some amendments, to start with an elected Senate: Why not agree to that change since the present Senate has often driven Conservative Members and even the Prime Minister himself to talk about its abolition. Unfortunately, because of the decision to reject any kind of amendment, "possibly" because some Premiers might not accept them, the Parliament and the Prime Minister leave us with an agreement which is an improvement over what we presently have, but which is not what we could have had in the circumstances. Even if I admit that some Premiers might "possibly" say that we cannot touch what has been agreed upon, the notwithstanding clause for example, there is nothing in our amendments which would prejudice the rights contained in our Charter. That isn't so hard. Everybody here believes in the Constitution and the Charter of Rights and Freedoms. So why not accept an amendment that guarantees, once and for all, that any changes arising from the distinct society concept will not derogate from any of the rights guaranteed by the Charter of Rights and Freedoms? That isn't so difficult.

Unfortunately, the Government did not have the courage to proceed with such amendments, fearing they would be rejected by the provincial Premiers. Mr. Speaker, I think that is why many Members in the Conservative Party have trouble supporting the Accord in its present form, and not because they are against the distinct society concept. In fact, they embrace that concept as I do, as a Canadian. I realize it is an essential point and that whether or not we put it in the Constitution, the fact is there. It is a point that cannot be denied by anyone. However, since the Government has rejected native demands, has refused to consider women's concerns, and will not consider changes to protect the very essence of the Charter of Rights and Freedoms, some of us on this side will not vote for the Langevin Accord in its present form. I intend to support the Accord. But in doing so, I make the same mental reservation made by Quebecers who voted for Canada in the referendum. They voted for Canada, that is to say, they said no to sovereignty-association. They said yes to Canada. They said yes "maybe" with some apprehension about what the future would bring, hoping that further measures would be passed by Parliament and the legislatures to protect their distinct society. And if that is done, I hope that all Governments in Canada will understand that to develop and create a society with no fear, we have to enjoy the differences between our multicultural groups, the differences between the sexes, the differences with the first Canadian community, the native people, and that the Government will consider the Langevin Accord whether it is accepted or not as the first step in the right direction. We feel it is not enough to create a Canada where everyone can live knowing that our differences and our common bond are acknowledged. With the Langevin Accord, the Canadian link is a fact but I think that to continue to celebrate our differences, whether we are a minority in Quebec, or a majority outside Quebec, or a majority in Quebec, many more amendments as suggested by our Party should be approved. I should like Messrs. Mulroney, Bourassa and other Premiers who have promised to amend the Constitution to try to attain the purpose put forward by the Liberal Party.

• (1730)

[*English*]

The Acting Speaker (Mr. Paproski): I regret that I have to tell the Hon. Member that her time has expired. Debate. The Hon. Member for Algoma (Mr. Foster)

Mr. Maurice Foster (Algoma): Mr. Speaker, I am glad to have a chance to say a few words on the resolution before the House today concerning the Meech Lake Accord. This issue has been with us for many months now but this debate will be winding up in a few more days.

It seems to me that this is an important and historic debate for the House. Some of us had a chance to be here for the debate back in the early 1980s when we made the historic amendments to the Constitution which patriated the Constitution and installed a Charter of Rights in the it. Those were very historic days. It was a time which a country like Canada could only go through once.

• (1740)

British parliamentary law does not provide for a Charter of Rights and Freedoms. Many of the countries which have adopted the British Commonwealth, Westminster system of government have adopted a Charter of Rights, and it certainly was an historical occasion when we in Canada adopted one.

The Meech Lake Accord builds on that achievement. It provides for the Province of Quebec to join the Constitution. Of course, as long as Quebec is left out of the Constitution, it is not whole. Quebec represents some 28 per cent to 30 per cent of the population of Canada. It has a special position in our country because of its language, its culture and its different laws which were put in place in 1867.

This debate is an important one. It flows from those conditions Premier Bourassa set down in 1986 for Quebec's joining the Constitution. Of course, a great deal of work was done on those conditions in 1986 by members of our Party, by government Members and by Premier Bourassa. There were negotiations across the country.

Premier Bourassa's conditions included the recognition of the distinctive character of Quebec. He wanted to see some input from the provinces in the appointment of Supreme Court judges. That is perhaps to be understood because the Supreme Court governs both provincial and federal law in Canada. Premier Bourassa wanted to see the Cullen-Couture agreement on immigration put into the Constitution and he wanted to retain the traditional veto which Quebec had had up until the 1982 constitutional amendments. As well, he wanted to see some limitation on the spending power in areas of provincial jurisdiction.

The Meech Lake Accord meets most of those requirements. There has been a great deal of debate over whether Quebec should be described as having a distinctive character or as being a distinctive society. What concerns many Canadians is that the Meech Lake Accord as it was presented to Parliament seemed to go way beyond those five provisions which Premier Bourassa had suggested. It seems to deal with areas relating to the Senate and it constitutionalizes the federal-provincial First Ministers' Meetings.

Those of us who have been around here for some time would eventually like to see an elected Senate which represents in a more democratic way the regions. The constitutionalization of federal-provincial conferences seems to make the Premiers the representatives of the regions forever and a day.

There are those in this House, certainly including members of the NDP and perhaps others, who want to see the Senate done away with. I personally do not think that that will ever happen. I do not think it can be done without the consent of the provincial Governments. Clearly the provincial Governments in the Maritimes and in the west are opposed to that. Therefore, I do not understand why the federal-provincial First Ministers' Meetings were constitutionalized. That has been done and, of course, how much they are used depends on the Prime Minister of the day.

There was a great deal of concern over the extension of the veto to the amendment of the Senate. Many provinces do not want to see an elected Senate. It is hard to imagine that we will see total unanimity for an elected Senate in Canada. The extension of the veto power on that issue is especially unfortunate at this time because of the tremendous drive that exists in western Canada for an elected Senate.

Certainly the meetings I have attended in Saskatchewan and Alberta have indicated to me that there is a strong desire there for an elected Senate and our Party, at its policy conference last November, passed a resolution calling for the establishment of an elected Senate. It is part of our Party's policy and we will certainly work toward that.

The rigidity which has been introduced by the Meech Lake Accord with regard to the establishment of new provinces or the extension of existing provinces to the territories was in my view an unnecessary clause. Of course, that has been emphasized by northern Members who are all opposing the Accord because of that unanimity provision.

I think there is always a danger in a federal-provincial meeting of this type which brought in the Meech Lake Accord. There are 10 Premiers, and everything else being equal, they would all just as soon have more power. It is really up to the federal Government to defend federal powers. In this case, it seems that so many things beyond the original conditions of Premier Bourassa have been given away by the federal Government. It is not clear to me exactly why so much was given away.

The Premiers will now nominate people for appointment to the Senate. Although I think many provincial Premiers are just as capable of nominating representatives to the Senate as anyone else, their view tends to be more the provincial view. I personally feel it is better that appointments come from the

federal level where there is a national point of view. That is why our Party has put forward an amendment suggesting that on an interim basis until we have a fully elected Senate, we elect new Senators rather than have them nominated by the provincial Governments which tend to nominate people who have provincial points of view rather than the national point of view.

• (1750)

As I said, the Accord goes far beyond the original request of Premier Bourassa. The over-all tendency is toward the decentralization of power. Important changes were made at the second meeting of the First Ministers in that there would be no change in the federal and provincial powers under Section 91 and Section 92 of the Constitution Act. That tends to ensure that the power of those two levels of Government is not changed by the Accord, but the over-all tendency is toward greater decentralization and a greater rigidity in the Constitution. That is why we have moved our amendments.

For example, instead of the unanimity clause we would have the requirement of seven provinces representing 50 per cent of the population for the establishment of new provinces or changes to the Senate.

The other amendment which I feel is quite important is the provision of a national standard for federal spending in areas of provincial jurisdiction. We probably will not have many more new social programs such as the Canada Pension Plan or medicare or the Canada Assistance Program, but who knows. At some time in the future we may have a guaranteed income program. We may have agricultural programs which will meet the new standards of the OECD.

Where provinces opt out of national programs, the Liberal Party believes that not only should that province establish a compatible program, but one with a minimum standard equivalent to that provided by the federal Government. Certainly in the Langevin discussions there seemed to be a provision that those standards would be national standards, but for greater certainty we would like to see the amendment we have put forward adopted by the House.

That brings up the whole question of amendments. Clearly, this is an extremely undemocratic procedure that we are going through. There have been two all-night meetings where the Premiers were locked up with the Prime Minister (Mr. Mulroney) and a deal was hammered out. That deal was brought to the floor of this House with the Government saying we will have discussions and public hearings but we will not accept amendments. I hope we never have that kind of a constitutional amendment again. It is simply not in keeping with the way you govern a democratic country like ours. It is an extremely backward step. That is why we put forward our amendments. We know the Government will vote them down but that is not the last word. There are provincial Governments which will deal with this, I believe in a more democratic fashion. If they adopt some of the amendments we are putting forward, which we believe are more democratic, less rigid and more desirable, we would welcome it back to this House. In any event, I certainly hope that when constitutional amendments are next adopted it is done on a more democratic basis.

The fact that the Government has not provided constitutional amendments to deal with aboriginal problems is a gross blunder and great disappointment. Not only the native people but the people of the North are severely grieved by this document. Our amendments provide greater certainty that the rights of native people and women will not be overridden by this Accord. We would also like to see an amendment relating to the multicultural nature of our country. I do not for the life of me know why the Government has not adopted that amendment. I hope one of the provincial Governments will, so that the multicultural nature, which you, Mr. Speaker, and so many others represent in this House, will be fully recognized in the Constitution.

Despite all the problems I have outlined with this Accord, we still come down to the basic question of whether we want to adopt it now or wait for another day to see Quebec in the Constitution. My belief is that with all the difficulties, and I hope some of them will be corrected, if not by this Government then by one of the provincial Governments, it is important that this matter be dealt with now. We have a federalist Liberal Premier in Quebec with a Party in a strong position to work out a deal. It is not the deal we want but it will bring Quebec into the Constitution. It means we can go forward as a nation. Therefore I hope the Accord will be adopted, in amended form if possible. However, we should not miss this opportunity to make Canada whole by seeing Quebec become a part of the Constitution.

Mr. Prud'homme: On a point of order, Mr. Speaker. I would like to co-operate with the Chair as usual. It is six o'clock and I just want to make sure that we all understand the point made by the Government House Leader and that the next discussion of Meech Lake will be on Monday, unless of course unpredictable circumstances arise.

• (1800)

I would like to make it clear on the record that that will be the case unless an unpredictable event takes place. I just want to make sure that we will still have the floor for the 10-minute question and comment period.

The Acting Speaker (Mr. Paproski): The next time the Bill is called there will be a 10-minute period for questions and comments.

With regard to the ruling of the House, the Government can give notice at any time.

Mr. Prud'homme: I rise on the same point of order, Mr. Speaker. It is very important. I know that many Members would like to participate in the debate. We take the House Leader's word that the earliest time will be October 19.

[*Translation*]

The Acting Speaker (Mr. Paproski): There is no problem.

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, is the House not sitting until 6.06 p.m. tonight?

Mr. Prud'homme: No, that was yesterday.

[*English*]

The Acting Speaker (Mr. Paproski): The House is sitting until six o'clock and it is six o'clock right now.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

AIR TRANSPORT—PROPOSED TRANSPORTATION OF PLUTONIUM THROUGH CANADIAN AIRSPACE/TERRITORIAL SOVEREIGNTY

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, on August 21 I asked the Government what it was doing to ensure that reprocessed plutonium would not be flown from Japan to France across Canada's north. I was told to be reassured that the Government would be acting in the best interests of Canadians. I and many other Canadians do not find that reassuring as we watch what the Government is currently doing in some of our other best interests.

I would like to point out that I was not the first to raise this question. On March 24, March 31, August 11, August 13, August 17 and August 28 Hon. Members asked the Government for some answers and received such reassurances as "well, no one has asked us formally and when they do we will respond", "we'll do the right thing", and the most insightful answer from the Minister of Transport (Mr. Crosbie), "relax".

I hope that you, Mr. Speaker, and other Canadians will feel relaxed knowing that, first, according to current information, the plutonium will be in such a fine particle state that one speck inhaled will be carcinogenic. Two, the composition of the particles is such that they would be suspended in the air if they were released. Therefore, in the event of a crash or mid-air explosion it would be absolutely impossible to clean up.

Three, standards for casks capable of withstanding either a mid-air explosion or a crash which are currently set by international standards are set on the basis of impact at 30 miles per hour. I do not think the planes will be flying over Canada at 30 miles an hour.

Five, the plutonium which will be transported will be of such a toxicity that its toxicity will be increased by 60 per cent over several decades. There will be a legacy for our children and our children's children should there be a spill.

Six, the agreement proposed between the U.S. and Japan is for 30 years. The U.S. Nuclear Energy Institute states that it will take one flight every two weeks over a period of 10 years in order to transport this plutonium to Japan from France. On each flight there will be enough plutonium to make 15 to 20 bombs, each the size of the Nagasaki bomb. It is important to note that the plutonium is in such a chemical state that any high school student could easily and readily make a bomb.

• (1805)

Now that you are relaxed after having heard these facts, Mr. Speaker, let me tell you about some people who are not relaxed. Certainly John Polanyi, Nobel prize winner, has expressed his concerns. He said that should there be a spill, the environmental hazards both to persons and the environment will last for thousands of years.

The State of Alaska is also concerned. It is currently suing the United States federal Government over the issue and is calling for a full environmental assessment review.

In addition to those concerns, there have been articles in newspapers throughout the country, including the Vancouver *Sun*, *La Presse*, *Le Devoir*, *The Globe and Mail*, the Winnipeg *Free Press* and the *Windsor Free Press*. Editorials throughout the country have stated that the Government should have dealt with the issue since it was first raised in March.

I want to summarize the three areas of concern. The first is the obvious environmental hazard in the event of a crash or mid-air collision. Second, should we allow these flights when there is a potential contribution to nuclear proliferation in the event of a hijacking. The third issue is sovereignty. Will the Government simply accept this proposal without the appropriate early intervention? Will the Government allow the United States to fly over northern Canada, which, incidentally, has been suggested as a route because it is uninhabited? That will be a big surprise to the people who live there. There is an alternate route across New York and Washington, D.C., but that does not appear to be a route being contemplated.

Other Members of the House have tried to bring these concerns to the Government, but without satisfaction. Daily I receive letters about this issue from my constituents and residents of the Northwest Territories, Ontario and other provinces.

Will the Government finally take some action and state an unequivocal no to this suicidal scheme? Will it take action now before the President and Congress ratify this agreement? Will it undertake the common sense solution and propose that Japan build its own reprocessing facilities?

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, in response to the Hon. Member for Yukon (Ms. McLaughlin), I can only reiterate assurances already provided by the Minister of Transport (Mr. Crosbie) and the Secretary of State for External Affairs (Mr. Clark) on numerous occasions in the House.

First and foremost, I would emphasize that while a draft agreement has been negotiated between the United States and Japan, it has not yet been signed. No decisions on the potential routing of these shipments have been made at this time. Indeed, it may all be hypothetical as other routes are certainly possible.

If and when an agreement is signed, however, I again remind Hon. Members that the movement of all dangerous goods by air is subject to both an international convention and domestic legislation.

In the international arena, Canada is a signatory nation of the International Civil Aviation Organization and as such has a number of options available. We can request that pre-notification be given and that approval be received prior to any overflight being undertaken. In this case we would insist that the most stringent requirements for safe packaging be met as well as all safety and inspection requirements. As well, we can deny any overflight by filing a state variance with the International Civil Aviation Organization based on Canada's concern with any inadequate safety measures of such flights.

This Government has made representation to the United States Government in May and August of 1986 and again in April of this year, expressing our deep concerns in this matter. We have also spoken to Japan about the same concern.

This Government is monitoring the situation very closely. The permission of the Canadian Government would be required on a case-by-case basis before any such overflights could take place. I can assure Hon. Members that no such overflights would be carried out without our express approval. Canadian safety standards are among the highest in the world and any proposal would be fully scrutinized to ensure that these high standards are fully complied with, particularly in the area of safe packaging. Any decision taken by this Government would make the safety of Canada and Canadians the most important consideration.

• (1810)

[*Translation*]

CANADA POST CORPORATION—REQUEST FOR REINSTATEMENT OF CERTAIN POSTAL SERVICES—PROVISION OF SERVICE—GOVERNMENT POSITION

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): On May 21, 1987, Mr. Speaker, I directed the following question to the Minister responsible for Canada Post: Why is he doing everything he can to stop the postal service?

When the Canada Post Corporation was created by Parliament in 1981, Mr. Speaker, its mandate included the following: Firstly, to improve the postal service; secondly, to improve its industrial relations; and thirdly, to reduce its deficit.

Since then it has lived up to its mandate. It has substantially reduced its deficit. It was improving relations with its employees to the point that we had had no strike since 1981; the first one occurred in May 1987, and now, three months later, we are faced with a second strike. Mr. Speaker, even if Canada Post had been slower to improve its service, slower than with the other two parts of its mandate, it did improve its service.

We should not forget that we had been faced with nearly 20 years of conflicts at the time the Corporation was a department. We could not expect some 20 years of conflicts to be forgotten overnight. It will take a number of years. Therefore, we were making progress.

But in February, 1986, Mr. Speaker, the Minister of Finance clearly indicated in his Budget that effective March 31, 1988, Canada Post would have to become self-financed, meaning that it would have to operate at a profit, for the Federal Government would no longer soak up its deficit.

That is when our problems started, Mr. Speaker, for Canada Post turned around and said: Well, we are going to fulfil our mandate, present a corporate plan which the Government will accept and we are going to balance our books. And that is what happened, Mr. Speaker. This corporate plan provides for two systems of postal delivery in this country: one is home delivery of mail, which had been the general custom in Canada until then, and the other is delivery of mail to superboxes.

Since that plan was tabled, I can assure you that many communities have had neither door-to-door delivery nor temporary green boxes or superboxes, and many thousands of Canadians have to get their mail once a week, because they are away at work and cannot always drop in at the post office.

The current situation is unacceptable, Mr. Speaker. Now, after all those fights, those negotiations, the Government stands behind Canada Post—the Government gave that mandate to balance the books by March 31, 1988—and labour relations have been deteriorating. When Canada Post was established, we even appointed labour representatives to the Board of Directors of Canada Post in order to create a link, a work relation, in order that they might themselves take part in the management of the corporation and become aware of the difficulties—to create a climate of understanding.

However, Mr. Speaker, in-fighting has set-in. The Government has replaced those people. The situation now is that the Government has hired strike-breakers during the strike last May.

In 1987, a government that allows its own corporations . . . We are the shareholders of that corporation, Mr. Speaker. The Government as shareholder allows Canada Post to hire strike-breakers, to provoke violence in the workplace, and last May after many requests to appoint a mediator immediately, to solve that problem, the Government took 10 days, then the mediator needed only two days to solve the problem. This time, Mr. Speaker, we are not solving the problem. The strike has been on for a week, but the Government does not want to appoint a mediator. And now back-to-work legislation has

been introduced—so much for our collective agreement settlement procedure.

You are signaling that my time has expired. I should like to conclude by reading two paragraphs of the October 2, Halifax *Chronicle-Herald* editorial.

• (1815)

[*English*]

Privatization has brought us to the current strike situation. Neither side is yet prepared to back away from their fixed positions. That is understandable in the sense that what is at issue is the future capability of the Canadian postal system.

We doubt that either a national strike or back-to-work legislation will help much to attain that goal. It might be more helpful, however, if the post office Act is amended to more fully define the nature of the postal service and to blend the many views of what such service is and how it is to be provided.

[*Translation*]

Mr. Speaker, time has come for a new debate so we might at last define what kind of postal service we want to offer Canadians.

[*English*]

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the Post Office in Canada has a long and proud history. Canadians were proud to receive mail from Canada Post in its former shape. As well, people were proud to work for Canada Post. However, in recent years there is no doubt that they came upon hard times and problems. As times changed, as management changed, and as unions changed, it led to problems.

A particular problem was that past Governments interfered in the operation of the Post Office. The result was that management could not manage and unions could not work for the workers. We faced the situation of unions actually trying to manage the Post Office. That just cannot work. Managers must manage.

Parliament tried a number of experiments to see what would work. The most recent one when the Hon. Member's Party was in Government was to create a separate Crown corporation. That has worked. Now, under the new President, Mr. Donald Lander, there is a postal corporate plan. I have looked at the plan and I have gone to briefings on it until I have been blue in the face. The plan is clear. Management changes have been made, because not all the faults were union faults. Working place changes have been made. It has clear goals in respect of service and independent auditing and checking of those goals.

I have absolutely no doubt that there is better postal service today than there was six months ago, 12 months ago, or 18 months ago. If we stick with the plan and let management manage and unions do what they are supposed to do in terms of their job, I can tell the Hon. Member opposite that we will be very proud of the result. I have no doubt that within a year or so Canadians can be once again proud of the Post Office, and people who work for the Post Office can be proud to say that they work for Canada Post.

[*Translation*]

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.19 p.m.

HOUSE OF COMMONS

Friday, October 9, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

Hon. Pierre H. Cadieux (Minister of Labour) moved that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and be referred to a legislative committee.

Mr. Lewis: Mr. Speaker, I rise on a point of order. There have been discussions at the staff level. I would like to inquire of the opposition Parties, for the record, whether or not it would be possible to complete all stages of this important Bill to provide for the resumption and continuation of postal services today. Government Members are prepared to stay as late as necessary to complete this matter despite the fact that this is Thanksgiving weekend and Members are wanting to return to their ridings.

We have arranged for the Senate to sit at two o'clock this afternoon in order that it can deal with the matter. We might possibly get Royal Assent if we have the co-operation of all Parties.

It is the Government's wish to resolve this matter so there can be as little inconvenience as possible to the public and that any further violence on the picket lines can be restricted.

I inquire once again of the opposition Parties whether it is possible to complete all stages of this Bill today.

Mr. Riis: Mr. Speaker, I appreciate the enquiry of the Minister of State (Mr. Lewis). In times past when there has clearly been an emergency before the country, when a very serious situation existed, we were quite prepared to co-operate and move a Bill through all stages, often in a single day. What is very clear is that this is not a national emergency. As a matter of fact, Mr. Speaker, when we look at the legislation presented, it is not only extremely flawed but it is provocative. We feel that the legislation, being so seriously flawed, must be improved. We have amendments we hope to make, and we think it is in the best interest of the country, since this is not an emergency, that we proceed in a thoughtful, positive way to ensure that if the legislation passes at some future date it be the best legislation in terms of it being fair and equitable, as opposed to it being provocative.

[*Translation*]

Mr. Guilbault (Saint-Jacques): Mr. Speaker, when the Government wants co-operation from the parties opposite, there is a recognized procedure to be followed that is the Government usually approaches the parties opposite before tabling a bill in the House of Commons and tries to have their co-operation. This was not done in this case, on the contrary, the Minister is rising and trying to negotiate on the floor of the House.

I admit that yesterday we were insulted when the bill was unexpectedly tabled in the House and the Minister who did it asked us from the floor of the House whether negotiations could be held among parties. This is not the usual procedure. I only want to add, Mr. Speaker, that this Bill will follow its normal course. There is no urgency. According to the Government, most of the mail is delivered throughout the country. I do not see why we would get around the normal rules of debate on that Bill.

This being so, the debate will open and will follow its normal course. Several of my colleagues intend to speak on the issue, because they are concerned about some clauses of this piece of legislation. There are several questions we want to ask the Government and if the answers are given clearly, quickly, and frankly, the Bill could be passed more expeditiously.

However for the time being, I cannot promise on behalf of my party to have that Bill go through all the stages today.

Mr. Cadieux: Mr. Speaker, of course I have no intention of debating the theory just expressed by my colleague because I think it is more important to debate the legislation. Still I would only point out that I was prepared to respond to those questions yesterday. I will be prepared to answer them today if necessary, or whenever they have to be answered, as I always do in similar cases.

As to the procedure, Mr. Speaker, there is no need to repeat that it is exactly the same we followed in the case of the railways.

• (1010)

[*English*]

Mr. Speaker, I wish to rise to speak on second reading of Bill C-86, the Postal Services Continuation Act, 1987. As the

title of the Bill suggests, its prime purpose is to order a resumption of full mail and other postal services across the country.

Hon. Members will be well aware that these services have been disrupted for the second time in less than four months as a result of a labour dispute and work stoppages. On this occasion the labour dispute involves the Canadian Union of Postal Workers representing some 23,000 inside postal workers employed by the Canada Post Corporation.

The spectre of a protracted and damaging test of economic strength between the corporation and the union is now self-evident. Unfortunately, these two combatants have the capacity to inflict more punishment on third parties than on each other. The Government is not prepared to stand idly by and permit a gradual deterioration of postal services through escalating rotating strikes.

Some Hon. Members: Hear, hear!

Mr. Cadieux: Members of the House are fully aware of the inherent dangers and the potential for violence in the type of contest in which these two parties are engaged. Our industrial relations system certainly permits a test of economic strength between disputant unions and corporations.

[*Translation*]

However, Mr. Speaker, when there is a situation, such as we have here, with a potential for disorder on a national scale, government must become the defender of the public interest and know when to say enough is enough. This is particularly true when there is no hope for a settlement through the collective bargaining process.

Mr. Speaker, in the absence of any expectation for an early negotiated settlement, we are therefore acting decisively to terminate what commissioner Foisy apprehensively predicted as the "battle of the titans".

The bill before the House provides for the termination of all work stoppages and established procedures for the settlement of the labour dispute.

[*English*]

Before dealing in greater detail with the provisions of the Bill, I want to address certain considerations. In this context, I am conscious of the fact that I rose in this House just over a month ago in late August to introduce a similar Bill dealing on that occasion with a crippling national railway strike.

As I believe I indicated to Hon. Members during the debate on that Bill, I take no pleasure in introducing back-to-work legislation. Such legislation represents an abdication by the parties of their responsibility to resolve their own differences.

The Government's general policy is not to intervene in labour negotiations between the parties other than by the well tried and usually effective mechanisms of conciliation and mediation. We are proud of the record in federal jurisdiction where consistently in excess of 90 per cent of collective agreements are renewed without resort to work stoppages. However, the federal labour relations jurisdiction covered by Part V of the Code includes some vital and sensitive industries. Work stoppages in some of these industries are capable of inflicting greater damage more rapidly on innocent third parties than they inflict on either of the parties directly involved.

In these sensitive and vital industries, it is particularly incumbent on the parties that they meet their responsibilities to negotiate their own settlements. It may require considerable skill and flexibility to do so but they owe nothing less to the Canadians they serve.

It is this Government's preference by far not to intervene through special legislation in labour disputes. However, neither employers nor trade unions in the federal labour jurisdiction should be under an illusion as to our determination to act when private disputes are inflicting public damage.

One further word of caution is perhaps necessary. Federal jurisdiction employers and trade unions should not take this express willingness by the Government to act when circumstances so dictate as an invitation to shirk their respective responsibilities and to propel their labour disputes into Parliament. The parties should not seek to monopolize the valuable time of the House or try the patience of Parliament by confronting us with the need to settle one labour dispute after another. If there is any tendency or sign of a trend in this direction, the parties should be warned that they may provoke more far-reaching and unpalatable remedies than they had anticipated.

[*Translation*]

A second general consideration I would like to touch on, Mr. Speaker, concerns the evolution of the Canada Post Corporation. It is, I am sure, a subject that other Hon. Members will want to address and will no doubt do so at greater length. When the Canada Post Corporation Act was proclaimed in October, 1981, there was a general expectation that the transformation from a government department would give the new corporation the capacity to function in the marketplace in a way that was not previously possible.

Indeed, I believe that these sentiments echo or at least paraphrase the words expressed at the time by those reponsible for introducing the enabling legislation. When this government came into office, it was far from clear that any positive transformation had occurred. Service levels remained poor and deficits continued to bedevil the corporation.

[*English*]

What the Government did was to insist that the corporation improve its service standards and its financial performance. The message was clear. The umbilical cord was to be cut and the flow of general Government subsidies was to be halted. The corporation had to become viable and to act in very large measure as a commercial enterprise.

Naturally, the approach implied change and change implied, among other things, labour relation issues. It became the responsibility of corporation management and the unions representing its employees to address these issues. It seems in the present case that they have been unable to do so without confrontation and disruption of mail services. That situation is, to say the least, disappointing.

It may be a truism, but organizations that fail to change with the times are left behind the times. The transformation of the Canada Post Corporation into an efficient and viable enterprise calls for flexibility and a willingness to adapt on the the part of both management and labour. With such flexibility and readiness to attack—to adapt, the future of the corporation and its employees—

Mr. Cassidy: The attack syndrome.

Mr. Cadieux: I apologize for my English. At least I try.

Some Hon. Members: Hear, hear!

Mr. Cadieux: With such flexibility and readiness to adapt, the future of the corporation and its employees is best assured. Without these qualities, the future for both is bleak.

[*Translation*]

This brings me, Mr. Speaker, close to the cause of these present proceedings before the House, namely labour relations at the Canada Post Corporation. I could dig back over the past twenty years or more and recite the litany of labour disputes and major confrontations involving the former Post Office Department and now the Corporation. Instead, Mr. Speaker, I will limit myself to two or three more recent assessments of the state of the labour-management relationship.

The review committee on the mandate and productivity of the Canada Post Corporation, known as the Marchment Committee. Indicated that it had never seen labour relations as acrimonious as those that exist between the corporation and its unions.

Mr. Speaker, the committee further characterized the relationship as poisonous to the point of the potential destruction of the enterprise. More recently, Kenneth Swan, the conciliation commissioner in the dispute between the Corporation and the Letter Carriers' Union of Canada, found that the relationships of the representatives of the parties have deteriorated to the point where they are intensely personal and bitter. In the present dispute, conciliation commissioner Claude Foisy observed, at the outset of his report, that the relations between the parties were marked by a profound mutual distrust.

Mr. Speaker, this sorry story would be bad enough, if it only involved the parties themselves. Unfortunately, it does not. It also involves the effectiveness of a service on which Canadians sould be able to rely with greater assurance. That, Mr. Speaker is among the reasons that we find ourselves dealing with Bill C-86 in the House today.

• (1020)

[*English*]

Let me now turn to the specifics of the current dispute between the corporation and the Canadian Union of Postal Workers representing some 23,000 inside workers. The collective agreement between the parties expired just over a year ago, on September 30, 1986. A notice of dispute was received from the union on October 26, 1986, and I responded with the appointment of a staff conciliation officer on October 30. The conciliation officer, Mr. André Drouin, met with the parties on several occasions over the next three months or so. However, the parties were unable to reach agreement despite his assistance.

When the officer reported out of the case it was clear that virtually all key issues remained in dispute. In the circumstances I exercised the discretion granted to me under the Canada Labour Code to provide for a further and more formal level of conciliation. In this regard I appointed Claude H. Foisy, Q.C., of Mount-Royal, Quebec, as conciliation commissioner on February 23, 1987. Mr. Foisy is an experienced labour relations practitioner, a former vice-chairman of the Canada Labour Relations Board, and now a respected labour arbitrator and conciliator in private practice.

Mr. Foisy held a series of meetings with the parties over a period of some five months from early March to mid-August. I gather he was inundated with briefs and position papers. However, as indicated in his report, he found it difficult to engage the parties in a genuine dialogue on the major items in dispute. Eventually he concluded that settlement was not possible in negotiations under his auspices and he withdrew to write his report and recommendations.

I released Mr. Foisy's report to the parties on the morning of September 22, 1987, and released it publicly later the same day. The report is comprehensive if not exhaustive. Covering in excess of 80 pages it deals with the background to the dispute and focuses, at the parties' request, on the key issues in contention. The commissioner endeavoured to assess the competing demands and interests of the parties. He recognized, on the one hand, the legitimate requirements of the corporation to perform as a viable business, but never neglected the need to provide appropriate protection for the corporation's existing employees.

The objective of the report's contents was perhaps best illustrated by the initial reactions expressed by the parties. I understand the corporation's spokesman referred in radio news clips to "this balanced report". The union in its initial press statement indicated that:

> Commissioner Foisy made some recommendations that reflect our demands, some recommendations that reflect the employer's, some other that go half way for both and others which are not addressed.

Turning to Commissioner Foisy's recommendations, he classified them under four headings: job security, demands affecting operations, grievance and arbitration procedures, and health and safety. Under the job security heading the report

addresses the high profile franchising issue. The union demand in this area called for a modification of the existing contracting-out provision of the collective agreement so as to prevent the loss of bargaining unit work through the awarding of franchises and the opening of new sub post offices.

Over all, the commissioner's report recognizes the legitimate interests of the union in wanting to negotiate the maintenance of desirable counter jobs but also recognizes the corporation's legitimate interest in wanting to deal with the private sector. In the circumstances, there is no recommendation in favour of modifying the present contracting-out provision. What the report recommends instead is special and comprehensive employment protection and financial compensation for the life of the agreement for members of the bargaining unit who currently work at post office counters.

[*Translation*]

I have raised this matter, Mr. Speaker, because I believe that the commissioner's examination of the job security issue, as it relates to franchising and private sector sub-post offices, illustrates two important points.

First, I believe that it shows the efforts which have been made to reconcile the competing demands of the parties. Secondly, the recommendation shows that the need to adapt to change does not have to be accomplished at the expense of existing employees.

The same elements are found elsewhere in the report. For example, in the area of part-time work, the corporation would be accorded greater flexibility to use part-timers in meeting its service targets. However, the current ceiling on the part-time employment complement would be maintained.

[*English*]

Following release of the conciliation commissioner's report, the parties had before them a reasoned and reasonable document which should have served as a basis for negotiations towards settlement. Instead, the negotiations deteriorated. Consequently, on September 29, I asked my Associate Deputy Minister, Bill Kelly, to meet with the parties to assess what progress had been made since the release of Commissioner Foisy's report, how far the parties were apart, their willingness to compromise, and whether in his view this dispute could be resolved through the collective bargaining process short of a protracted strike with all its inherent dangers.

Mr. Kelly advised me that the parties had made no progress on the major issues in this dispute since the release of the conciliation commissioner's report on September 22, 1987. He also provided me with his judgment, resulting from private discussions with both sides, that this dispute could not be resolved through the collective bargaining process short of a lengthy test of economic strength. I have complete confidence in Mr. Kelly's judgment in such matters and I am sure Hon. Members share my opinion of his abilities. He has demonstrated the capacity to get to the root of issues and find avenues for settlement which others thought did not exist. While I found no consolation in the assessment Mr. Kelly gave me, I had no doubt as to its accuracy.

[*Translation*]

Mr. Speaker, I publicly urged the parties to return to the bargaining table. However, in the light of the assessment I had received, I also gave them notice that the government would not tolerate a protracted and disruptive work stoppage at Canada Post. I had hoped, Mr. Speaker, that the warning would stimulate serious efforts at settlement.

Instead, what appears to have been a somewhat desultory meeting, on lesser issues, took place last Sunday. Then, on Monday, when it was fully expected that more intensive negotiations would commence, the parties could only manage a brief two hour session. They emerged from this meeting indicating how far they were apart and emphasizing how entrenched they were on key issues.

At that point, Mr. Speaker, I gave the parties formal notice that the break off of negotiations last monday, after a mere two hours, was unacceptable to the canadian public. In a telegram to both sides, I warned them that, if they were incapable of resolving the dispute, through collective bargaining, the government would lift the responsibility from their shoulders.

In my telegram, Mr. Speaker, I also indicated my intention to give notice in the House of Commons which would enable the government to introduce legislation to resolve the dispute.

I effectively challenged the parties to remove the need for legislation by showing the will and the capacity to achieve a resolution through collective bargaining. Mr. Speaker, they did not rise to the challenge.

• (1030)

[*English*]

With no settlement in sight and with Canadians faced with the disruption of mail services for the second time within four months, the Government decided to act. We have tabled legislation which, as I shall explain shortly, offers the parties the opportunity to settle their differences in mediation, but not while they hold up the Canadian public for ransom.

Some Hon. Members: Hear, hear!

Mr. Cadieux: In tabling this legislation our message is very clear. The Government will not allow the mail to be disrupted again this year. It will not stand by while the adverse impact builds just because the Canada Post Corporation and the Canadian Union of Postal Workers cannot settle their dispute without inflicting damage on the Canadian public.

I turn now to the provisions of the Bill before the House. In the first instance, and as a first priority, the Bill provides for the immediate termination of the work stoppages and the resumption of postal services. The Bill also provides for the extension of the collective agreement for a period to be determined through arbitration, if necessary, of not less than

two and not more than three years. Additionally, the Bill provides for the settlement of the issues in dispute through the appointment of a mediator-arbitrator.

[*Translation*]

I have already dealt with the rationale for terminating the work stoppage and ordering a resumption of full postal operations. The Canadian economy cannot be subjected to a second postal work stoppage within four months from the previous strike. What I want to emphasize most at this point, Mr. Speaker, is the importance I attach to the provision which the bill makes for the appointment of a mediator-arbitrator.

The parties in this dispute are no strangers to protracted negotiations and work stoppages. In 1981, Mr. Speaker, Canadians were subjected to a lengthy strike of inside postal workers and were without mail for six weeks. Canadians were kept waiting for a total of forty-two days before labour and management could settle their differences through economic sanctions.

[*English*]

In the present dispute the corporation and the union have been bargaining for more than a year and are well aware of the issues. They have had the benefit of conciliation officer assistance followed by a second stage of conciliation with a conciliation commissioner. This second stage was unsuccessful and led to the report and recommendations of Commissioner Foisy. The report and recommendations should have set the scene for negotiations toward settlement.

[*Translation*]

After I released Mr. Foisy's report, Mr. Speaker, the onus for settlement rested squarely on the parties' shoulders. I had no intention of transferring this responsibility to a mediator. To have done so would have provided the parties with a sanctuary from public opinion during a protracted mediation process while they continued on the path of mutually assured destruction.

[*English*]

Against this background the Bill before the House provides for the appointment of a mediator-arbitrator rather than strict arbitration. This is done with the express purpose of affording the parties one last chance to do it for themselves. However, while they are attempting to settle their differences they will not be in a position to pursue their diversionary tactics against each other.

On this occasion the Government does not intend to let matters drag on. The parties are guaranteed the opportunity of mediation, but not at the expense of the economy and public interest. I sincerely hope that they will arrive at their own agreement with the assistance of the mediator-arbitrator. If they have their own best interests at heart they should seize this opportunity to do so. At the same time they just may lay the foundation for a much needed improved future relationship. However, should the parties fail yet again, the mediator-arbitrator will be empowered to make binding decisions.

[*Translation*]

I will conclude at this point, Mr. Speaker, because as I indicated before I know that several other members will want to speak to this Bill. But before I conclude, allow me to add that there had been some reason to hope that labour relations at the Canada Post Corporation would improve. However, it proved to be a false hope, Mr. Speaker. Confrontation was never far away even when agreements were reached. Each round of bargaining brought its threats to the provision of these important postal services. This past summer an overt and violent conflict occurred. This government will not tolerate yet another disruption of the mail.

[*English*]

We decided to act firmly and decisively. Let there be no doubt in this House that when a private clash of wills takes precedence over the public interest the Government will not hesitate to intervene.

Some Hon. Members: Hear, hear!

Some Hon. Members: Shame, shame!

Mr. Murphy: This message brought to you by Canada Post.

Mr. Cassidy: There is no Minister of Labour left in this country.

Some Hon. Members: Oh, oh!

[*Translation*]

Mr. Cassidy: There is no Minister of Labour left in this country!

[*English*]

Mr. Hicks: It looks like you rattled their cage.

[*Translation*]

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I rise very reluctantly in the House today, to address, on behalf of my Party, the Bill tabled for our consideration, Bill C-86, whose purpose is to provide for the normal resumption of postal services but whose hidden objective is to break a strike.

[*English*]

What puzzles me is, first, the disturbing way in which the Government has asked the opposition Parties for co-operation. When the Minister rose in the House to ask for all-Party agreement to pass this Bill through all stages today I made a few remarks explaining that when the Bill was tabled in the House yesterday we had not been consulted. The Government had decided to push aside the normal tradition of a gentlemen's agreement between House Leaders to try to reach agreement on pieces of legislation. This has worked many times recently and over the years. For the Government to table a piece of legislation in the House of Commons and for the Minister to ask us to start negotiating in public is baloney. It means, in my opinion—

Mr. Vincent: In your opinion?

Mr. Guilbault (Saint-Jacques): Yes, in my humble opinion it means that the Minister is not seriously trying to reach an agreement to pass this Bill rapidly.

I am not sure that this Bill has to be passed rapidly anyway, because in my opinion it is an ill-advised piece of legislation. It flies in the face of our Canadian tradition of trying to settle labour disputes through bargaining.

• (1040)

The Minister spent most of the time during his speech explaining to us that bargaining was not working in this case. That is surprising because we saw a similar situation in June when the letter carriers were on strike with the Post Office. The strike was settled by negotiation. The parties came to an agreement after the Government appointed a mediator. While the Government first refused to appoint a mediator and only saw the light a week later, I must give credit to the Government for finally appointing a mediator which resulted in the parties coming to an agreement peacefully and ending the strike.

Why must the Government use the ballistic approach this time to try to bring the parties together? I am simply saying that it will be much more difficult and this action shows the image of the Government.

Not only is this piece of legislation ill advised, it is premature. There is no national emergency. We all remember the rail strike. In that case, grain was not moving, coal was not moving, and other commodities were not moving across the country. A rail strike presented the possibility of severely crippling the Canadian economy. Such is not the case with this strike. There were rotating strikes and the mail, by and large, was moving. There is no national emergency and this Bill is premature.

[*Translation*]

In fact, what we have seen and what we are still seeing is a series of rotating strikes across this country. We do not have a national strike from sea to sea, bringing mail delivery to a complete standstill. That is not the case. However, since the Minister tabled his Bill and, in doing so, provoked the urath of postal workers, there is a very real threat that the rotating strikes will gradually turn into a full-blown national strike, and if that is what the Government wants, that is probably what it is going to get. However, if this happens, I can inform the Government we will hold it responsible for escalating a strike that was relatively peaceful.

Even according to the Minister responsible for Canada Post, who brags about it daily, mail delivery is proceeding almost normally. I was reading some reports not long ago in which postal officials said that the volume of mail being processed today is 1.8 percent greater than the volume processed by the Canada Post Corporation a year ago. So our postal services are operating, despite the rotating strikes, and the Government had no business bringing in a Bill prematurely, which will only lead to provocation, especially since negotiations were proceeding and representatives for Canada Post employees had decided recently to make a major concession with respect to privatization, which, as we all know, has been the main stumbling block in the negotiations.

The president of the union mentioned recently that he was opening the door to the Corporation's plan to set up postal franchises. Obviously, he was doing so on certain conditions. He wanted to ensure that this would be done mostly in new developments. He didn't want existing post offices to be shut down and replaced by wickets in drugstores and supermarkets, with people being paid the minimum wage, while postal employees earned decent wages.

Certain terms could certainly have been negotiated, and the union representative had seriously opened the door to a resumption of the negotiations by giving ground on the main demands of Canada Post. The Government therefore chose the worst possible moment to introduce such repressive legislation. A negotiated settlement achieved at the bargaining table is always better than an imposed one, just as an out of court settlement is always preferable in civil proceedings. I do not know why the Government cannot understand this principle, even though some of its own members do. Recently, the Hon. Member for Richelieu (Mr. Plamondon) paid more than lip service to this concept by joining the picket line. Let me tell you why, and I would like to quote what he said. According to an article in *Le Journal de Montréal*, the purpose of his gesture was to denounce the anti-social attitude of his Government. This is what the Conservative Member for Richelieu did.

He stated that he was against the hiring of strikebreakers. He saw this provocation. He also expressed serious reservations about back-to-work legislation, and this was before the Bill was introduced. He had already understood—

An Hon. Member: What he is reading is nonsense.

Mr. Guilbault (Saint-Jacques): The Hon. Members opposite do not like to hear this. They are always interrupting. I am anxious to see them rise to defend their views as their colleague for Richelieu has had the courage to do.

If we look at the basic arguments of the Hon. Member, who is a Conservative, we find that he said that the workers have the right to strike and that the conflict should be allowed to resolve itself normally as the national interest is not being threatened. I am therefore not the only one to say so. The national interest is not being threatened and the rotating strikes have not caused any real acts of violence, at least until now.

Mr. Speaker, all this goes to show that, as surprising as it may seem, some of the Conservative Members understand reason. Some of them have the courage to rise publicly to express their views. What is at issue here is what is happening to the collective bargaining system in Canada now that we have a Bill which plainly interferes with a strike which is quite legal and which complies with all the rules. Such special

legislation seems totally at variance with the principles supposedly supported by the Government, and especially by the Prime Minister who, at other times, and he would not do so in the House now, likes to say that he is on the side of the workers and of collective bargaining.

As recently as July 29, the Prime Minister wrote a letter to Mrs. Shirley Carr, President of the Canadian Labour Congress, in which he said the following. As the letter was in English, I shall change over to the language of Shakespeare:

[*English*]

"The existing framework for collective bargaining has again proven its capacity to bring employers and bargaining agents to resolve even the most difficult disputes without government interference". I would like the Prime Minister (Mr. Mulroney) to return to the House today and repeat that sentence. However, I know he is busy and that is why I have offered to speak on his behalf and remind Canadians of what he is saying while already campaigning for the next election. I am not saying either that he is wrong in beginning the campaign early.

Let me continue to quote the Prime Minister about bargaining settlements. He said, "Such settlements are better by far than any that would be imposed through legislation". That is what I said earlier, yet I was heckled by my colleagues opposite. I do not know if they will heckle their own leader, but I was repeating exactly what the Prime Minister was thinking when he was speaking. However, the Prime Minister and the Government have the bad habit of saying something to please some people but doing the exact opposite the next day, probably to please another group of people.

[*Translation*]

Mr. Speaker, the Government is responsible for this strike and, although it might surprise some Canadians who hear me say that, I will explain why. It is the Government, with the last Budget introduced by the Minister of Finance (Mr. Wilson), which has put Canada Post in a straight jacket. In all fairness, we certainly cannot blame the Canada Post Corporation and its negotiators who are doing their best, within of course the limited means available to them.

Under the plan imposed by the Minister of Finance for a balanced budget by next spring Canada Post Corporation finds it very difficult to operate and, under the circumstances, it has no other alternative but to make cuts and more cuts. The Canada Post Corporation is forced to franchise and privatize its operations, to apply the axe to the job security of postal workers, men and women, to meet the financial demands of the Government. That is why I say that the Government is responsible for this strike.

The Government has caused the strike with its postal service privatization plan which these working men and women are opposed to because they see it as a threat to their job security. Nobody likes to lose his or her job or to approve in advance plans which will likely result in job losses. That is why postal working men and women are fighting back, for their livelihood is at stake.

I was looking for instance at our friend Bill Kelly, the Deputy Minister. Earlier, the Minister of Labour (Mr. Cadieux) referred to a certain report he received from Mr. Bill Kelly, who had been asked to call on the parties and see what was going on rather than mediate, because despite our suggestion, the Minister has refused to appoint a mediator.

Recently, we asked the question in this House: What is Mr. Kelly doing? Is he a messenger? Is he an observer? Is he a note-taker?

The Minister answered the Hon. Member had not read his press release, issued that morning, and everything was in there. I had read the press release, but the problem is that in that release it was impossible to determine what Mr. Bill Kelly, the Deputy Minister of Labour, was doing there.

One thing we did understand about the press release, and it was that Mr. Kelly was not there as a mediator. And that was the Government's big mistake.

• (1050)

[*English*]

I would like to add that the Government is sending the wrong signal with this back-to-work legislation. Canada Post was already strapped for funds because of the Minister of Finance (Mr. Wilson) and because of decisions made in Cabinet. Canada Post now has a clear signal that it does not have to negotiate. The back-to-work legislation is there. The employees will have to return to work and do their jobs. Why would the officers of Canada Post bend over backward and start conceding on various fronts around the table? They do not have to do that. The message is loud and clear. It is there; the writing is on the wall.

[*Translation*]

Why Bill C-86, Mr. Speaker? The Minister claims it is in order to end the strike because it jeopardizes mail delivery, but that is not even true—mail is being distributed. There must be an underlying reason, there is something fishy going on. And I will suggest two possible reasons for this shotgun approach taken by the government.

The first reason in my view is that here is a government whose popularity is on a constant downslide, as indicated by opinion polls, and it must try behind closed doors, in its strategy meetings, to find new methods to beef up its image. A good right-using attitude for a Conservative government is to say: We will look tough with workers. That will work. Then people will say we are in charge.

I, for one, say that holding Canadian workers to ransom is not the right way for a government to enhance its image when it is already very damaged.

Besides, there are other reasons as well. It may not only be a tactic designed to enhance its image, but the government

which has taken unusual steps in this strike by hiring scabs, an unprecedented process, is probably innovating, obviously not in the right direction but nevertheless innovating. But the government had probably not properly assessed the cost of those initiatives. I suggest that the government has to introduce legislation in order to stop that strike because of cost pressures. It costs a lot to hire strike-breakers who are not only paid $13.25 per hour but who get paid even if they are on stand-by in front of the postal station or in buses. Those are the facts. It costs a lot to hire scabs who are paid $13.25 per hour, especially when they have been guaranteed a minimum of 12 hours of work a day. What it means is that when a strike-breaker is replacing someone for two or three hours, he is sure to be paid for a twelve hour period. That is why costs are very high. It costs a lot to hire scabs at $13.25 per hour when you know that after forty hours of work, they are paid time and a half, that is close to $20 per hour.

Meanwhile, unemployed people who desperately want to work and are attracted by a chance to earn a few dollars, risk a beating because the Government brings them in past postal workers who are furious to see someone else coming to do their work—

Mrs. Mailly: The union is wasting taxpayers' money.

Mr. Guilbault (Saint-Jacques): I thank the Hon. Member from Gatineau (Mrs. Mailly) for her suggestions, but I think she should wait until she makes her own speech later on.

Mrs. Mailly: There is room for improvement here.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, it costs money to have helicopters flying around to watch what is going on below, to watch the picket lines and the strike breakers crossing them. It costs money to have armoured buses bring strike breakers to work at post offices and sortation centres. It costs money to rent empty depots just in case, as we have seen in Toronto and other locations in this country.

But all of a sudden, the Government noticed that using scabs to break the strike was expensive, and it said: We have to find a way to cut costs, and the best way is to table back-to-work legislation.

I would now like to take a look at the Bill and some of the measures it contains, and tell you how foolish I think they are.

First, the Bill provides for the appointment of a mediator-arbitrator whose first responsibility, if we look at the text of the Bill, will be to mediate for a certain time. And that after we have been pressuring the Government for more than a week to appoint a mediator, and the only answer we got was no. It wasn't the right time yesterday or the day before or last week. And now all of a sudden, today is the right time.

This is going to be a strange mediation process, because mediation is supposed to be non-confrontational. A mediator tries to bring both parties closer together. It isn't easy to be non-confrontational with the threat of back-to-work legislation hanging over the union.

The Bill enjoins the mediator to give due cognizance to the report of the conciliation commissioner, which is very convenient for the Government, since the conciliation commissioner's report approved the privatization policy. This means that the mediator-arbitrator is being instructed to take sides with Canada Post, which is going to implement the Government's plan.

I think my time is about up. Is that what you are trying to tell me, Mr. Speaker?

Mr. Gauthier: It isn't eleven o'clock yet.

• (1100)

Mr. Speaker: Not necessarily, but it is time for Question Period.

[*English*]

It being eleven o'clock, pursuant to Standing Order 19(4) the House will now proceed to Statements by Members pursuant to Standing Order 21.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

SCIENTIFIC RESEARCH

REASONS WHY GOVERNMENT WANTS TO LOCATE MICROBIOLOGY LABORATORY IN WINNIPEG RATHER THAN OTTAWA

Mr. Jean-Robert Gauthier (Ottawa—Vanier): I would like to comment on the Government decision to move the microbiology laboratory to the home province of the Minister of National Health and Welfare (Mr. Epp). In my opinion, this is a decision based on partisan political considerations which is not in the national interest and is not in the interest of the 85 affected employees and of their families. Mr. Speaker, the transfer of existing facilities from Ottawa to another city is not good planning but just plain partisanship, and that is why I oppose this decision.

The construction of a new laboratory for desease control at a cost of 93 million dollars had been planned in Ottawa, and it should be built here. By moving the microbiology laboratory to Winnipeg, this Government gives up the potential of this region and the well-being of the 85 affected employees just to get a few votes. Will the Government be as partisan when it decides where the Canadian space agency will be? You can bet it will, for the Conservative Government would rather fill its own petty political needs rather than make sensible decisions in the national interest. I urge the Hon. Members from the Ottawa area, including the Hon. Merber for Ottawa—Carleton (Mr. Turner), to look after this problem and try and do something about it.

REGIONAL ECONOMIC DEVELOPMENT

NEED FOR GOVERNMENT TO LISTEN TO ACTION GROUP SUPPORTING MATANE REGION PAPERMILL

Mr. Jean-Luc Joncas (Matapédia—Matane): Mr. Speaker, I wish to draw the attention of my ministerial colleagues on an important decision they will have to make in the next few days. That decision will change for decades the economic environment of one of the poorest regions in our huge country. The *Regroupement pour la papeterie régionale*, in Matane, is putting all its trust in our Government, but it has great fear of the pulp and paper lobby.

On behalf of my constituents, I am asking my ministerial colleagues to analyze further the needs of that region, rather than listen to the unjustified outcry of the pulp and paper industry. They will still be pocketing millions, even with competition from the *Papeterie régionale* in Matane. The population has been holding peaceful demontrations recently and it will be holding more of them to show that there is a real solidarity.

My dear colleagues, I ask you to allow the owners of that major project access to the regular regional development programs. It will be one more proof that the Conservative Government is willing to work at eliminating regional disparities. I repeat, the demands from the population must take precedence over the demands from the industry.

* * *

[*English*]

NATIONAL ENERGY BOARD

EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, on June 23 of this year when speaking about the decision of the Federal Energy Regulatory Commission in the United States not to allow Canadian producers of natural gas to pass along pipeline carrying charges in Canada to the purchasers of the natural gas in the United States, which the purchasers in the United States had agreed in writing to assume, the Minister of Energy (Mr. Masse) said:

> How can we hammer out solid free trade principles between our two countries when a regulatory agency can make a mockery of mutually-acceptable and freely-negotiated trade arrangements?

Surely, people will say, now that we have a free trade agreement all that has been corrected. No way! What we got was the following: "Parties will consult on energy regulatory actions which could directly result in discrimination inconsistent with the principles of the Agreement". Big deal!

What did we give up? We completely gutted the National Energy Board. We gave up all the regulatory protection we had, and the United States did not give up anything.

S. O. 21

LITERACY

DISCRIMINATION AGAINST THE ILLITERATE

Mr. W. R. Bud Jardine (Northumberland—Miramichi): Mr. Speaker, a recent study revealed that an alarming percentage of Canadians are considered to be functionally illiterate—they cannot read or write, or do mental arithmetic either to, or much beyond, a very basic academic level. Their lot in life is not an easy one, and in many ways on a day-to-day basis we not only make it more difficult but we in fact discriminate subtly and not so subtly.

An example, if I may. Every day we are invited to participate in a game of chance—"no purchase necessary—fill out the form, and if you win there is a free trip, free groceries, free gasoline, if you can answer this skill-testing, time-limited question". What is that great test of skill? An arithmetic problem—add, subtract, multiply, divide. For too many of our citizens this is not a test of skill, it is an outright embarrassment.

In this day of lottos, super-lottos and mini-lottos why do we limit the ability of many of our citizens to win a prize by testing their academic level? If it is the law, then let us change the law.

* * *

CHILD CARE

DELAY IN INTRODUCING NATIONAL PROGRAM

Ms. Margaret Mitchell (Vancouver East): Family Week must not pass without noting the Government's refusal to act on its child care promises. In 1984, in the Leaders' debate the Prime Minister (Mr. Mulroney) promised that child care would be a priority of this Government. He repeated his promise to First Ministers in Vancouver stating that substantial resources would be allocated for a national child care program. Three years have passed with no action.

The Minister of National Health and Welfare (Mr. Epp) still has not tabled a government response to the report of the Special Committee on Child Care and has delayed meetings with provincial Ministers. Why has the Government refused to act? Was this just another empty political promise of the Prime Minister because he realizes the public support for child care? Has the cost of this Government's trade deal and nuclear powered submarines been given preference? Why has the Minister refused even to establish objectives for a national child care program although this is required by the constitutional Accord?

The child care crisis has escalated. We need positive government action to develop a national program of quality, affordable, accessible child care services in every region, and we needed it yesterday.

S. O. 21

[*Translation*]

THE ECONOMY

GOVERNMENT'S PERFORMANCE

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, for months we have been working hard to restore the country's economy. For months, we have seen the economy improve. For months, we have been creating hundreds of thousands jobs. For months, interest rates have been going down. For months, the value of the dollar has been going up. For years, Canadians, and especially Quebecers, have been fed up with the Liberals. And now, for months they have been enjoying an improving economy.

Mr. Speaker, no one has challenged this Government's performance, not even the people of Quebec, who say they are willing to give the Conservatives at least forty seats in the next election, for your information.

Mr. Speaker, the Conservatives were not afraid to introduce unpopular measures, because they were badly needed.

Today, Quebecers have confirmed that they agree and that they don't want the Liberals back to put the country into bankruptcy.

* * *

[*English*]

SOCIAL AFFAIRS

NATIONAL NETWORK TO END HUNGER—TRIBUTE TO WORK OF ORGANIZATION

Mr. John Nunziata (York South—Weston): Mr. Speaker, one does not have to wander too far from Parliament Hill to encounter the signs of hunger, even in affluent Ottawa. Along Bank and Sparks Streets, the sight of some poor soul eating out of a garbage can is not uncommon. And, less than a mile from Parliament Hill, St. Brigid's Soup Kitchen feeds the hungry 24 hours a day.

The problem of hunger stretches right across this huge country, from east to west and from north to south. It has many manifestations—children going to school without having breakfast, young mothers feeding their infants sugar water because they have no food in the house, and people who have not eaten for days, walking miles to food depots.

• (1110)

Thankfully, someone is doing something about the problem of hunger. The National Network to End Hunger grew out of the National Conference on Hunger in November, 1986. It is sponsored by a number of associations including churches, social workers, and other social development agencies. Their aim is to eliminate the need for food banks by 1992 by advocating policy improvements in areas such as housing, employment, and income security.

I hope I am speaking for all Members of Parliament, Mr. Speaker, when I salute the efforts of the National Network to End Hunger in Canada. Their efforts do not go unnoticed.

* * *

ENERGY

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF LIBERAL PARTY

Mr. Paul Gagnon (Calgary North): Mr. Speaker, the Liberals may have some new faces, but it is the same tired old song and certainly the same tired old song sheet. One of the most divisive acts any Parliament anywhere ever perpetrated was the national energy policy. It forced one area to sell its commodity at half price and, if this was not enough, it forced the West to pay exorbitant taxes.

This Government realized it was wrong, and this Government stopped this abuse. On Monday the Leader of the Liberal Party again said that the Government gave away the national energy policy as a sop to the Americans. This was no sop to the Americans. This was stopping an abuse, righting a past wrong, correcting an injustice. The Liberals have learned nothing of history. When the next election is called, the Liberal candidates in western Canada will be assigned to the dustbin of history, as were their predecessors in 1984, 1979, 1974, and in 1972.

* * *

PHARMACEUTICAL INDUSTRY

AMENDMENT OF PATENT ACT—CANADA-UNITED STATES TRADE NEGOTIATIONS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, on April 14, 1986, the Minister for International Trade (Miss Carney) stated: "Dealing specifically with pharmaceuticals . . . They are not in any way tied to the present discussions as to whether or not there should or should not be trade discussions between Canada and the United States".

On the following days, October 6, 27, November 6, 19, December 1, 8, 1986, and February 2, March 26, April 2, August 11, 13, 14, 19, 1987, questions were put to the Prime Minister (Mr. Mulroney), or to one of his Ministers, asking whether the demand by President Reagan to give a pricing monopoly to United States drug companies operating in Canada was tied to the free trade deal. Although the Government caved in to President Reagan's demand for drug pricing, it denied the linkage to the free trade deal. Today we know that the two were inextricably linked. We know that the Government intentionally misled the House and the people of Canada. No wonder the Government is increasingly being held in contempt by the people of this country.

LABOUR CONDITIONS

REDUCTION IN UNEMPLOYMENT STATISTICS

Mr. William G. Lesick (Edmonton East): Mr. Speaker, this morning Statistics Canada released the September unemployment rates. I am afraid that it is more bad news for the Opposition, but good news for Canadians. The seasonally adjusted rate for the country is 8.6 per cent, down from 9.5 per cent one year ago. Albertans will be pleased to know that the provincial seasonally adjusted rate has dipped another two-tenths of a per cent to 9.7 per cent.

The unemployment rate in my home city of Edmonton is 11.2 per cent. That is not the best, but we are getting there. Help is on the way in the form of free trade with the United States. I only hope that Edmontonians remember what Party is speaking for free trade and which Parties oppose it.

Yesterday, Mr. Speaker, you said that this is no tea-party, and you are right as usual. But I wish that the Mad Hatters of the Opposition would give up their wonderland theories and admit once and for all that, "We're late, we're late, for a very important date"—with destiny—a free trade destiny!

* * *

[*Translation*]

MUSIC COMPETITIONS

IMPORTANCE OF GRANTS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, a few months ago, the federal Minister of Communications (Ms. MacDonald) decided to cut $100,000 from the grant given by her Department and the Government of Canada to Canadian Music Competitions Inc., a grant the Government has been giving for years.

I have before me copies of petitions addressed to the Minister in which nearly 1,000 people ask her to reverse her decision. I would like to join these people in their petition to the Minister.

For more than 30 years, Canadian Music Competitions have been held for the benefit of young Canadians who are musically inclined. There is ample evidence of the importance of this work. I would like to quote the Minister's own words when she said:

[*English*]

"These competitions constitute one of the happiest facets in Canadian musical activity, and contribute to the economic and cultural development of our country".

[*Translation*]

I therefore would ask the Minister to be mindful of her own statement in this respect and to guarantee the continued existence of this national institution by restoring the original grant for Canadian Music Competitions.

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF LIBERAL AND NEW DEMOCRATIC PARTY LEADERS

Mr. Gerald Comeau (South West Nova): Mr. Speaker, when the Government introduced its economic renewal programs, the Opposition predicted the loss of hundreds of thousands of jobs. When the opposite happened, the Opposition resorted to vicious personal attacks on our Leader.

Now that the Government has another winner on its hands, a trading arrangement which will protect our markets, save our jobs, and create hundreds of thousands of new jobs, the reactionaries feel that they must stop the deal at all costs in order to put a stop to our continuing economic success.

Kind souls will sympathize with the Liberal Leader (Mr. Turner), who must be against everything the Government does if he wishes to appease his own Party critics, but the socialist Leader cannot be forgiven. What right does the Leader of the New Democratic Party (Mr. Broadbent) have to deny prosperity to the rest of Canada? What right does the NDP vice-president, Bob White, have to deny other Canadians the same success which resulted from the 20-year old free trade Auto Pact?

Realizing that the deal is a good one, the reactionaries have wrapped the Canadian flag around themselves and are screaming sanctimonious drivel. I call on them to allow other Canadians the prosperity enjoyed by the constituents of the Hon. Member for Oshawa. Remove the flag from your eyes and join us in securing a prosperous future for all Canadians.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—CALL FOR GENERAL ELECTION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, today is an occasion to remark upon how ironic it is that at the same time that the Government is defending a constitutional Accord which would require unanimity for changes to federal institutions, the same Progressive Conservative Government proposes to change the economic constitution of this country, not with unanimous consent but without even a consensus in this country on free trade, and without doing what would be the proper and historically rooted thing, which is calling an election to give the people of Canada an opportunity to express themselves on whether or not, as a people, they wish to be locked into this relationship with the United States that the Government proposes to lock us into through the agreement that it has recently arrived at.

There will be a consensus in the country. It might even be unanimous in a very short time. If the Progressive Conservatives have the courage of their Yankee convictions, they should call an election and let the people of Canada make a judgment on the future of Canada. Let the people of Canada give them the mandate, or refuse them the mandate that they refused to seek in 1984 when the Prime Minister (Mr. Mulroney) ran on the basis that he would not enter into a free trade agreement with the United States.

* * *

EMPLOYMENT

CREATION OF FULL-TIME JOBS

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, in the summer of 1984 the Progressive Conservative Party campaigned on the theme of "jobs, jobs, jobs". Under the previous Government, in four and a half years only 420,000 new jobs had been created, 80 per cent of which were part-time. The national unemployment rate was 11.7 per cent. Among youth it was 18.3 per cent.

Under this Government, in only three years 959,000 new jobs have been created, 87 per cent of which are full-time. They are not six-week, Liberal-type, make-work, paint-the-fence, clean-the-basement type of jobs. These are full-time jobs.

The national unemployment rate is down to 8.6 per cent. Among youth it is down to 12.8 per cent.

In my Province of Saskatchewan, despite disastrous commodity prices, the unemployment rate is down to 6.8 per cent. Across the Prairies over 90,000 new jobs have been created. The help wanted index, the ads placed by employers seeking employees, is at an all-time high.

We did not promise to create jobs. It is not the function of government to hire and employ everyone. What we did do was promise to create the type of environment in which the private initiative and free enterprise of Canadians could flourish. The results of these policies are evident to all Canadians. There are 959,000 proofs out there of the correctness of the policy of the Government to create "jobs, jobs, jobs" for Canadians.

* * *

MEMBERS OF PARLIAMENT

CRITICISM OF NATIONAL CAPITAL AREA PROGRESSIVE CONSERVATIVE MEMBERS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, it is now obvious that the Tory MPs for the National Capital area have become politically impotent. Nowhere is this lack of virility better demonstrated than in the failure of those Tories to convince the Government that the new $93 million Microbiology Centre should be located here in the nation's capital.

At one time the employment rate in Ottawa was lower than that of most other communities in Canada, but after three years of Tory Government such is no longer the case.

• (1120)

Why are these Tories not sticking up for their constituents? Where are the Tory Members of Parliament for Ottawa Carleton, Ottawa West, Nepean Carleton, Lanark, Renfrew Carleton and Gatineau? They should be picketing the office of the Prime Minister (Mr. Mulroney) at the Langevin Building saying that they will not take it any more. Chances are they will not do a thing. That is what impotence is all about, Mr. Speaker.

ORAL QUESTION PERIOD

[*English*]

PHARMACEUTICAL INDUSTRY

AMENDMENT OF PATENT ACT—CANADA-UNITED STATES TRADE AGREEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Minister of Consumer and Corporate Affairs. On December 8, 1986, in this House, speaking of Bill C-22, the drug patent legislation, he said:

> The fact is that this matter has nothing to do with the free trade talks.

Then on CTV's *Question Period* on August 30, 1987, he said:

> that it is not tied with the free trade discussions.

On July 7, 1987, in a Senate committee he said:

> —let me say that Bill C-22 is not part of the free trade discussions.

And,

> Senator, it has nothing to do with free trade.

Why after these repeated statements, statements of the same kind by the Minister for International Trade and even by the Prime Minister, do we find that the Government signed a free trade agreement on October 3rd, hours before the announcement that the deal was made, and that agreement contained a clause in which the Government pledged the passage of Bill C-22 as part of the deal? Why was that in the deal despite the denials over and over by Ministers? Let the Government be straight with Canadians as to why it did what it did.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, in 1983 the Hon. Member for Papineau, the then Minister of Consumer and Corporate Affairs, introduced a White Paper—

An Hon. Member: Answer the question, Pinocchio.

Mr. Andre: I am. It said in part "To generate further growth in this industry, the Government of Canada has decided to change the Patent Act to rebalance the 1969 policy."

Some Hon. Members: Oh, oh!

Mr. Andre: That was the previous Government. This Government took up that challenge. The House of Commons dealt with it in May of this year. The Senate sent the Bill back and we dealt with it.

An Hon. Member: Answer the question.

Mr. Andre: In August, the member of the New Democratic Party for Vancouver—Kingsway said: "We believe the Senate should let the Bill pass after the House of Commons has, in fact, reviewed the matter."

On the same day the Leader of the Opposition said: "At the end of the day the elected House of Commons must prevail. That is the clear position of the Liberal Party".

At the end of August the Government was committed to Bill C-22. The New Democratic Party acknowledged that the Bill should be passed and the Leader of the Liberal Party acknowledged that it should be passed. But the Member over there finds it shocking that on October 3, in discussions, there is an admission that we are committed to the Bill.

According to this testimony, everybody in the House is committed to the Bill.

Mr. Gray (Windsor West): Mr. Speaker, what I find shocking is that the Government was not telling the Parliament and Canadians the truth.

[*Translation*]

BILL C-22—GOVERNMENT POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to ask the Minister to acknowledge that although he said many times that Bill C-22 was not and is not included in free trade negotiations, that nevertheless, this Government has signed an Agreement in which it undertakes to adopt this Bill.

Why was the Government afraid to tell Canadians the truth?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, Bill C-22 was not part of the negotiations at the table. The agreement which was initialled by both parties, a copy of which all Members of the House and the public have, does not mention Bill C-22.

Perhaps the mistake we made was in believing the Leader of the Opposition when he said that the Liberal Party recognizes that the will of this House should prevail and that Bill C-22 should pass. On October 3 we had that commitment from the Leader of the Opposition. We had an indication from the New Democratic Party that, in fact, Bill C-22 was going to pass.

Is the Hon. Member saying that we made a mistake in taking the word of his Leader in accepting his statement in the House?

GOVERNMENT POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, I asked the Minister whether he was denying the statements he made. If he made those statements, isn't he saying that he and his Government were not straight with Canadians? Isn't it a fact that this Government has been caught red handed in not telling the truth to the Canadian people? Isn't the Government admitting that higher drug prices for Canadians are only one part of the much greater price that Canadians will have to pay for this harmful, damaging, wrong free trade agreement with the United States? Tell the truth.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the question is whether the Leader of the Opposition was telling the truth when he said that the will of the House of Commons will prevail on Bill C-22. The House of Commons has twice said that it is committed to Bill C-22. The Hon. Member is suggesting it is shocking to say publicly that the Government is committed to Bill C-22 when we could not have been more obvious about our commitment over the last 16 months.

We thought that the Leader of the Opposition was telling the truth when he said that the Liberal Party acknowledges the right of the House of Commons to have its will prevail. The House of Commons said that Bill C-22 should be passed. When will the Liberal Party live up to its part of the bargain?

GOVERNMENT STATEMENTS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is for the same Minister. What the people of Canada want to know is why the Government lied in Parliament, why it lied to the people of Canada when it claimed not once—

An Hon. Member: Here she goes again.

Mr. Speaker: It probably could be argued that the Hon. Member has stayed very closely on the fine line of trespassing because her accusation is toward the Government in general. However, I would ask her to be careful and not go too far.

Ms. Copps: Mr. Speaker, the people of Canada want to know why on repeated occasions in this House the Government said, in the other place, on television, through the media to the people of Canada, that the drug bill was not part of the free trade arrangement when, quite clearly, on October 3 it signed a secret hidden agenda which showed that, indeed, it was part and parcel of the sell-out to the Americans.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I have said repeatedly that Bill C-22 was not part of the trade negotiations.

Some Hon. Members: Oh, oh!

An Hon. Member: Say it again.

Mr. Andre: I wonder whether the Opposition will allow me to answer the question. I did not heckle or barrack while the question was being asked.

Repeatedly, every spokesman of the Government talking about Bill C-22 has said that it was not part of the trade agreement, because that is the truth.

October 3, I remind the Hon. Member, is after the House of Commons had passed this Bill several times and after her own Leader said that the "will of the House of Commons will prevail. That is the position of the Liberal Party." It was after the New Democratic Party said that it recognized the Senate must pass the Bill. After all of that happened, we thought we could believe what her Leader was saying. Therefore, it is hardly shocking or surprising that one would say, yes, the Government is committed to passing Bill C-22, in writing or orally. That has been our obvious position for 16 months. It is not part of the trade agreement.

I ask the Member to read again the agreement that was initialled by both sides. She will not see in there Bill C-22 because it is not part of the agreement.

UNITED STATES TRADE OFFICE DOCUMENT

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I will take the word, frankly, of the office of the U.S. trade representative—

Some Hon. Members: Oh, oh!

Ms. Copps: —who states quite clearly as part of the agreement—Frankly, how can we believe the Government? I would rather believe this document which states:

> The two sides agreed—to make progress towards establishing adequate and defective protection of pharmaceuticals in Canada by liberalizing compulsory licensing provisions.

Quite clearly, the Americans see it as part of the agreement.

• (1130)

I want to ask the Minister again, how can he stand here in the House and not be red-faced when the people of Canada cannot believe a word that comes from his mouth, from the mouth of the Minister for International Trade, or even from the mouth of the Prime Minister? You are an embarrassment to Canada.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I will avoid the temptation of getting into a discussion about who is an embarrassment to whom about what.

The Government of Canada is committed to Bill C-22. We have been on record on that. The previous Liberal Government, the one she supports, was committed to changing the Patent Act as shown in this White Paper. More than that, we are committed to getting this Bill passed to increase research and development and have Canadian scientists work. We made that commitment to the Canadian Association of Retired Persons, the Canadian Medical Association, the National Biological Association and in fact to some 60 odd health organizations that are looking for this legislation.

I do not understand the mental processes someone would have to go through to say how shocking it is that on October 3, 1987, 16 months after this Bill was introduced, the Government admits it is committed to Bill C-22. Of course we are committed to Bill C-22, and so is every other thinking Canadian.

SIGNATURE ON DOCUMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Deputy Prime Minister. As he will agree, while Canadians may understand that there are important differences between political Parties, they ought to be able to have faith in the integrity of all the Parties and particularly, given time, in the integrity of the Government.

The Minister has just said in an answer that the document of October 3 was a document of October 3 but the Bill was passed in this House well before that. I do not know if he admitted the signature. The question about integrity goes back to the fact that I have, not once but 10 times, received denials from Ministers that there was any connection between the free trade talks and this Bill, including denials made well before the Bill was passed.

Since it is claimed that there is a Canadian signature on the document, initialled by Canadians on October 3, saying as part of the agreement then as signed, that there was a linkage between the adoption of Bill C-22 and free trade, will the Deputy Prime Minister tell us whether there was or was not a Canadian signature on that document?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, as the Minister of Consumer and Corporate Affairs has pointed out on several occasions, as have other members of the Government, we have proceeded with Bill C-22 because we believe it to be in the national interest. It is good for job creation, it is good for research and development and for the creation of new jobs, and it is good for Canada and the regions. The Hon. Leader of the NDP asks what sort of documents have been signed. On Monday we tabled the documentation that was initialled, and what you see is what you get.

Mr. Broadbent: Mr. Speaker, that is the precise problem with this Government. What you see is what you get and what you see is dishonesty day after day in this Government. That is what you see. I want to say to the Minister that integrity is in the national interest of Canada too, and it is time he learned that.

SIGNING OF DOCUMENT ON OCTOBER 3

Hon. Edward Broadbent (Oshawa): Mr. Speaker, since the Minister has refused to answer the question and the other Minister has refused to answer it, will he now be front and centre and honest with the people of Canada? Did they or did they not sign that document on October 3?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I do not need a lecture from the Hon. Leader of the NDP.

Mr. Broadbent: You need it from the people of Canada, that is what you need.

Mr. Hnatyshyn: You arrogant sleaze bag.

Mr. Mazankowski: Mr. Speaker—

Some Hon. Members: Oh, oh!

Mr. Speaker: Sometimes it is wise that the Chair does not hear something and sometimes the Chair does not quite hear something, but I want to say to Hon. Members that I think something was said that offended others. I did not hear it, but I would ask Hon. Members to restrain themselves.

Mr. Mazankowski: Mr. Speaker, the Hon. Leader of the New Democratic Party insists on giving the House of Commons a lecture on honesty. I must say in all sincerity and in all deference to him that I am not sure that he has a monopoly on honesty. I think he is really implying that everyone else in the House is dishonest except him.

Of course I have confidence in the Canadian people and I believe in the principles of democracy. I have been here in the House as long as the Hon. Member has, and I do not have to take any pointers from him about integrity or honesty.

I answered the question. What was agreed to in terms of the Canada-U.S. bilateral trade arrangement was tabled in this House. The documents were tabled in their raw form and they were initialled and that is what was signed.

[*Translation*]

QUERY IF CANADIAN SIGNATURE IS ON DOCUMENT

Hon. Edward Broadbent (Oshawa): My last question is addressed to the Minister. I have not one but ten examples of ministers who in the past have denied that there was any connection between the Bill and the Free Trade Agreement. Once again, my question is quite simple. Is there a Canadian signature on this document, yes or no? That is the question.

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not know how we can be any clearer. We have said repeatedly—

Mr. Broadbent: Did you sign it? Is there a signature or not?

Mr. Andre: I do not know how we can be any clearer. He is right, I have said repeatedly every time I was asked that there was no connection between Bill C-22 and the trade talks. The Minister for International Trade has said that. Almost every spokesman for our Party has said that because that is the truth. Now the Hon. Member—

Mr. Broadbent: Did you sign it?

Mr. Andre: The Hon. Member talks about a signature. The Deputy Prime Minister has just said twice very clearly that the only thing signed by way of an agreement between the United States was the document tabled. Go read it. There is nothing there on Bill C-22.

We have said repeatedly that Bill C-22 was introduced because it is in Canada's interests, something the previous Government agreed with, something that all the health professionals in the country agree with, something that the research community agrees with. Why is the Hon. Member taking this position which he knows is not parliamentary to continue to refuse an absolute statement on our side that we made repeatedly? If he wants to charge us with misleading the House, let him do that and take the consequences.

EXISTENCE OF DOCUMENT—INCLUSION OF REFERENCE TO BILL C-22

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Deputy Prime Minister. I say to the Deputy Prime Minister that what is particularly frustrating to Members of the House of Commons, indeed to the people of Canada, is not just that the Government has misled the country over the last six months on Bill C-22, but that when confronted with the facts it continues to deny the truth.

The Minister of Consumer and Corporate Affairs admitted in questions earlier today that what was contained in the document signed on the night of October 3 was changed and that there was no reference to Bill C-22 by the time the public document was issued on October 4. I ask the Deputy Prime Minister a very straightforward question. Is he denying the existence of a document on October 3 with both the signatures of Canada and the United States in which can be found a commitment by Canada as part of the free trade pact to pass Bill C-22? Is he denying that?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I do not know of such a document to which the Hon. Member refers.

Mr. Tobin: Are you denying it? You do not know?

Mr. Mazankowski: Of course, I have told the Hon. Leader of the New Democratic Party that what has been signed in terms of the arrangement between the two countries is that which was tabled in the House of Commons and initialled. Just because the Hon. Member does not like the honest answers

that are given, it should not give him a licence to suggest that everything that comes from this side of the House is dishonest. It reflects the frustration of members of the Liberal Party in trying to deal with C-22 because they are caught in a bind. They know certain members of their Party want the Bill and others do not.

• (1140)

Why do they not get on with the job of convincing their friends in the Senate to pass this Bill? It is good for Canada. It is good for research and development. It is good for job creation and for the medical welfare of Canadians.

Mr. Tobin: Even the youngest child, when caught with his hand in the cookie jar, has the good sense to admit that his fist is full of cookies. The Government has not learned that lesson.

REQUEST FOR PROVISION OF DOCUMENT SIGNED ON OCTOBER 3

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, on October 7, four days after the infamous October 3 meeting and document, the Secretary of State for External Affairs, appearing on CTV's *Question Period*, said with respect to C-22 and the free trade pact:

> They have nothing to do with the trade negotiations and I can state categorically that any action we might be taking is a separate matter.

Nothing to do with the free trade negotiations.

Miss MacDonald: Exactly.

Mr. Mazankowski: You finally got it.

Mr. Tobin: Will the Minister undertake to provide before the end of Question Period, and there are 20 minutes left, this House with a copy of the initial document signed on October 3 so Members of this House and other Canadians can see with their own eyes that indeed the Government of Canada introduced C-22 as part of the free trade pact and Canadians are expected to pay higher drug costs as part of the price of a free trade agreement? Will he do that, or is he going to hide the document because he is afraid of the truth?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am not sure whether the Hon. Member was in the House on Monday when the documents were tabled. I invite him—

Mr. Tobin: The October 3 document.

Mr. Mazankowski: I would invite—

Ms. Copps: The secret agenda.

Mr. Ellis: You can't talk to wooden heads.

Mr. Speaker: The Deputy Prime Minister.

Mr. Mazankowski: I do not have to wait until the end of Question Period to answer that question. I invite the Hon. Member—

Mr. Tobin: The document.

Mr. Mazankowski: If the Hon. Member does not want to listen to my answer then I will just sit down.

REFERENCE TO BILL C-22

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I will try again with the mendacious Minister of Consumer and Corporate Affairs.

Some Hon. Members: Oh, oh!

Miss MacDonald: Enough of this, Mr. Speaker.

Mr. Speaker: The Hon. Member and others know that in this place that perhaps the most fundamental of any accusation considered unparliamentary is the suggestion or accusation that an Hon. Member is a liar. However erudite the words may be, they still carry the same unfortunate message. I think Hon. Members are prepared to concede that the Hon. Member is erudite and he will know that he has strayed, no matter how elegantly, beyond the line. I know he will want to correct that and put his question.

Mr. McCurdy: Mr. Speaker, in view of what you said I would not have thought the Minister would have noticed.

Some Hon. Members: Come on!

Mr. McCurdy: I will put the question.

Mr. Hnatyshyn: Speak to your seat-mate about doing the honourable thing.

Mr. Speaker: I can say to the Hon. Member for Windsor—Walkerville that the Chair was remarking on his own erudition, not the lack of erudition of any other Member. The Hon. Member will put his question—

Some Hon. Members: Withdraw!

Mr. Speaker: —and perhaps make it clear for the record that the word "mendacious" has been dropped from the preamble.

Mr. McCurdy: Yes, Mr. Speaker, I agree with that. "Mendacious" has been withdrawn.

My question is simply this. Earlier he was bragging—

Some Hon. Members: Question!

Mr. McCurdy: —about the inclusion, certainly not denying it, of an undertaking in the October 3 document with respect to Bill C-22. Is it not true that it was at one stage included in the agreement? Is it also not true that it was removed because

of the embarrassment it would have caused the Government in view of its repeated statements to the contrary?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, what I know is that what Canada is committed to has been tabled in this House and is there for the Hon. Member to read. With his erudition I am sure he can handle all the words in there. I do not think he will be able to find the words for which he and others search desperately.

As to the statements made by myself and others regarding C-22 over the last 16 months this Bill has been debated while Canadian scientists wait for us to pass it so they can get to work, those statements were true then and they are true now. This Bill was introduced because it is in Canada's interest. It is supported by the Juvenile Diabetes Foundation, the Canadian Infectious Diseases Society, Canadians for Health Research, and virtually everyone in the health field. It is not introduced as part of any trade deal. It is not conditional on any trade deal. I was assured constantly of this by the Minister for International Trade and the chief negotiator. The last time I asked him was in August when specious accusations came up again. "Simon, has it ever been raised at the table?" He said no.

The fact of the matter is the statements made then and now are the truth and I strenuously object to the NDP accusing me of lying, no matter how erudite the language might be.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Chair has to observe that the Hon. Member for Windsor—Walkerville has made it quite clear that he has withdrawn a word which the Chair felt was not appropriate.

Mr. Holtmann: It took him long enough.

Mr. Speaker: I would ask the Hon. Member to put his supplementary perhaps on the principle that when a word is withdrawn that closes the incident and we can proceed.

AMERICAN PRESSURE—GOVERNMENT POSITION

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, American spokesmen clearly articulated the pressure they were exerting on Canada over the Patent Act. In view of the repeated denials of that, and that C-22 was included in the October 3 document, is it not true that the inevitable conclusion to be reached by this House and the Canadian people is that there was a clear effort on the part of the Government to mislead?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, again the Hon. Member makes a false statement. He says that we denied there was any pressure from the U.S. There has never been any denial. We have been under pressure from the U.S., Great Britain, France, Germany and Switzerland since 1969 to get our patent laws in step with the rest of the world. There has been no denial of that fact whatsoever.

The Hon. Member then makes the illogical jump and says since they have been pressuring us since 1969, and since the Government brought in the Bill, therefore it has been part of the trade negotiations for the last 14 or 15 months. I make the declarative statement that it has not. My colleagues have done the same.

There is also a tradition in the House that when a statement made it is accepted as truth and those who challenge it ought to provide evidence that it was false.

* * *

WESTERN GRAIN STABILIZATION ACT

EXTENSION OF COVERAGE

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, my question is directed to the Minister of State for Grains and Oilseeds and pertains to the western grain stabilization plan. He will know that some 10 per cent to 15 per cent of western producers remain outside the plan. There may be some apprehension on their part about joining in view of the size of the plan's deficit.

Can the Minister tell this House about any plans for an increase in levies for this crop year under the plan, and whether he plans to make any changes in the conditions of entry into the plan in order to accommodate those producers who remain outside?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, the Western Grain Stabilization Act has been a very helpful plan to grain and oilseed producers in this time of very low prices. We are considering amending the Act to make it easier for people who are not now part of the plan to participate. We are also considering increasing the levy to make the fund closer to being actuarily sound. We are also doing some other things which will make it more beneficial to producers.

• (1150)

I should also say that we are doing our calculations on the final payment for the previous crop year. It looks as though we will have a record amount of money available to producers for a final payment. That is good news which will be welcomed by producers when they see the size of the final payment.

Oral Questions

PHARMACEUTICAL INDUSTRY

BILL C-22—CANADA-UNITED STATES TRADE NEGOTIATIONS

Hon. Herb Gray (Windsor West): Mr. Speaker, I have another question for the Minister of Consumer and Corporate Affairs. The whole point of his answers to my questions at the beginning of Question Period was to construct a case for why it was perfectly acceptable and logical that Bill C-22 be included in a clause in the document which was signed October 3. He said, in effect, "Why shouldn't it be in the document? After all, the Bill was passed. We expect everybody to stick with it". That was the whole point of his reply to me.

Why, 20 minutes later, were both the Deputy Prime Minister and the Minister of Consumer and Corporate Affairs turning 180 degrees trying to say that there was no document signed October 3 which contained a clause in which the Government committed to pass Bill C-22 when, in his original answers to me, his whole case was based on trying to demonstrate that it was perfectly acceptable for that Bill to be included? Why the contradiction? Why the lack of a consistent story over the course of 15 or 20 minutes?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, with regard to any trade deal between Canada and the United States—

Mr. Tobin: "Oh, what a tangled web we weave, When first we practise to deceive!"

Mr. Andre: There is the Hon. Member for Humber—Port au Port—St. Barbe again. Apparently his ears do not work unless his mouth is moving.

Some Hon. Members: Hear, hear!

Mr. Nunziata: Is that original?

Mr. Speaker: Perhaps if the Hon. Member for Humber—Port au Port—St. Barbe would restrain himself the Hon. Minister could refrain from bringing the Hon. Member into the discussion. The Hon. Minister will answer the question.

Mr. Andre: Mr. Speaker, I and my colleague, the Deputy Prime Minister, have been saying that the commitments which Canada has made with regard to the trade pact with the U.S. are in the document which was signed by both parties and tabled. There are no other commitments with respect to Bill C-22 of which I am aware. I have told this House repeatedly over the last 16 months that it was not part of the negotiations.

If in fact sometime on October 3 someone somewhere said that Canada is committed to passing Bill C-22, why the outrage? We could not have been more clear about that for the last 16 months if we had tried. Of course we are committed to passing Bill C-22. The question is whether it is part of the pact. The answer is no. Look at the document. It is not part of the pact. As to whether we are committed, of course we are, and I thought his Leader was as well.

MINISTER'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, I will ask the Minister again whether he was not replying to a question I asked about an October 3 document and making the case—not very persuasively, but making it all the same—that it was perfectly acceptable and understandable to have a clause on Bill C-22 in that document because the Government expected that the Bill would pass.

Why is the Minister making this contradiction? Will he not check *Hansard* and then stand up and admit to what he was saying at the beginning? It would not help the Government all that much, but it would help it just a little to appear straightforward in the eyes of Canadians.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not know how much more straightforward we could be. I repeat that after August 26 the Government was certainly committed to passing Bill C-22. We had the commitment of the Hon. Member's Leader that it be passed. The members of the NDP had said that they thought the Senate should pass the Bill. I thought that was sufficient for us to be able to say to the world, if necessary, that the Government is committed and that Bill C-22 will become law.

I know of no trade document that has been signed other than that which has been tabled in the House. That is what we are committed to.

Mr. Tobin: Give us the document of October 3.

Mr. Andre: We are also committed to Bill C-22. I do not understand why the Opposition can say that it has now discovered the scandal that the Government is committed to Bill C-22. We certainly have not been trying to hide that fact.

REPORTED INITIALLING OF OCTOBER 3 DOCUMENT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Deputy Prime Minister. There is one question which has not been answered in the House yet. The Americans have said that the October 3 document which links Bill C-22 to the free trade talks was initialled by both countries. Will the Deputy Prime Minister say yes or no as to whether our trade representative initialled or signed the October 3 document? Yes or no?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, that which has been initialled has been tabled with the House of Commons and constitutes the agreement which we are trying to pursue.

It is quite obvious what the tactics of the Opposition are. They are trying to obfuscate the good news which has occurred today, that is, a further decline in the unemployment rate in Canada.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: That is a testimony to the economic policies of the Government. For example, in the Province of Newfoundland since the Government was elected unemployment has dropped by 6.3 per cent.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: In Ontario it has dropped by 3.6 per cent, in New Brunswick by 3.3 per cent, and in British Columbia by 3.7 per cent. These fellows across the way do not like good news.

EXISTENCE OF DOCUMENT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, the Deputy Prime Minister has refused to answer my question as to whether we initialled or signed that document. The people of Canada want to know now—

Some Hon. Members: What document?

Mr. Nystrom: The October 3 document. Either the Americans are misleading the people of this country or the Government is deliberately misleading the people of the country.

Will the Deputy Prime Minister now get up in the House and deny the existence of the October 3 document which the Americans say was initialled by Canada? Can he get up and deny that in this House?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I regret that the New Democratic Party does not like the truth and does not like the answers. The Member's contention is absolutely false. I have answered the question with clarity—

Mr. Broadbent: You have not. You haven't answered it.

Mr. Mazankowski: Mr. Speaker, the Leader of the New Democratic Party says I have not answered the question. I have stood here and answered every question and my answers have been supplemented by the Minister of Consumer and Corporate Affairs.

Mr. Broadbent: Does it exist?

Mr. Mazankowski: Just because the Leader of the New Democratic Party does not like the answer he falls into that shameful—

Mr. Nystrom: Answer it.

Mr. Broadbent: Yes or no?

Mr. Mazankowski: —sump hole of calling it dishonest.

[*Translation*]

INQUIRY WHETHER BILL C-22 WAS INCLUDED IN DOCUMENT SIGNED ON OCTOBER 3

Hon. Jean Lapierre (Shefford): Mr. Speaker, in the eight years I have been sitting in this House, I never saw a Minister change his version of the facts within 20 minutes. This is the first time I see a Minister get mixed up in his own lies. I would like to ask the Minister of Consumer—

[*English*]

Mr. Speaker: The Hon. Member will put his question. The observations about what he has seen or not seen over a number of years are interesting, I suppose, but the Chair has been here for many years and has seen many things. The Hon. Member will put his question.

[*Translation*]

Mr. Lapierre: If you prefer, Mr. Speaker, I can say that the Minister has gotten mixed up in the two versions of the truth he has given, one early in the question period and the other later. What I want to ask the Minister of Consumer and Corporate Affairs is this: Was approval of Bill C-22 mentioned in the document signed on October 3? Was what he defended early on in the question period included in that initialed document? Is the legislative program of this Parliament being managed by the Americans or not?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not know who is running the legislative agenda of the House.

Some Hon. Members: Hear, hear!

Mr. Cassidy: Nor do we.

• (1200)

Mr. Andre: At least of this Parliament, Mr. Speaker. We have the assurances of the Leader of the Opposition that the will of the House of Commons will prevail, yet we have threats from his caucus colleagues in the other place that they will defeat the Bill.

I do not know how I could be any clearer than the statements I have given before. The pact that was initialled between Canada and the United States is on the table. It does not mention Bill C-22. Bill C-22 was not part of the trade negotiations.

The opening questions by the Member's House Leader referred to the fact that on October 3 apparently people were discussing Bill C-22 and somebody on behalf of the Government might have indicated that in fact this Government is committed to passing Bill C-22.

Mr. Lapierre: Initialled it.

Mr. Andre: And initialled it. You mean someone actually initialled a piece of paper saying that this Government is

committed to Bill C-22? Horrors, they have put on paper that which we have been saying publicly as loud as we can for 16 months. What a scandal!

[*Translation*]

INQUIRY IF UNMENTIONED DOCUMENTS EXIST THAT WOULD COMMIT CANADIANS

Hon. Jean Lapierre (Shefford): Mr. Speaker, the Minister has now admitted that there might exist a document with a hidden agenda. What I want to ask the Minister, or rather the Deputy Prime Minister, who was aware of nothing at all at the beginning of the question period, is that he find out the truth of the matter. Apart from the initialed document, could there also be letters containing commitments, for instance, to abolish management agencies such as the Canadian Dairy Commission? Could there be other cosy deals which have not been put on the table, but which commit Canadians to certain things? Have you kept other matters hidden from Canadians? Tell us!

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, surely in a negotiation and transaction of a bilateral arrangement of this magnitude there were a series of exchanges of information, telephone calls, exchanges of memos and perhaps even letters. There is nothing unreasonable about that. Surely that is part and parcel of the negotiating process.

What we are debating here is very clear. It is a bilateral trading arrangement that has been agreed to in principle by the two countries, has been initialled and has been tabled and deposited with the Clerk of the House of Commons for everyone to see.

Mr. Speaker: I will recognize two more Members; the Hon. Member for Winnipeg—Birds Hill, followed by the Hon. Member for Cape Breton—The Sydneys.

* * *

FISHERIES

CANADA-FRANCE DISPUTE—WITHDRAWAL OF FRANCE FROM TALKS

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, apparently France has walked out of the talks which have been going on between Canada and France with respect to fish. Will the Deputy Prime Minister tell us what the Government proposes to do about the continuous overfishing in Canadian waters by France?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I was informed of that decision just prior to Question Period. We regret very much that France has seen fit to take this action.

Canada stands ready and willing to re-enter negotiations at any time. We stand by our stated principles and objectives with respect to conservation and preserving those fish stocks. We particularly stand by the principle of ensuring that any negotiated settlement is in the best interests of the Atlantic fishermen.

OBSERVANCE OF FISHING QUOTAS

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is directed to the Deputy Prime Minister. Now that the talks have broken off, does the Prime Minister have any reason to believe that the French will abide by the quotas that have been stipulated by the Government? Will this be a licence for France to overfish in the meantime? What will the Government do to assure fishermen in Atlantic Canada that the French will not overfish and the Government will stand behind the fishermen?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am sure the Hon. Member would appreciate the fact that we have not received a full report from our negotiator. I was just apprised of this prior to Question Period. I can assure him that our position remains clear. It is certainly our desire to see a significant decline in the fishing in that zone known as 3PS. Clearly the statements and objectives of the Government remain the same with regard to the principles of conservation of adequate fish stocks. While we still prefer the negotiated settlement route by far, the ultimate and main interest is to ensure that the welfare of Atlantic fishermen will be first and foremost on our minds.

* * *

POINTS OF ORDER

MEMBER'S STATEMENT DURING QUESTION PERIOD

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, during Question Period I referred to a comment made by the Secretary of State for External Affairs (Mr. Clark) as having been made on October 7, 1987, on CTV's program *Question Period*. In fact, the date of the *Question Period* program in question was August 27. I want to correct the record.

MEMBER'S STATEMENT UNDER S. O. 21

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I also rise on a point of order with respect to correcting the record. In a statement that I made before Question Period today, I referred to the election in which the Prime Minister did not let on to the Canadian people that he would seek a free trade agreement. That was in 1984, not 1974. However, the same thing applies.

Mr. Tobin: Mr. Speaker, now that a member of the Official Opposition and a member of the New Democratic Party have paved the way, perhaps government Ministers could rise *en masse* to correct the record after Question Period.

Mr. Speaker: The Chair is always mindful of the helpful suggestions of Members. However, I think we will proceed.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petition No. 332-3013.

* * *

INTERPARLIAMENTARY DELEGATION

PRESENTATION OF THE SEVENTH REPORT OF THE CANADA-EUROPE PARLIAMENTARY ASSOCIATION

Mr. Gus Mitges (Grey—Simcoe): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House, in both official languages, the seventh report of the Canada-Europe Parliamentary Association.

* * *

PETITIONS

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have a petition from Canadians across the country who indicate that whereas the federal Government proposal to seek financial self-sufficiency by 1988 for the Canada Post Corporation will result in cut-backs, deterioration in service of the Post Office and consequently will be at the expense of service to Canadian consumers; and whereas the proposed measures have already resulted in the closure of many rural Post Offices and the cancellation of rural routes which means drastic reduction in service for many Canadians; and whereas postal rate increases affect all Canadians while basic services are not improved, the federal Government has not enabled Canada Post Corporation to pursue revenue-generating services.

Therefore, the undersigned petitioners humbly pray and call upon Parliament to instruct the Government to make improved service the highest priority of Canada Post Corporation and instruct the Government to abandon this policy of closing rural Post Offices and cancelling rural routes.

CONSTITUTIONAL ACCORD—UNANIMITY CLAUSE AND ABORIGINAL RIGHTS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I have the honour to present petitions from residents of the Yukon Territory who wish to take the opportunity to express their concern that they were not consulted and were not a signatory to the Meech Lake Accord. Therefore, they request the Government to withdraw the unanimous consent for the admission of new provinces and to ensure specific guarantees that future aboriginal rights conferences will take place.

* * *

• (1210)

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, Question No. 186 will be answered today.

[*Text*]

GENERAL EXCHANGES AGREEMENT BETWEEN CANADA AND U.S.S.R.

Question No. 186—**Mr. Friesen:**

In the General Exchanges Agreement between Canada and the Union of the Soviet Socialist Republic signed on October 20, 1971, which of the Articles numbered 1 to 20 inclusive, are presently in force?

Right Hon. Joe Clark (Secretary of State for External Affairs): All articles of the General Exchanges Agreement between Canada and the Union of Soviet Socialist Republic have been in force since its signature.

[*English*]

Mr. Lewis: Mr. Speaker, I ask that all remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

POINT OF ORDER

ALLEGED USE OF UNPARLIAMENTARY LANGUAGE

Mr. John Nunziata (York South—Weston): Mr. Speaker, during Question Period today several Members on this side of the House distinctly heard the Minister of Justice (Mr. Hnatyshyn) calling the Leader of the New Democratic Party a sleazebag. I would like Your Honour to review the "blues"

when they are available and to determine whether or not the word is unparliamentary.

If so, I would ask Your Honour to have the Minister of Justice withdraw unequivocally that term.

Mr. Speaker: In responding to the Hon. Member for York South—Weston (Mr. Nunziata), I indicated part way through Question Period that while I had not heard what was said I knew something had been said which offended some Hon. Members.

I will check the "blues" and I will report back to the Chamber.

GOVERNMENT ORDERS

[*Translation*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Cadieux that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and referred to a legislative committee.

Mr. Jacques Guilbault (Saint-Jacques): When I had to interrupt my remarks because the Oral Question Period was to begin at 11 a.m., Mr. Speaker, I was emphasizing some points in Bill C-86 and I was far from congratulating the Government for the substance of this piece of legislation.

One of the points I was about to make was that some provisions of this Bill are exceptionally harsh. Under these provisions, no individual who is convicted of an offence under the Act,—someone for instance who would oppose the continuation of the postal services—an offence that was committed while the individual was acting in the capacity of an officer or representative of the employer or the union shall be reinstated for a period of five years. Mr. Speaker, I feel that it is an excessive penalty.

There are already in this Bill very high fines for which the postal union, the Canada Post Corporation or even individuals could be liable, but this clause which would prevent an officer of the union or of Canada Post from getting his job back for a period of five years is excessive. I do not think that this clause is consistent with the Canadian Charter of Rights and Freedoms. And I direct this question to the Government: Has the Government really done its work and obtained appropriate legal opinion to know for sure that this excessive penalty is consistent with the Charter of Rights?

[*English*]

I am afraid that the 5-year off-the-job penalty which would apply to either a senior officer of Canada Post or a senior officer of the union may contravene the Charter of Rights. I want an answer from the Government on whether this has been checked, because I do not see a person not being able to do his or her job for a period of five years.

If an officer of Canada Post is not able to come back and work in his position for five years, where else will that person be able to work? It is a monopoly. There are no other post offices run in the country by the private sector. It is an extravagant penalty, and I want answers on whether or not it violates the Charter of Rights.

[*Translation*]

Mr. Speaker, I suggest that this Government, by introducing this back to work legislation, destroys our collective bargaining tradition. It simply wants to break the Canadian Union of Postal Workers in order to look tough with unions. It sees this as a means to score political points and halt its constant slipping in opinion polls.

Mr. Speaker, we shall not be party to a scheme whereby postal workers are held to ransom.

[*English*]

No legislation was needed to appoint the mediator who will be appointed under the provisions of this legislation. We have been calling for a mediator for over a week and the Government refused. What the Government should do now is what it should have done over a week ago, that is, appoint a mediator without the need for this legislation. The legislation should be put aside. It should be shelved. A mediator should be appointed in a climate without a sword of Damocles over both Canada Post and the union, so that the mediator can mediate in a reasonable way and with reasonable chances of success.

In conclusion, I have asked myself the following questions, and I should ask them of the Government. What has happened to democracy in the workplace? What is wrong with democracy in the workplace? What is wrong with the regular, bona fide negotiations which produced good results in the last letter carriers' strike in the month of June? How come the Government suddenly decided that what did work in the postal strike a few weeks ago will not work now?

These are the questions we are asking ourselves, and these are the questions we are asking the Government. These are the questions to which we want answers before we will support this piece of legislation.

Mr. Rod Murphy (Churchill): Mr. Speaker, as I listened to the Minister of Labour (Mr. Cadieux) start the debate today, he implied that the legislation was similar to, if not the same as, the legislation introduced in August to order back the people who work on the railways. In fact, this legislation is significantly different. I believe that the Minister is deliberately trying to downplay or deny the aspects of this legislation. The legislation is so completely different that we must wonder why that is so and why the Minister is implying that it is not different.

Also, as I listened to his speech, I was asked by one of my colleagues whether he was still the Minister of Labour or the

Minister responsible for Canada Post. That is a significant question, because the speech was a management speech and the legislation is management legislation. There was absolutely no concern, no sympathy, no understanding of the employees affected by the piece of legislation.

Throughout the last number of months we listened to the Minister of Labour and he sounded more and more like the Minister responsible for Canada Post.

A decision of the Canada Labour Relations Board indicated that Canada Post was intimidating its workers and forcing them to do work which was normally done by employees on strike, and that it went against the Canada Labour Code. We asked the Minister to make a statement that that situation would no longer be tolerated, and he refused to do so. He said that the decision of the Canada Labour Relations Board with regard to two unionized workers in Halifax was enough.

I pointed out to him that I had talked with non-unionized employees who wanted some assurance from the Minister of Labour that Canada Post would follow the dictates of the Canada Labour Code. I asked the Minister whether he would rise and say that the Canada Labour Code indicates that workers cannot be intimidated into doing work which is being done by people who are on strike. He did not do that.

• (1220)

It is an impossible situation when we have a Minister of Labour who will not defend the labour legislation that is on the books and that has been on the books for many years. Employees do not expect the Minister of Labour to take their position on each and every occasion. But when it is clear that the employer is not obeying the law of the land, the Minister of Labour has the responsibilities of the Minister of Labour. He has failed in those responsibilities.

He has failed throughout the postal dispute to differentiate between his role as the Minister of Labour and his role as a member of Cabinet. This Cabinet has been Canada Post, one step removed. The answers we have had from the Minister responsible for Canada Post have been the answers of the management of Canada Post. It has been this Government which has refused to let the item that has caused the strike, the issue of franchising out those jobs, be negotiated.

Time after time when we have asked questions of the Minister responsible for Canada Post he has taken the position that this is a management issue. It is not a management issue. It is the issue which caused the strike. It is the issue of those people who are working in the wickets right across the country who want to maintain those jobs saying, "Look, we want to negotiate that point. We want to be in a position to try to secure the jobs that we have at the present time". That is a very legitimate reason for negotiating. To have the Minister responsible for Canada Post get up time after time and say that that is management's right, that that should not be negotiated, that it cannot be negotiated, meant that this strike was going to happen.

It is fine for the Government to say, "Well, the Foisy report basically supported management and therefore the union is wrong". That is not true. Unfortunately, again, one of the very aspects of this legislation that upsets us is that if the mediation does not work then the arbitrator, who is the same person, is instructed to look at the Foisy report. This is a report that is pro-management, a report that states that workers do not have the right to negotiate with management their present jobs. It is a report which obviously denies the whole idea of collective bargaining.

Someone else said that this is a conciliation officer who made the report and it is logical that the Government should say that the mediator or arbitrator should look at that report. If that is the case, why did the Government refuse to do that same thing in the case of the back-to-work legislation with regard to the railways? If one takes a look at Bill C-85, the legislation ordering the railway workers back to work, he will see that it does not tell the arbitrator to look at the conciliation report. Do you know why, Mr. Speaker? It is because the Government in that case did not like the conciliation report.

The unions said that it was the basis for negotiation. They said that there were items, not all of them, but a number of them in the conciliation report which made sense and which would help to resolve the items in dispute. We suggested to the same Minister of Labour that it may not be a bad idea to have a provision in the legislation that the conciliation report be referred directly to the arbitrator. But he would not do that. Now that there is a report that the Government likes, it is right in this legislation that the arbitrator must look at the Foisy report.

The Minister in his speech said that there has been a history of distrust between the employees at Canada Post, the unions involved, and the management. That is quite true. It has been a very difficult labour situation, historically. But what he is doing with this legislation is building up that distrust more and more. He is escalating the level of distrust.

For the first time ever the employees at Canada Post, the members of CUPW, have not had a general strike; they have not preached violence; they have had a rotating strike. They have encouraged their members not to be violent. They have done a very good job for the most part in making sure that that has been the case. They have allowed the mail to go through.

We even read in *The Globe and Mail* yesterday that this is not the time to order the postal workers back to work. I do not remember *The Globe and Mail* ever, historically, being a pro-labour, pro-union newspaper. It recognized in its editorial yesterday that this was not 1978. It recognized that this was not some old fight between Canada Post and the postal workers, that there was a different regime and that this was a regime in which CUPW was trying to negotiate items. Its members were having a rotating strike. They were not asking for more. They were not trying to get a rich contract but trying to preserve the jobs that those men, and mainly those women, have at the present time.

As I indicated earlier, these jobs are decent-paying jobs, jobs which are held mainly by women. These are jobs which will, as a result of the Government's plan and Canada Post's proposals, be going out to drug stores, Bible book stores and to other stores across the nation where we know that the people hired will receive minimum wages. Basically, they will be women in part-time jobs with almost no extra benefits, no pension plan. There will be nothing other than the basics required by the law.

I have to ask why the Government believes that in 1987 when we have been talking about affirmative action for so long, when we have been talking about the fact that women are so often ghettoized in their jobs and why we have been so concerned with the fact that part-time workers do not have benefits, security and any sort of pension plan that is worth talking about, that its plan for franchising-out is forcing the creation of another job ghetto in this country. It has been argued that we need more service to the public. Post offices can stay open longer. It is being said that we are better off if we can go to our local store rather than to a post office building.

But take a look at where the franchising-out will be. In my constituency in the City of Thompson there is one post office. They have decided to franchise-out to three other stores. The City of Thompson is only two miles square. One of the post offices that has been set up is across the street from the main post office.

I have had a constituent talk to me already about this new improved service. He received one of those call-back cards telling him he had to go to this new subpost office, the one where minimum wages are paid. He went down to pick up his registered mail, but it was closed for inventory. Fine, so he went back to his car, saw that the post office was across the street, got out of his car, because he did not have to drive anywhere. He was told, "I am sorry, your letter is over at the subpost office, that is where you have to pick it up". It is closed for inventory, he could not do that. He came back the next day, it was open, they had finished their inventory but the woman who looks after the post office wicket was out. She was not there. So, again, the man who has parked his car right in front of the post office, has to leave because he cannot get his registered mail. Twice he has had to leave work, go and get his mail but could not do so because of the privatization plan. That is not an increase in service. It might be an increase in profits for that little book store but it is not an increase in service to the public of Canada.

It is being done deliberately by the Government, knowing full well that it is ruining any chance of labour peace within the Post Office. It knows at the same time that it is forcing women to give up jobs that they have had, which they have had to work many years to get, those so-called preferable jobs at the wickets. Those jobs will now disappear.

• (1230)

The Government says they can take other jobs. It is quite willing to make sure no one is fired as a result of this situation. Yet as you take away those two wicket jobs in one town, three in another, four in the next, because they have all been sent out to sub post offices, those women will have to take evening jobs or jobs in other communities because there is no guarantee we will need more mail sorters in those small towns and cities. Yes, this will not cost anyone their jobs, but it will make it damn difficult for them to keep working. The Government knows that is true but is too blind to admit it.

This strike was provoked by the two Ministers sitting across from me. They are the cause and that is why we cannot expedite passage of this legislation. In other cases of such legislation, even though we have not liked it, even though we thought it was basically unfair, we have worked to see it passed in all stages in two or three days, sometimes even less. We did that because we believe the Government has the right to intervene at some point to re-establish essential services, if that be the case. Even though we have not liked the legislation, and quite often we have been morally offended by what was in it, we have co-operated. Yet today both opposition Parties got up and said that we are not co-operating because the Government is causing an unnecessary dispute. It is causing grief for families right across this country. It is taking jobs away from women, and it is all completely unnecessary.

I believe this is part of a political agenda by a Government which has to prove it can beat someone, somewhere, sometime. It needs this for its psychological make-up, and to keep its right-wing back-benchers happy. No one else really believes we have to take away those wicket jobs. No one else accepts the Government, through Canada Post, saying day after day that this cannot be negotiated. It does not matter that the union has conceded that in such situations these sub post offices can be set up. It does not matter that there has been a willingness to negotiate and recognize that this is going to happen to some degree. The unions recognize the role of management but they want the right to sit down with management and negotiate major items of contention. They are concerned with the security of the jobs of the people they represent. They are concerned with the right of people not to be forced to move to other centres because that is the only way they can work for Canada Post.

I anticipate that some government Members will eventually want to get up and say, well, things change with time. You cannot always live in the 18th century. That is not the issue here. We are not talking about new technology taking away jobs. We are talking about these jobs being done by private enterprise, not by public enterprise. We are talking about the jobs being done at less than decent wages. They cannot be done by women who want regular employment.

I cannot for the life of me understand, apart from its political paranoia, why the Government will not allow this item to be negotiated. Is it so important to the Minister

responsible for Canada Post, the Minister of Labour, and the Parliamentary Secretary to the Minister of Labour that these positions be posted out and the jobs become part-time? Is it so important that they cannot negotiate? I cannot understand why they take that attitude.

I would like to get back to some of the other items in this legislation, which is not the same as the back-to-work legislation in the case of the railway workers. That is important because, as I said earlier, the Minister of Labour tried to impress the media with the fact that the legislation is basically the same. I have already pointed out the different way the conciliation report is being handled. Because the Government likes it, the arbitrator has to look at it. In the railway legislation the Government did not like the conciliation report so it was not referred to the arbitrator.

Then the Government says it sent in a mediator. People should not worry about that. Yes, the union called for a mediator. Yes, the two opposition Parties called for a mediator. Yet you look at the legislation and we have a mediator-arbitrator, the same person for both functions. That person will have to act as a mediator for two months and, if things do not work out, will have to switch hats and become an arbitrator. Talk about built-in failure.

The whole concept of a mediator, as anyone involved in collective bargaining knows, is that it is someone both sides can trust as an honest broker. It is someone sitting down in confidence and saying we are willing to move this way if the other side will move here. We will give if they do not take as much. This is a real problem and this is what has to be resolved. A mediator cannot fulfil that function if at the same time he acts as the arbitrator.

The role of an arbitrator is the opposite to that of a mediator. The arbitrator is to listen to formal presentations and then make a decision. Canada Post, the Government in disguise, and the workers through their union are not going to be able to work with that mediator the way they should be able to because, for political gimmickry, we have a mediator who becomes an arbitrator so the Government can go to the public and the media and say we were asked to provide a mediator, we were asked to let negotiations take place, and we have done that. It has not. It has sabotaged them. Not only that, it has increased the amount of distrust the workers have for the Government.

I ask the Minister, why not have a mediator who works for two months and then have someone else go in if the negotiations have not succeeded? Why not allow mediation to work? Why kill it in advance? I have heard so many speeches by the Minister saying it is always best to try and negotiate and that he is giving the two parties one more opportunity to solve the issue at the table before arbitration comes in.

Mr. Cassidy: That is when he was Minister of Labour.

Mr. Murphy: He even said it today when he was the Minister acting for Canada Post. This legislation does exactly the opposite. I negotiated for teachers in Thompson for years and I used mediators. I have gone before arbitrators, and I know the roles are distinctly different. I know that where we used mediators it was because we trusted them as honest brokers and were able to say certain things to them. I suspect management said things to them which made it possible to come to some sort of collective agreement. This legislation will not allow that. Again, this was not proposed in the case of the railway workers. They were given the opportunity to have a true mediator.

• (1240)

The Government said that because it had a fact finder, someone with a lot of experience, Mr. Kelly, it decided that there could not be a settlement. Unfortunately, because this back to work legislation was here and because neither the Minister of Labour nor the Minister responsible for Canada Post have shown any willingness to have the important issue of franchising-out and job security negotiated, the workers felt that they never had fair bargaining.

Canada Post always knew it had the government on its side, giving it direction not to negotiate the very items in contention. How can one say that mediation will work? How can one say that negotiations will work in that scenario? That is why we have called for an independent mediator, someone who is outside the Government service, not tied to the Minister of Labour or to the Minister responsible for Canada Post. If there is a truly independent mediator the issue of franchising and job security will be negotiated. Yet both parties, if the Government will allows, will be able to negotiate that very contentious item. That does not mean there will be an agreement for sure, but it means at least there is an opportunity to sit down and negotiate with the support and facilities a mediator provides.

Another area where this legislation does not reflect the back-to-work legislation used in the railway case, is the penalty clause area. Contained in the Bill are the usual clauses about financial penalties. We know that if someone does not pay the financial penalty he ends up going to jail. That requirement has been included in a lot of back-to-work legislation. However, the clause which says that employees, officials or elected people of the union who disobey the law are automatically barred from their job or elected position for the next five years is unjust. It was not put in the back-to-work legislation for the railway workers. At that time the Minister of Labour said that he did not believe it was a just clause. But now it is a just clause. That clause was used in the longshoreman's strike legislation but it was not used in the case of the railway workers, even though some railway workers were talking about not obeying the back-to-work legislation.

I agree with my Liberal colleague that this clause is against our Constitution. It will do away with the rights of workers to affiliate and to seek elected office. In a Cabinet that has had such legal problems, even if one or two former Ministers were convicted and went to jail or had to pay financial penalties, they still in spite of that retain the right to run for election.

The right that former Cabinet Ministers have to be re-elected is being denied to shop stewards. It is a very unusual, severe and unjust penalty, a penalty which the Minister did not think was necessary in the case of the railway workers.

There is always the question of credibility with the Government. I believe that that is the essence of the problem here. People believe that the Minister of Labour should be acting impartially. He should not be the management representative and he should not, after a certain level, be the representative of the workers. Decisions are supposed to be impartial, but I do not think that that has ever happened here when there have been disputes in the past at the Post Office. In a letter written on July 29, 1987 the P.M. said:

> We all recognize that labour relations at Canada Post have had a turbulent history. A long-term solution to these problems can only be worked out by the corporation and its unions through compromise and a willingness to work toward establishing a mature labour-management relationship. Government intervention has not been the solution to labour disputes in the past and is unlikely to be the panacea of the future.

When you get a letter like that from the Prime Minister you have to believe that he is advocating negotiations, advocating, to use his own word, compromise, and he is saying that the best solution is obviously not back-to-work legislation. The Government will not allow negotiations on the primary item, the issue of franchising out. That has been said time after time by Ministers of the Crown. The Government will not allow compromise and is forcing the situation where we have to have back-to-work legislation, something which the Prime Minister said is not a benefit and will not be a benefit in labour relations of Canada Post.

The situation involves a strike caused by Government, for unjust reasons, affecting families right across the country. Yet the Government expects us in the House to be a rubber stamp for its political agenda.

I was actually quite proud of the way in which the postal workers handled the strike. I was happy and very pleased to see how limited was the violence. I know it is not easy. I come from a town where they have actually built log cabins right on a provincial highway to discourage people from crossing a picket line. Unfortunately the people have taken shots at the helicopters and the union has had to stop them. I know how high emotions can run strong when strike breakers or scabs are brought in. I know how strong those emotions are and how difficult it is to try to keep a tight rein on that type of situation. For the most part we have seen success, but if there is any increase in violence now it will not be as a result of a change in strategy by the union, but as a result of unjust, unfair and unnecessary legislation being forced upon the employees by Government, which is management in this case. How can people feel that they are being treated fairly when their jobs are disappearing, when the Government will not negotiate the item about which they are concerned and when the Government uses its power to order people back to work by legislation that is much more harsh, restrictive and balanced in favour of management than has been other legislation introduced in this House to order people back to work?

If the union and its members know that the Government will use its legislative clout to deny them basic rights, of course violence will increase, even though we all deplore it. It also means that in the future it will be very hard to convince working men and women, not only at Canada Post but in other Crown corporations, that they will be treated fairly. It is a bad sign and a bad signal. It is an indication that when people are negotiating with Air Canada, the Canadian National Railways, or with the federal Government itself, they will not be treated fairly, that their concerns are not concerns that can be dealt with in negotiations because the Government will not allow it. If negotiations are not settled, even though they are not allowed to negotiate items important to them, the Government will in the end introduce legislation, wording it in such a way that it benefits the management side. That has obviously happened here. The penalty clauses are aimed not at management but at the employees.

• (1250)

The reference of the Foisy report is again one which management wanted and the Government wanted. Yet it was not done in the railway legislation when the union wanted the same thing. The request for an independent mediator, something that is allowed under Canadian law, something that the Minister of Labour is allowed to do, was not agreed to despite the fact that union asked for it, despite the fact that the two Opposition Parties asked for it, and despite the fact that a lot of groups in our society believed it was a good idea Because Canada Post did not believe it was a good idea, it was not done, and that is the truth.

This was and remains a strike caused by the Government. It is unjust for the House of Commons to pass this legislation, and it is certainly unjust for the House of Commons to pass it quickly. We will oppose this legislation. Later on, we will seek to amend the legislation.

As long as the Government refuses to change the legislation, and as long as the Government refuses to allow working men and women to negotiate for some semblance of job security, then we will have to oppose the legislation.

[*Translation*]

Mrs. Carole Jacques (Montreal—Mercier): Mr. Speaker, I am pleased to have this opportunity to make a few observations relating to Bill C-86, the *Postal Services Continuation Act, 1987*, and the developments which gave rise to the necessity for a legislated end to the current postal dispute. I want to say most emphatically to all Hon. Members present that I believe that this Bill should be supported for two very important reasons.

The first reason is that, in view of current developments in the dispute and the fact that the parties have failed to resolve their differences since their last agreement expired more than a year ago, the Goverment has little alternative but to restore full postal operations through legislative means. The second reason as to why I feel that the legislation should be supported lies in the merits of the method of dispute settlement provided for in the Bill now before us. The selection of mediation-arbitration as the dispute settlement mechanism is well suited to this particular dispute and I believe that it deserves the endorsement of all Hon. Members.

I think that it would be appropriate to review the background to the current dispute if only to provide some insight into the extensive third-party efforts which have been made over a lengthy period of time in an attempt to bring about a peaceful conclusion. The collective agreement between Canada Post Corporation and the Canadian Union of Postal Workers expired September 30, 1986, and conciliation efforts began one month later with the appointment of conciliation officer André Drouin of the Federal Mediation and Conciliation Service of Labour Canada. Mr. Drouin held meetings with union and management negotiators over a three-month period but there was little progress made in resolving any of the issues in dispute.

• (1300)

Mr. Claude Foisy was subsequently appointed as conciliation commissioner in the dispute on February 23, 1987, and numerous meetings were held between the commissioner and the parties over the period from March 2nd through August 12th. As we heard the Minister of Labour say earlier in this debate, Mr. Foisy is an experienced labour relations practitioner and a former Vice-Chairman of the Canada Labour Relations Board. Unfortunaly, the parties saw fit not to draw on the knowledge and abilities of the commissioner in achieving a settlement but rather to bury him in position papers and briefing notes. Discussions for the most part were limited to exchanges on principles and rarely came to grips with the specifics relating to the operative sections of the contract. Mr. Foisy went so far as to suggest that if the parties are not happy with the proposed wording of certain recommandations, then "they have only themselves to blame, having had over five months to give me their comments".

One can appreciate the frustration which the conciliation commissioner must have felt in attempting to elicit meaningful dialogue from the parties and instead being faced with two sides more intent on avoiding their responsibilities to make use of the collective bargaining process. The commissioner's report, a comprehensive document comprising some 82 pages, was released to the parties on September 22. Post-conciliation meetings were held between the parties, but again they involved more public posturing than actual bargaining. On September 29th, the Minister of Labour asked his Associate Deputy Minister, Bill Kelly, to meet with the parties to assess the chances of a negotiated settlement, either in direct negotiations or with the assistance of a mediator. By all accounts, this assessment was quite negative as to the prospects for a negotiated settlement short of a protracted work stoppage. In a telegram dated October 6, 1987, the Minister gave the parties one further opportunity to settle their differences. He warned them that whether a Bill would be introduced or not depended on their will and capacity to achieve resolution through the collective bargaining process. However, despite all of these opportunities, the differences between the positions of the parties on several major issues have made any hope of a near term settlement next to impossible.

Mr. Speaker, Hon. Members are only too well aware of the serious consequences which a work stoppage of this nature can have on canadian businesses which are dependent upon the postal service for their economic survival. The citizens of Canada do not deserve to be subjected to a second disruption of their mail sevice. With no hope of a negotiated settlement in sight, this Government has taken its responsibility to the Canadian people to restore full postal service, with provision for the settlement of the issues in dispute through mediation or arbitration.

Mr. Speaker, the *Postal Services Continuation Act, 1987*, provides for the immediate termination of the current work stoppage and a resumption of full postal operations. The legislation also extends the collective agreement for a period to be determined through arbitration of not less than two and not more than three years. Perhaps, most importantly, Mr. Speaker, is the fact that this legislation provides for the settlement of the parties' differences through the process of mediation-arbitration or "med-arb" as it is more commonly referred to in labour relations terminology.

I think that it is important that Hon. Members appreciate the rationale which the Minister of Labour has used in providing for the appointment of a mediator-arbitrator to deal with the resolution of the issues in dispute between Canada Post Corporation and CUPW. Basically, Mr. Speaker, what this piece of legislation provides is a last opportunity for the two sides to roll up their sleeves and get down to serious bargaining or face the prospect of having a third party make binding decisions which will dictate the details of any new collective agreement. I am sure that Hon. Members would agree that legislative solutions cannot possibly address all of the problems and frustrations which need to be worked out at the bargaining table. This is why it is imperative that the parties seize this opportunity to work with the mediator to arrive at a mutually acceptable agreement.

Under the med-arb procedure provided for in the legislation before us today, the two sides to the dispute, while party to an arbitration proceeding, still have the opportunity to carry out the negotiation process. The mediator-arbitrator combines the skills and functions of the mediator with an ultimate mandate to make a final and binding decision on all issues which cannot be mediated to resolution. The influence of the mediator-arbitrator on the outcome of negotiations is more than that of a conventional mediator because the parties are aware that, if they fail to reach agreement, the same person will be switching roles to that of arbitrator and rendering a binding decision.

The process of mediation-arbitration has been used on a limited basis in the federal jurisdiction before, and has proven its worth as one of the more promising alternatives which exist for the resolution of collective bargaining disputes. In this particular instance, we can only hope that it will prove effective in prompting Canada Post and CUPW into coming to grips with those issues which are preventing the achievement of a new collective agreement. In addition to having the opportunity to meet with the parties and gain a full appreciation for the issues and the distance separating them on specific items, the mediator-arbitrator appointed under this legislation will have the benefit of the extensive evaluation of he dispute already undertaken by conciliation commissioner Claude Foisy and fully documented in his report.

In conclusion, Mr. Speaker, I would reiterate my concern that this Bill, the *Postal Services Continuation Act, 1987*, receive prompt passage by Hon. Members so that the confrontation between Canada Post and CUPW can be terminated as soon as possible. Critics of back to work legislation often suggest that one of the more dangerous consequences of legislative intervention in the collective bargaining process is the potential which is created for disrespect of the rule of law. For any legislation to be respected, it must be perceived as just and fair. While a personally find the requirement to introduce this particular legislation to be unfortunate, I applaud the enlightened approach which the minister of labour has adopted in the Bill with regard to the dispute resolution mechanism. Not only does the proposed legislation provide the parties to the dispute with one last opportunity to resolve their differences themselves, but the appointment of a mediator-arbitrator requires the parties to approach the process in a constructive and responsible manner, to ensure full consideration of their respective contract proposals.

I urge all Hon. Members to support the *Postal Services Continuation Act, 1987*.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I have a question for the Hon. Member for Montreal—Mercier who has just concluded her comments. At the end, she mentioned that the Bill provides harsh penalties for those who are guilty of offences under this Act. I would like to ask her a question about clause 11(2) which provides for additional punishment in the case of certain offences. This clause states that no individual who is convicted of an offence under the Act that was committed while the individual was acting in the capacity of an officer or representative of the employer shall be employed in any capacity by, or perform any work for, the employer at any time in the five years immediately after the date of the conviction.

Would the Hon. Member tell the House whether or not she finds such a penalty reasonable? Does she think it is reasonable to impose a further sentence to a Canada Post or a union officer already fined for having violated that legislation—because those five years are a further punishment, are they not? Is she not concerned that might go against the provisions of the Charter of Rights and Freedoms? Would she not have some concerns about that clause of the proposed legislation? Would she not be concerned about the future of a senior employee in Canada Post who could not be permitted to resume his job for a five years period? What will he do then to earn a living? He could not seek any equivalent job within any comparable organisation since Canada Posts holds a monopoly in Canada. What does she have to say about that? Is she in favor of that clause or would she rather have it amended or withdrawn?

• (1310)

Mrs. Jacques: Mr. Speaker, in answer to my colleague, I say that Clause 11 is not contrary to the Charter of Rights and Freedoms. Of course, if a person is guilty of an offence under the act, I find it reasonable and just to deny that person the right to go back to work, to do the same work, for five years. And I am not worried because, I do not think union leaders and representatives would have any difficulty finding another job in another sector, even if the Corporation is a monopoly as you said earlier. I think that to ensure compliance with this act and with the legislative arrangements a government will make, we must provide for this kind of penalty. If we do not, people will consider that act as frivolous and will not abide by it.

Mr. Deputy Speaker: The Hon. Member for Gatineau (Mrs. Mailly) for a question or comment.

Mrs. Mailly: Mr. Speaker, I wish, first of all, to congratulate my colleague who stated very well why she supports that Bill. I would like to ask her a question related to a comment made by the Hon. Member for Saint-Jacques (Mr. Guilbault) in his speech. Considering that he just asked her a question, I think it would be only fair if I could get some clarifications from her. He talked about the remarks made by our colleague, the Hon. Member for Richelieu (Mr. Plamondon), concerning the use of replacement workers during a strike. I would like her to answer my question about the Quebec legislation. There is a provincial statute which prohibits the use of replacement workers. This is why, in Quebec, people tend to think it is illegal to use replacement workers during a strike. However, if

I remember correctly, this is strictly a provincial statute which does not apply to installations under federal jurisdiction. What my colleage for Richelieu is objecting to is not the fact that is is illegal—it is not—but that there is a feeling, an impression in the population that it is illegal, which makes it difficult for the people who must support a law allowing the use of replacement workers.

Mrs. Jacques: Mr. Speaker, I would like to answer the question from my colleague the Hon. Member for Gatineau (Mrs. Mailly). Our collegue the Hon. Member for Richelieu (Mr. Plamondon) probably went picketing to show after all his support for the postal workers.

Of course, Canada has a legislation allowing for the use of replacement workers, the so-called scabs. However, Quebec laws do not allow the hiring of replacement workers. Considering that the present dispute is under federal jurisdiction, the federal law thus applies even in the province of Quebec.

Mr. Deputy Speaker: The Hon. Member for Winnipeg North Centre (Mr. Keeper) for question or comment.

Mr. Keeper: Mr. Speaker, I have a question for my colleague.

One of the problems in the conflict between the union and Canada Post relates to the franchising out program, the privatization of post offices. My question is the following: What does she think of her Government policy concerning the franchising of post offices which results in salary reduction, particularly for women? For example, in rural areas, some women were ready to accept one fifth of their old salary to take charge of a post office. In urban areas, now people can have a good salary but after franchising, they will earn only minimum wage.

What does she think of that policy which makes women pay for the deficit of the Canada Post Corporation?

Mrs. Jacques: Mr. Speaker, I would answer to my hon. colleague from Winnipeg North Centre (Mr. Keeper) that the bill we would like to pass today does not deal with the issue of franchising of postal operations. Franchising is an issue that parties should settle during the negociations.

Besides, I simply do not think that franchising will affect women any more than men. And our Government would never let that happen. I do not feel that . . . I would like to have more background on the basis for your question but, as of this moment, I do not think that franchising affects women any more than men. I do not agree with what you said a moment ago.

Mr. Keeper: Mr. Speaker, I should like to tell my colleague that I do not doubt that she is sincere. However, does she know that with franchising in rural areas, postmasters' wages will be greatly reduced and that 80 per cent of the workers in those offices are women? The effect of that policy will be to reduce women's salaries and in a specific case of which I am aware, that is the case of Wilno in Ontario, the lady who is the postmistress is being asked to work for a fifth of her former salary. Such is the implication.

Mrs. Jacques: In answer to the supplementary question of my colleague from Winnipeg-North-Centre (Mr. Keeper) I should like to point out that the franchising policy, as you said, is part of the problems being negotiated.

However, this policy is not only aimed at women and will not only affect women's wages but could also affect men's wages. If according to your figures there is a higher percentage of women in rural areas—but the policy is not only aimed at women.

Mr. Deputy Speaker: I shall allow a last question to the Hon. Member for Lac Saint-Jean (Mr. Côté).

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, it is a fact that earlier the Hon. Member for Saint-Jacques (Mr. Guilbault) in a question addressed to the Hon. Member for Montreal—Mercier (Mrs. Jacques) referred to Section 11 of the Bill which deals with additional penalties. The clause refers to additional penalties for both the union and the employer.

If we look at the interpretation clause on page 1, we find that the terms union, employer and employee are clearly defined.

My colleague the Hon. Member for Saint-Jacques made allegations which are altogether wrong when she referred to the rights and freedoms of individual employees who would not be able to find work for five years, as though only the Canada Post Corporation existed. Clause 11(1) refers to the Union:

> No individual who is convicted of an offense under this Act that was committed while the individual was acting in the capacity of an officer or representative of the union shall be employed in any capacity by the union—

If we move down to Clause 11(2), we read the same thing:

> —while the individual was acting in the capacity of an officer or representative of the employer . . .

So, Mr. Speaker, Clause 11 does not mention any additional penalties for the employees.

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, speaking in the debate on Bill C-86 this afternoon, my colleage the Hon. Member for Montréal—Saint-Jacques (Mr. Guilbault) clearly described the situation and the dangers which may result from a government which is clearly seeking a confrontation with its employees and whose attitude is responsible for the current postal strike.

I would not want to repeat what he said, but I should like especially to address the following questions: Why is there a strike? How did we get there, Mr. Speaker? After a period of five years with no strike, how is it that we are now faced with a second strike in two months?

First, Mr. Speaker, we should go back a few years. Of course, we all remember and Canadians all remember that the

1960's were not easy years. We went through a period of changes, of automation, and of course at that time we experienced very extensive labour disputes that were very wearisome for everybody. And it was a Liberal Government in 1981 that established the Canada Post Corporation, with three specific mandates, Mr. Speaker—first, to improve employer-employee labour relations; second, to improve services; and third, to reduce the deficit.

Of course, Mr. Speaker, those three mandates have equal priority. There were not one, two or three that had to be met by steps. But the three mandates were an overall mandate for Canada Post Corporation to provide Canadians with better services, reduce its deficit rather than constantly digging into Government coffers, and third, of course, to enjoy labour relations that would allow the Corporation to provide good services.

But, in 1984, there was a changeover in government, Mr. Speaker. And this Government, with a legitimate mandate from the people, decided once again to conduct a study of Canada Post Corporation. Indeed, in June 1985, the former Minister in charge of Canada Post Corporation set up the Review Committee to consider the terms of reference and productivity of Canada Post Corporation, which was to be known as the Marchment Committee.

• (1320)

Here we are in the House today debating a Bill which does away with the right to strike and forces the union membership back to work, yet the issue is not higher wages but job security. Mr. Speaker, the whole matter revolves around the privatization of Canada Post. From the outset, Mr. Speaker, I should like to focus on the danger and the problem which even the Marchment Committee envisioned if the Government were to give serious consideration to the possibility of privatizing Canada Post.

In the report—page 23 in French, page 20 in English—the committee looked at two privatization avenues. The first one was to sell Canada Post lock, stock and barrel, so then the whole thing would have been in the private sector. The committee did consider whether or not this would be practical, and I should like to read a paragraph concerning this option, on page 20 of the report.

"There is, however, one difficulty which the Committee is convinced could not be overcome at this time. The Post Office's continuing history of annual losses makes it an unattractive candidate for sale in its entirety as a going concern. Even if it were given away, the newly established corporation with no history of prior earnings would find it virtually impossible to arrange adequate financing in the private money markets. To turn the Canada Post over to the private sector and then provide the new corporation with Government grants and guarantees would hardly satisfy the objective of reducing the real and potential drain on the Treasury and, hence, on the taxpayer."

As indicated in this paragraph the committee clearly states that selling the whole Canada Post operations to the private sector was unthinkable. And then there is the second option. Here is the following paragraph on page 20, Mr. Speaker.

"The second approach to privatization is to sell it off in parts. No doubt, if the Government decided to withdraw from the postal business on a phased basis, there would be many bids to take over heavily populated areas which generate high postal revenues. However, areas of the country which are thinly populated and lack industrial concentration would be less attractive to business.

These areas do not now generate sufficient postal revenue to cover the cost of mail processing and delivery. Some form of transfer payments would be imperative to make servicing of such areas viable. Indeed, it may well prove necessary to keep a much reduced Canada Post in existence as the mail handler of last resort. Such a Post Office would, of necessity, be an ongoing charge against public funds. The Committee is of the view that so long as universality of postal service is accepted as a tenet of public policy, privatization by parts is not the most desirable solution. Far better to turnaround the present Crown corporation and make it self-sufficient. The Committee is convinced that this can be done.

Mr. Speaker, I would like to put on the record recommendation no. 10 that the Marchment Committee has made on the privatization of Canada Post: "That privatization not be considered at this time. However, if Canada Post fails by 1990 to achieve its objectives of service and financial self-sufficiency, privatization should then be re-considered."

Mr. Speaker, my colleagues may wonder why I just read that recommendation, which is found on page 20 of the Marchment report.

The fact is, Mr. Speaker, that a strike has been called and we have to debate back-to-work legislation for the postal workers precisely because the Government wants to privatize the Canada Post Corporation. The Government chose the second option discussed by the Marchment Committee, which was to do this progressively. The Canada Post Corporation presented its corporate plan in November 1986 following the instructions it had received from by the Minister of Finance in February 1986. The Minister had said: From now on, you will have to be self-sufficient and you will not receive one cent in subsidies after March 31, 1988, at the beginning of the new fiscal year. This is when the Canada Post Corporation developed an action plan in three specific stages. These are mentioned in the report.

First, Canada Post began with the rural regions. Everyone will remember this, and I am certain that the Conservative Members who represent a rural region will remember it because they travelled throughout the country and there were demonstrations, meetings and petitions. Since there was so much pressure, they went before the Committee which was discussing the corporate plan of Canada Post, and because of the number of Conservative Members from rural regions, the

Government had to soften its approach, but it never abandoned its plan of closing as many rural post offices as possible because they are not profitable.

The second option was to install superboxes everywhere so that Canada Post would be able to leave mail delivery to subcontractors, and this resulted in a lettercarrier strike in June. The strike lasted ten days and there were acts of violence. And at the request of all parties, a mediator was appointed and it took him two days to settle the matter.

The third option, Mr. Speaker, is privatization, that is selling postal stations of franchising to the private sector. As indicated in the Marchment Report, that option is not workable, it is not a good idea. But it is being done precisely because it is easier to transfer postal services to the private sector because in urban areas there are many people and businesses and it will therefore be possible to maintain the service. That is why two strikes occurred within the past three months and that is the reason for the present one, Mr. Speaker.

Therefore, when you say that the minister provides in the legislation for the appointment of a mediator and arbitrator afterwards, it should be noted as well, Mr. Speaker, that at the same time the mediator is given the mandate to say: You must pursue bargaining according to the report of the conciliator who at that time agreed with Canada Post Corporation, which was entitled to sell those postal stations. That is not bargaining, that is not mediation designed to get both parties together and settle the matter after assessing all the facts, and to ask the non-partisan mediator to make recommendations, Mr. Speaker. He has practically no power beyond that objective which the government has set to privatize Canada Post Corporation.

If it wants to sell the Post Office to the private sector, the government can do it, but they must hold a debate on this matter in Parliament and also consult the people who have elected them.

Mr. Speaker, we must not forget either that under the Canadian Constitution, the federal government is responsible for postal services throughout Canada.

In Section 5 of the Act establishing Canada Post Corporation, it is clearly indicated that the Corporation is responsible not only for organizing but also for operating a postal service throughout Canada. Therefore the government, which wants to cut services in order to reduce the benefit, as Canadians already know, has enabled labour relations environment and the postal service to deteriorate and be at a standstill. Mr. Speaker, Canadians had regained confidence in their postal system, but they are back to square one, Mr. Speaker, and the fault lies with the Government whose indirect and hidden intention is to privatize the Canada Post Corporation.

Mr. Speaker, one can find confirmation of my assertion that Canadians had regained confidence in the Canadian postal service by referring to the financial report of the Canada Post Corporation which was presented not long ago, in June, I think.

• (1330)

[*English*]

The current revenue sources of Canada Post were clear in its report. Not only has the volume in dollars increased, but the volume of mail has increased. This indicates that Canadians want to use the services of Canada Post.

Since February 1986, and especially since November 1986, when we finally saw the business plan of Canada Post which was dictated and approved by the Government, we have seen a gradual destruction of the Canadian postal system that had been rebuilt in the five years from 1981 to 1986.

For example, its financial report indicates that in 1986-87 mail service generated almost 93 per cent of Canada Post's revenue, with first class mail being responsible for about 59 per cent. Second class mail is composed primarily of publications including newspapers, magazines, and books. The volume of revenue for this category remained relatively constant from previous years. Reserves from this source made up 9.5 per cent of the total in that year.

Third class mail includes both addressed and unaddressed bulk mailings of advertising material, direct marketing offers, and publishers' books. Revenue in this category showed a slight growth in 1986-87 and comprised 10.5 per cent of the total revenue.

Although often cited as a growth area of service, electronic mail has not yet realized its predicted potential. Indications are that it still provides a relatively modest contribution to the corporation's revenue. Why is this? It is because the Government decided to abandon future growth in the electronic mail sector.

Other services made up 7.3 per cent of the sales of philatelic products such as commemorative stamp and souvenir stamp collections. We must also take into consideration the sale of miscellaneous items amounting to $18 million and so on.

Canada Post can be vital and it can balance its books. If the Government would let it follow the mandate which was given to it in 1981, we could have better services and the good labour relations which existed in the five years before 1986.

Canada Post has a means of increasing revenues. For example, it has over 4,000 trucks and post offices in prime downtown locations. Why does it not sell advertising space as is done in other countries? It would bring in millions of dollars of revenue to Canada Post. It would not cost a penny because the advertising company would take care of the operation. Switzerland does it. Why cannot Canada Post do it?

We have asked Canada Post to do that, and it indicated that that would cheapen its corporate image. What kind of corporate image does Canada Post have today? It is not even able to deliver mail.

[*Translation*]

So, Mr. Speaker, neither I nor my colleagues of the Official Opposition subscribe to the statement that the only way to have a postal service in Canada is to privatize Canada Post Corporation.

I believe Canada Post could indeed be viable, deliver the mail according to its mandate and, finally, maintain better working relations than it does right now. We had evidence of that between 1981 and 1986—Mr. Speaker, you are indicating to me I am running out of time, that I have only one minute left. That is too bad because I had some quotations to make from the 1985 report of the conciliator, the present Deputy Minister of Finance, who had stated what, in his view, would be the future working relations between the Government and Canada Post Corporation and how both of them together could have contributed to improve the service and, as a matter of fact, solve the deficit problems.

[*English*]

Mrs. Mailly: Mr. Speaker, I am puzzled by the contradictions in the Hon. Member's speech. He mentioned earlier that because the Government was bringing in back-to-work legislation it was a sign that the Government had no faith in the corporation. Also the Hon. Member said that its reputation had been getting better and that our gesture to protect the public interest would ruin it.

A little later he said that when it was proposed to Canada Post that it should use advertising on its trucks, the answer was that it would cheapen the image of the corporation. He went on to say, very sarcastically, that its image was poor because it could not even deliver the mail. Therefore he asked why it would be concerned about its reputation. It is an interesting contradiction.

Also there seemed to be some error in fact in his presentation. I was special assistant to the President of the Canada Post Corporation in 1982, and I recall very vividly that the mandate given to the new corporation in 1981 was to improve service, to improve labour relations, and to arrive at reducing the deficit to zero within five years. That mandate was not changed by our Government. On the contrary, we gave Canada Post an extension of one year so that it could improve its service. Service had deteriorated; it had not improved.

I am puzzled by the facts used by the Hon. Member, and I would like him to answer my question about why there seems to be contradictions in his approach. He seems so convinced of his opinions.

Mr. Gagliano: Mr. Speaker, I think the only contradiction is in the mind of the Hon. Member.

I said that the mandate of Canada Post was to improve service, to have better management-labour relations, and to reduce the deficit.

The Hon. Member talked about five years, but I also noted that recommendation No. 10 in the management report of Canada Post indicated that it should be given another five years. It talked about privatization in 1990, not in 1986 when the Government decided to go the route of privatization. I do not see any contradiction.

Concerning the image of the Post Office, I was talking about how Canada Post could increase its revenue without going into private hands. There are many things that it could do to have extra revenues and without reducing services, but I referred to the advertising example which has no direct cost.

I do not see any contradiction, but the Hon. Member seems to see one. This is why I said at the beginning that the contradiction was in her mind.

[*Translation*]

Mr. Della Noce: Mr. Speaker, I have been listening to my colleague from Saint-Léonard—Anjou (Mr. Gagliano) and I would like to intervene. I do not often do so in the House but since I am keenly interested in the matter, because there are many post offices and many mail users in my constituency, and since I have received many complaints I wish to say a few words.

Last night, the CBC carried a television report on Great Britain which has already taken a step forward. The privatization was feared by everybody. Today, 36 million letters are delivered daily in Great Britain, six days a week and 24 hours after being posted, first-class mail is received.

I should like to ask my colleague whether Canada is not ready to get an adequate service and if privatization would not be helpful. I say that I do not object to unions and I do not like scabs as I am absolutely against them and I should like that to be shown in the records of this House. I have some experience of labour-management issues, and I never liked the kind of guerilla warfare I saw there, but I can assure you, Mr. Speaker, that every time I go to the post office in Canada, I wish I could get service with a smile. I don't know whether anyone here has ever had a smile. They don't seem to like their work, they don't seem motivated. There must be something that could motivate these people to at least give us a smile and be efficient. I would like to ask the Hon. Member, who is very interested in the private sector—so he says—why he keeps saying things that often would not be tolerated on the street, let alone in these venerable surroundings, instead of giving people, in the Government and elsewhere, a chance to provide proper management so that Canadians who pay the same price as Great Britain can get service with a smile?

• (1340)

Mr. Gagliano: Mr. Speaker, the Hon. Member for Duvernay should do his homework before asking his questions. I know perfectly well that the British Post Office is not privatized. Furthermore, the British Post Office is a success, Mr. Speaker because it is allowed to be a success. I have nothing against the union and nothing against Canada Post. I want decent service for Canadians. You will get that service if we let Canada Post get its act together. We have to be realistic. We

pay 36 cents to send a letter from Ottawa to Yellowknife. If we want to give all Canadians the same service, we will have to let Canada Post raise income some other way and get organized to provide a better service, and it should also have the means to finance that service if the Government does not want to pay the cost. As for me, I agree that we have to reduce the deficit, but we should let the Canada Post Corporation manage its own affairs.

In 1984, the Canada Post Corporation took action to increase its revenue by developing a service called Consumer Post. In this case, the Conservative Party went against the private sector. It said: You are in competition with the private sector. On the other hand, in England, the Post Office has a service called Floral Post for sending flowers. Does this service compete against the private sector? You cannot have it both ways, Mr. Speaker. I have nothing against the Canada Post Corporation organizing its own activities, but we should also give it the power to manage the postal service so as to provide essential services and make a profit. In fact, Canada Post has been told that it will not receive one penny after March 31, 1988, and that it will still have to see to it that its books are balanced, whatever happens to the service. This is what is going on now, Mr. Speaker. There have been cutbacks in delivery services, rural post offices are about to be closed, and now, the whole postal service will be split up. I also have small post offices in my constituency. These are all open at different hours. The Minister gave me a list one day showing post offices which stayed open between 9 and midnight. I will not say what I think of this, but it is certainly not true. I called them one after another, and some of them stay open between 9 and 5, other between 9 and 12, and some are open while others stay closed on Saturdays. We must have a credible service of some kind, Mr. Speaker. In my opinion, if we had kept to the mandate which had been given to the Canada Post Corporation in 1981, we would have succeeded. This is what the Marchment Report says in recommendation 10, that Canada Post will succeed if given another five years, and if it does not, a method to privatize the Corporation will be found. I personnally agree with this recommendation of the Marchment Report which was rejected by the Government.

Mr. Deputy Speaker: Questions and comments. The Hon. Member for Lac-Saint-Jean (Mr. Côté) has the floor.

Mr. Côté (Lac-Saint-Jean): Mr. Speaker, the Hon. Member for Saint-Léonard—Anjou (Mr. Gagliano) has the ability to take bits of information and to interpret them as he pleases. First of all, he started by asking how did we come this far? Then he went back to 1981. As a matter of fact, he was well advised to stop in 1981, because if he had gone further in the past, he would have had to mention the whole series of labour disputes the Canada Post Corporation was involved in. And then his was the governing party.

Mr. Speaker, I should like to remind my hon. friend that in 1978, his party did adopt a similar legislation, which also in 1980 landed the president of the inside postal workers in jail. The Canada Post Corporation was established by the Liberals in 1981 and, as any seriously handicapped "creature" from the start, it has a lot of difficulty living a normal life. And he quoted of course the Marchment Report; by the way, I should like to remind him that this is not a report prepared by the Government or a Government agency. Marchment was the name of a committee which had been established to examine the role and productivity of the Canada Post Corporation. Personnally, I would rather deal with the very last report prepared by Kenneth Swan. According to the conciliator appointed in the dispute between the Corporation and the Union of Postal Workers the relations between the party representatives had deteriorated to the point of becoming personal and acrimonious.

Such is your creature. So were the special legislation you adopted then and which resulted in a person going to jail better than this legislation aimed at averting violence on the picket lines?

Mr. Gagliano: Mr. Speaker, the Hon. Member has again failed to listen to what I said and, at the beginning, I went further back than in 1981. As you can see, Mr. Speaker—

Mr. Deputy Speaker: The Hon. Member for Lac-Saint-Jean (Mr. Côté) rises on a point of order.

Mr. Côté (Lac-Saint-Jean): When the Hon. Member rose a while ago to reply to the Hon. Member for Duvernay (Mr. Della Noce), he said exactly the same thing. He accuded him of not listening. He was, perhaps, the only one listening, Mr. Speaker?

Mr. Gagliano: Mr. Speaker, according to those Members it would seem we are not entitled to have our own views nor to rise in this House. Fortunately, he is not the Speaker, Mr. Speaker.

Mr. Côté (Lac Saint-Jean): Answer the question!

Mr. Gagliano: First, I went back before 1981 and I said indeed that in the 1960's—I went back a good many years, he should have listened, I went as far back as the 1960's—and I said we had . . .

Well if you are not listening, look I am not to be blamed, but I said indeed that we had so many conflicts in that area, and for that reason in 1981, in order to put an end to those conflicts and get them out of the Government machinery, we established the Canada Post Corporation, Mr. Speaker. Had he listened, he would have known.

Second, Mr. Speaker, the Hon. Member suggested this is not a Government report. If he had taken the time to read the report, he would have seen indeed that it was the former Minister in charge of Canada Post (Mr. Beatty), the now Minister of National Defence, who issued that madate, and then the Marchment Committee submitted its report to the former minister responsible for Canada Post, because it must be emphasized that during those three years we have already

had three Ministers responsible for Canada Post in this Conservative Government, Mr. Speaker.

So there was a mandate issued by one Minister. The second Minister received the mandate. And now we have a third Minister who implements part of those reports. Because this Conservative Government picked selectively in that Marchment Report, but then how often do we not have the Minister in charge of Canada Post Corporation falling back in this House on the Marchment Report.

I have learned that there is one cause, privatization, Mr. Speaker. If there is now a dispute, it is because of privatization, because definitely they are not on strike over a salary increase. Of course, Mr. Speaker, employees want job security, but Canada Post Corporation wants to abandon post offices in order to hand them over to the private sector. So they are fighting for their jobs. What grudge are you holding against workers having a job, or is it your philosophy to constantly fight against workers?

• (1350)

Who tried to reduce the pensions of Canadians? The Conservative Government. Who cut Unemployment Insurance benefits to pensioners? The Conservative Government. Would you like a full list of such actions? You are an anti-worker Government, that is what you are.

Mr. Charles Hamelin (Charlevoix): Mr. Speaker, obviously it is never with much pleasure or enthusiasm that one takes part in a debate on a Bill which is meant to tell some people: "Listen, the party is over, now you go back to work". In this particular case, the Bill says to employees of the Canada Post Corporation: "Look, why don't you try to manage this company in the best interest of Canadians". This is never pleasant to do. However, if you are a responsible Government, you have to do it and do it fast, because the situation deteriorates and the risk of violence increases. I have to say to Hon. Members from the opposition that we would like this debate to end quickly, because there really might be useless violence and a protracted debate would only let such actions happen, whereas the Bill is precisely designed to tell everybody: "Now, go back to work, go back to managing" and, as the Minister said, it includes all the mechanisms necessary to try and come to an understanding.

Mr. Speaker, I would like to ask Canadian men and women what this postal dispute is all about. What is it all about, really? If you read the Foisy report, you realize that we have here 23,000 people, of which 19,000 full-time workers, who have decided to go on strike, albeit a legal strike, and to paralyze the Canadian postal service and give priority to their own rights and concerns over those of 25 million Canadians. We have 25 million Canadians on one side and 23,000 people on the other. Those workers simply do not care about other people's rights and think that their own rights are the most important thing in the world. But we should not forget people on welfare, pensioners, senior citizens waiting for their pension cheque, unemployed workers who wait for their cheque or for a form they have to fill and return. They have rights too, but people on strike do not give a damn.

A few years ago, the New Democratic Party and its former leader used to call big companies, in a different context, corporate welfare bums because they were not good corporate citizens and did not pay any taxes, for example. In my opinion, some unionized workers are also corporate welfare bums. They think that their rights, which I do not deny, are above all legislation, above public interest, above everything. That is the case at Canada Post. There is a tradition of labour disputes with strikes and violence and what not.

An Hon. Member: Remember Lapalme.

Mr. Hamelin: And almost every time successive governments had to come up with special legislation. On the other hand, the Canadian postal system is essential to the country as a whole, to small businesses whose receivables are lost in the system, to the hundreds of men and women of Quebec and Canada who do not work and who depend on their pension cheques. And who are we dealing with? Who are we talking about? Whipped, beaten, brutalized people? No, Mr. Speaker. We are dealing with people whose basic and starting salary is $16.43 an hour, with very decent working conditions. Do you know how much a unionized worker costs Canada Post? It costs $24.89 or $25 an hour to keep him working. That is how much it costs.

That is where the demagogic tactics begin. The world is supposed to come crumbling down if we fail to meet the bottom-line demands of that small group pitted against 25 million Canadians. I find that startling. What about us poor taxpayer devils? You remember the price of a stamp was upped from 17 to 24, 30, 32 and recently 34, then 37 cents, and we are told that it will rise to 38 cents in 1988. When disputes followed one another before 1980, the problem was said to come from the government nature of the service. It was nonsense, too many politicians were mixed up in it. The situation was absurd. The solution was to create a Crown corporation independent from politicians, those idiots who did not know anything about the business. They were no good. They interfered here and there. It did not make sense. Those statements drew the applause of everyone in opposition parties and the private sector. Canada Post Corporation was created on October 16, or thereabouts, 1981. It was bliss, everything would be coming up roses!

We came to power in 1984, following terrible conflicts in 1980: the union leader was sent to jail and it was a real mess, Mr. Speaker. Thus, when elected in 1984, we footed the bill because that independent corporation has only one shareholder: the government, that is, all Canadians. And the bill was a deficit of $384 million. Since we had been mandated to manage public funds in a much more rational way, we said to the management of Canada Post Corporation: Listen, this makes no sense, the price of stamps is going up, the deficit is increasing and the service is rotten anyway. Therefore, we told

them: We are going to set specific objectives for you. You should try to improve the quality of service. We have heard it every year. We do not believe in it, but anyway, considering the quality of the service provided, we should not spend too much. therefore, some objectives were set. And after two years, the deficit was reduced from $384 million to about $129 million. The deficit for this year might still reach some $30 million.

Now, we are faced with the second conflict in four months and the government is again forced to intervene. We are obliged to do it. We are repeating our directive to Canada Post Corporation management. Being a para-public Crown Corporation does not mean that you should always charge more than elsewhere, that the service should always be rotten and that in fact, we, as stupid taxpayers, should always foot the bill anyway. This does not make any sense. It is not good enough and that is why the Corporation gave itself some means. In so doing, of course, it resorted to franchising and selling to the private sector. What are we getting in return? Every time that there are unionized employees in those units, 70 per cent of the revenues are raised there in order to ensure . . .

But where the private sector has taken over only 12 or 13 per cent of the same income is spent on that.

As you can see, this approach seems to make sense, and although we agree that the union members and workers of these firms are entitled to decent wages and good working conditions, there comes a time when enough is enough!

Why should their rights take precedence over those of Parliament? Why should their rights be to the detriment of the other needs of the Canadian people? That is what is unacceptable. As a Government, we simply cannot afford to let postal services come to a standstill.

As I see it, the rights of individuals are in conflict, and such rights cannot be exercised when they jeopardize the freedom and rights of others.

Although the situation has improved, I learned this week that men and women did not get their unemployment insurance cheques on time, for a variety of good reasons. Clearly a strike—general and total, or rotating—is a threat against the lives as well as the psychological, social and physical existence of these people. Other than their small pension cheque, their small unemployment insurance cheque, or other government welfare benefits, some people have no other source of income to buy food for the weekend.

I would suggest that a responsible government cannot stand still for long when faced with this kind of situation.

Mr. Speaker, Canada Post has twenty-seven bargaining units. I said: twenty-seven. So if every time one of those units demands—what could be more logical—changes in working conditions that are a threat to the whole system, we have a situation that gets so out of hand there is nothing for it but for the Goverment to react.

It doesn't take a genius to see what has to be done. When people put their personal rights and wellbeing above everybody else's, society can no longer function, especially when it depends on a service as essential as the one we are talking about.

Like my colleagues, I respect the right to strike, and the freedom to negotiate. However, there is a limit. We must consider the common good and the ability of Canadians to pay.

There has to be a place for management rights. Why should the unions dictate to the rest of Canada how Canada Post is supposed to operate? It doesn't make sense.

As for job security, I think that is guaranteed through attrition or some other method under the present system. These are just ploys to scare people. It is an attempt to give union members a taste for power.

Mr. Speaker, this situation cannot be allowed to last.

I want to ask my Opposition colleagues what their position and their philosophy is on the issue whether or not we should privatize the system as much as possible. I believe in this formula. We should adopt this Bill as soon as possible to avoid verbal and physical violence on the picket lines. The sooner we adopt this Bill, the better our chances will be to get back to a more normal situation where, all other things being equal, the normal rights of unionized employees in these bargaining units are not threatened.

We as a Government, and I think we have proved this with determination and perseverance, have a duty to manage the public funds with which we have been entrusted in the best interests of the people of this country. If you are willing for us to sign just about anything, tell us so. It will be the same as before. It will cost us the earth and will change nothing to the existing service.

It seems to me that this is not what we were asked to do when we were elected. People on both sides should be a bit more responsible and help to build this country instead of thinking only about their personal security at the expense of the rest of our society.

I believe that this is the main issue. I often wonder where our society is going. The decision we are making today reflects a choice between responsibility and irresponsibility. It is quite simple.

Mr. Speaker, I do not believe that Canada can long afford a shaky and deficient postal service. I believe that the objectives we have set for both parties are reasoned and reasonable, and they are already extremely costly. It is the most we have done as a Government. What is the alternative? Probably immediate privatization of the whole service. We shall not have any choice if this goes on, unless you decide to foot the bill yourselves by paying increasingly higher postal rates or taxes.

Mr. Speaker, I respect and congragulate the Minister of Labour for having made this decision so quickly. We are faced with an emergency. The Government had to act very quickly,

and history shows that the sanctions provided are necessary because past experience of labour relations in this area proves that there is no other way. Without such sanctions, this legislation would be ridiculous and lack any credibility, as pointed out by my colleague.

I hope that the conflict will be settled responsibly, through conciliation and in harmony, in the interests of all Canadians. This is what we want.

• (1400)

[*English*]

Mr. Blackburn (Brant): Mr. Speaker, I would like to comment, if I might, with respect to the comments to which we have just listened. It seems rather strange that in Canada the Post Office has been a constant source of irritation one way or the other, whether it is the fault of management, the inside workers or the carriers whereas countries like the United Kingdom, the United States and Australia, which have gone through similar problems, have been able to address them in what I consider to be a very mature and reasonable way.

In the United Kingdom in the 1960s, the postal system went through a series of labour-management crises, inefficiency, communications breakdowns, you name it, even though the system had a very distinguished history. But instead of privatizing the system, a system which was losing money, and cutting back services which our Government is proposing, the British Government, both Conservative and Labour Governments, expanded the postal service that it sold to the public. As the system became more efficient and brought in more revenue, employees realized that it was to their continuing benefit to make certain that labour relations continued to improve. Today the British postal system is almost free of industrial strife. If I am not mistaken, the postal system in Britain is making money.

Mr. Turner (Ottawa—Carleton): Good for Maggie Thatcher.

Mr. Blackburn (Brant): Second, in the United States the postal services are unionized. The mail is carried and the workers are making $14 an hour on average. I read in the *Globe and Mail* just the other day that the American postal workers are among the most popular workers in the United States. The Americans are not privatizing or cutting back on services as this Government wants to do. I would hope that they would look at that as example two.

Example three, Australia, a big country with a lot of remote areas, a lot of uneconomic postal delivery routes, we might call them. Up until 1980, there was chaos. There was one strike after another, management was accused of being rotten, labour was accused of being rotten and it was reaching a point where the mail was really not even moving in some of the remote areas. People were literally not receiving letters or parcels.

The Australian Government, not under Labour but under its so-called combination of rural Liberal and city-oriented Conservative Parties, brought in an expert from the United Kingdom, not a strike breaker, to try to bring the two sides together. He succeeded. The postal workers there are still unionized, they are still making a decent income, but they have improved the postal delivery system. There has not been one strike by any component of the postal service since 1980, and today the system has regained its responsibility and its respectability.

Those are the three examples I wanted to cite. Three different countries, three different Governments of three different political stripes, both right of centre and left of centre, were able to solve the problems of their postal services without Draconian laws such as that proposed this morning by the Minister of Labour (Mr. Cadieux). They did this without doing away with the system, without privatizing it and without busting the unions. They were able to do it, but those guys across the way cannot because they do not have the political will.

• (1410)

Now, I want to ask one question. I want to ask my colleague from Quebec if he thinks it is fair that if a union organizer breaks a law, he can go to jail and thereby forfeit any lawful ability to assume another job as a union organizer, either elected or appointed, for five years, while a cabinet Minister in this House can be accused of a crime, can be sentenced to a year in jail, we will say, and yet can come back into the House and be reelected and reappointed to the Cabinet. Is there any fairness in that?

[*Translation*]

Mr. Hamelin: Mr. Speaker, I should like to answer my colleague, first with respect to his opening remarks about Europe, England, and other places. If I may enlighten my colleague, most people know that in England, Europe and elsewhere the labour movement has learned one thing through the ages: a one-day strike is bad enough, it is extraordinary, it does mean something to them, and as a rule they stick to that approach. That is indeed what people of both communities learn when they talk to one another.

Perhaps ours is a land of greater freedom, I would not know, but it seems to me that in those countries people cannot afford to go on strike for weeks, let alone for months. But what I mean is that the climate, the sensitivity and customs are altogether different in certain cases. Over there, taking this kind of action which deprives people of public services for more than 24 hours is unacceptable, it is sociologically unacceptable, or nearly so. Over here, people could not care less. It is altogether different and, sadly, much too frequent.

In response to the second question, the history of labour relations in Canada is precisely what has prompted the Minister to take measures which, we readily agree, can be described as draconian, very harsh. History tells us as well that this kind of measure does not overly bother the unions, history has shown that, particularly in Quebec, sad to say.

As my colleague pointed out, if the workers respect the law and the rules of the game, they will not be penalized.

I think the Bill shows how serious the situation is and we are telling people: "We are not laughing, this is not funny, those who are on welfare, the unemployed, the unemployment insurance claimants will no longer be receiving their cheques. You can longer abuse the situation. Such is the meaning of the Bill even if it is extremely harsh, and since it is easy to make comparisons, you are right.

[*English*]

Mr. Blackburn (Brant): It is Draconian then, you admit it?

[*Translation*]

Mr. Hamelin: It is absolutely "very" draconian. However, the situation of the poor woman in my constituency who does not get her cheque to buy food for the weekend is a lot more serious than the situation of a worker earning $16 an hour. It is serious.

[*English*]

Mr. Blackburn (Brant): How about going to jail in the five years if they cannot be a union member?

[*Translation*]

Mr. Hamelin: Mr. Speaker is telling me my time is running out. Mr. Speaker, we have to consider the matter very seriously and I readily agree with my colleague that those are draconian and tough measures. We all will agree. However once again I ask you to appeal on behalf of our families, our small businesses threatened by the action of 23,000 against 25 million. Those are peanuts, Mr. Speaker. We have to be tough, we have no choice. Such are the conditions, and the extreme positions of the parties have compelled us in this case to use the necessary force.

[*English*]

Mr. Nunziata: Mr. Speaker, this particular legislation was introduced yesterday at 11 a.m. I find it somewhat surprising that the Leader of the New Democratic Party (Mr. Broadbent) has not yet commented publicly about this legislation.

As the Hon. Member will recall, when the outside postal workers were striking, the Leader of the New Democratic Party did not ask any questions in the House of Commons or at least my recollection is that no questions were asked by the Leader of the Party that prides itself on being the Party of labour.

Perhaps the Hon. Member can assist me. Can he indicate why in his view the Leader of the New Democratic Party has chosen to not yet comment on this Draconian piece of legislation, as it has been referred to by members of the New Democratic Party? Why is it that there is silence from the Leader of the Party that prides itself on being the Party of the working class, the Party of labour?

Mr. Keeper: I rise on a point of order, Mr. Speaker. That question was obviously directed at our Party.

Some Hon. Members: Oh, oh!

Mr. Keeper: Quite clearly, unless that Hon. Member is just trying a ruse, unless he is trying to mislead the House, that question was directed at us and not at our colleague, so we should have the right to respond to it.

Mr. Deputy Speaker: I am sure the Hon. Member for Winnipeg North Centre (Mr. Keeper) will also talk about that in his speech in a minute.

[*Translation*]

Mr. Hamelin: My answer is simple, Mr. Speaker: I fully agree with my honourable colleague of the Liberal Party in this respect. Everybody knows that the NDP Members brag about being the dedicated champions of the workers and the unions. We are aware that the unions contribute very large sums of money to their Party. For them, the notion of common good becomes rather difficult to grasp. It is a fact that they are placed in a situation—and once again it will likely be a matter of choosing a system at the time of the forthcoming election. And your question is to the point. These people will probably keep silent or almost silent during this debate, for they have been told that public interests override individual interests. Unfortunately, these interests are their own friends and associates, theoretically speaking, at least at the level of the establishment, such as some local lobbies. They are placed, therefore, in an unbelievable situation. But you are right, my friend: I am indeed anxious to hear what my colleague the Hon. Member for Yorkton—Melville (Mr. Nystrom) in particular has to say about his position on these negotiations. I want to know—and I conclude on this, Mr. Speaker—about the needs of the Canadian citizens and families compared with those of this little group of 23,000 people which are keeping the whole Canadian population hostages. I am anxious to hear about that, and so is my honourable friend, I am sure.

• (1420)

[*English*]

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, before I begin my remarks I want to deal with the accusations coming from my right.

Some Hon. Members: Far right!

Mr. Della Noce: That is the name of the game here.

Mr. Keeper: Let me make it clear that when our critic speaks on these issues, he does so after we have made a caucus decision and he speaks for all of the Party, from the Leader to the back-benchers.

Mr. Daubney: For Bob White.

Mr. Keeper: I want to ask the Hon. Member from the mushy middle, otherwise known as the Liberal Party, how come they stand up here as the defenders of labour when yesterday, when taping a television program, another Liberal

Member spoke in favour of the back-to-work legislation? What kind of hypocrisy is that?

Mr. Nystrom: Who was that?

Mr. Keeper: George Baker. When the Liberal Party wants to be the defender of labour it puts up one Member to speak, and when they want to attack labour they put up another Member to speak. How can you trust that Party?

Mr. Nunziata: Where oh where is Ed Broadbent when you need him?

Mr. Turner (Ottawa—Carleton): Get to the Bill.

Mr. Deputy Speaker: Could we please extend some courtesy to the Hon. Member.

Mr. Keeper: Mr. Speaker, I want to come to the legislation, but I do not want to forget the Liberal Party entirely.

Mrs. Mailly: Why not?

Mr. Blackburn (Brant): Everyone else has.

Mr. Keeper: Because one of the weaknesses in this legislation is that it appoints someone called a mediator/arbitrator. Has that ever been done before?

Mr. Dick: Why not try something new?

Mr. Keeper: It is not new. The Conservatives are not the first ones to create this confusion. Who did it before? It was done once before and it was the Liberal Party who did it.

Mr. Nunziata: Shame on the Liberal Party.

Mr. Keeper: It is the Liberal Party attacking this legislation yet they set the precedent.

Mrs. Mailly: Beautiful!

Mr. Keeper: What kind of hypocrisy is that? The Liberal Party acts one way when it is in opposition and another way when it is in Government!

Some Hon. Members: Hear, hear!

Mrs. Mailly: Give the man a cigar.

Mr. Keeper: I must say that when I hear the Liberals speaking out of both sides of their mouths then I get angry. We are much more used to the vision of the Liberal Party as the mushy middle. That is the Party we can forget. That is the Party Canadians are forgetting. That is the Party that will not be a significant force in this country after the next election.

Mr. Caccia: We brought in collective bargaining long before you were born. Calm down.

Mr. Murphy: Yes, you voted in favour of the back-to-work legislation for the railway workers.

Mr. Keeper: One of my Liberal friends in defence of his Party says it is that Party that brought in labour legislation. Let us face it, in the past the Liberal Party has done some good things.

Mr. Riis: Name one.

Mr. Lewis: Name one.

Mr. Keeper: Let my friend tell me why his labour critic can get up in this House and defend labour at the same time another Member of his Party is saying they are going to vote for back-to-work legislation.

Mr. Lewis: They have always operated that way.

Mr. Keeper: How can they do that on the same day?

Mr. Caccia: It is not true.

Mr. Keeper: It is absolutely true and you will hear it on the program which was recorded today. It is on tape!

Mr. Guilbault (Saint-Jacques): Point of order, Mr. Speaker. I would like to ask for your help to try and keep this debate on the rails. I thought what we had before us was legislation which I have my own personal difficulties with but I do not think the Hon. Member who has the floor now is sticking to the subject or is relevant.

An Hon. Member: It is very relevant.

Mr. Heap: Tell the Hon. Member for York South—Weston (Mr. Nunziata).

Mr. Guilbault (Saint-Jacques): The subject of the debate is not divisions between the Liberal Party and the NDP.

Mr. Lewis: We are prepared to listen to them on that, too.

Mr. Guilbault (Saint-Jacques): It is Bill C-86. I would like to see the Hon. Member stick to the Bill and I am requesting your help.

Mr. Deputy Speaker: The Chair finds that what the Hon. Member is saying is relevant to the Bill.

Mr. Keeper: Mr. Speaker, perhaps the Liberal labour critic was not here when I pointed out that one of the weaknesses in this legislation is the confusion of the roles of mediator and arbitrator. He was not here when I pointed out that it was the Liberal Party that introduced that concept to labour legislation.

However, to set aside my concerns about the Liberal Party, because we have more important things to deal with, I will come to the legislation, Bill C-86.

The Government has introduced this back-to-work legislation and I want to know whether there was another way of handling the postal dispute. When the Minister introduced the Bill, he sought to give the impression that the Government's

hands were tied and it had no choice but to bring in this legislation if the mails were to be delivered. Did the Government have a choice?

The first aspect of that question deals with the legislation itself. My colleague, the Hon. Member for Churchill (Mr. Murphy), dealt thoroughly with this legislation but I want to make a few key points. Is it good legislation or is it bad?

Mrs. Mailly: It is good.

Mr. Keeper: I want to make the case that this legislation is inadequate and destructive. The first problem is that it imposes the Government's plan for the Post Office. This legislation is supposed to regulate a labour dispute. In fact it imposes the Government's plan on the Post Office. Is that something I just pulled out of my hat or dreamed up? No. The Government makes specific reference in the legislation to the fact that the arbitrator will have to pay attention to the conciliator's report. Clearly one of the distinguishing factors of that report was that it accepts the Government's plan for franchising Post Offices. That is a key element in the dispute we are discussing. That is the legislation's first inadequacy.

The second point I would like to make is that it confuses the role of the mediator and the arbitrator. Clearly this is a conflict in which a mediator would have been welcomed. The mediator could offer some hope of a negotiated settlement so the mails would continue to move and labour relations at the Post Office would be improved. Did the Government take that route? No, it created this mediator/arbitrator. The Government has said that if the person who sits down with management and labour to try to get them to come to a negotiated settlement fails in his task, he will later be required to arbitrate the situation, in other words, to decide who is right and who is wrong and to impose a settlement. That is the second weakness of this legislation.

• (1430)

The third weakness of this legislation is equally fundamental. This legislation undercuts freedom of association which is a fundamental right in a democratic society. We have enjoyed that right throughout Canada's history, having inherited it from the British democratic system.

This legislation undercuts freedom of association by specifically barring any person who is a member of a union who may, for whatever reason, choose to defy this legislation from holding any leadership position in the union. This legislation seeks to determine who will be eligible to hold office in a union, a free collective association. It seeks to determine who a group of people will choose to be their leader. That is a fundamental breach of the principle of freedom of association.

I have asked whether the Government had any alternative in the way it has acted in order to ensure that the mails would be delivered and there would be good labour relations at the Post Office. It is clear that there are many ways in which the Government could approach this dispute without bringing forward legislation which is destructive. The legislation fails because it seeks to impose public policy on a collective bargaining situation. It confuses the role of the mediator and the arbitrator and undercuts the right to freedom of association.

The legislation is wanting. This is not a good piece of legislation which demands the attention of the House and demands to be passed. It is, instead, bad legislation which is fundamentally flawed. It is clear that the Government had other options to pursue.

Let us look at the Government's approach to this labour dispute. The Government adopted a policy of confrontation rather than co-operation. It adopted the clenched fist rather than the open hand. The results were predictable.

The Government has chosen to move back-to-work legislation. If a government is to pursue that option it should at least be able to make the argument that it has exhausted all other available alternatives, that it has used all the tools imaginable to regulate a conflict. One of the most fundamental tools in regulating labour-management conflict is mediation.

The Government set that option aside and chose, instead, to bring forward back-to-work legislation. The Government has not, therefore, exhausted all of the possibilities for regulating this dispute in a peaceful fashion. Since it has not exhausted all options, it has no justification for introducing back-to-work legislation.

We must question the Government's approach with regard to the issues that were on the table. When the conciliator examined the negotiations, he pointed out that the most serious obstacle to a resolution of the dispute was the policy of franchising. He said that management of the Post Office had one idea of what the Post Office was and labour had another idea. Labour saw it as a public service and management saw it as a private business.

Recognizing that the policy of franchising has become a serious obstacle to the resolution of the labour-management conflict, why could the Government not have set that policy aside? If the Government insisted on being obstinate and rigid about it and wanted to continue with the policy of franchising, could it not at least be flexible and willing to negotiate?

We know that the Canadian Union of Postal Workers has a reputation of being very militant and uncompromising. However, in these negotiations it specifically brought forward the issue of franchising and indicated its willingness to negotiate on it. The union said that it would be willing to talk about franchising in areas where there are no post offices now. Therefore, the union started the negotiations on that key issue but management failed to respond.

The Government could avoid confrontation at the Post Office by being more flexible in its policy which is an obstacle to a negotiated settlement If the Government had developed its plan for the Post Office in a public way rather than behind closed doors, it would have avoided confrontation.

In the short time that I have left I would like to speak about the Government's over-all plan for the Post Office. The Government has chosen to treat the Post Office as a private profit-making business rather than the public utility it is. Because of that it has married itself to the policy of privatization and franchising. It has thereby put itself on a collision course with the union because Foisy recognized that that policy is a threat to job security. The Government could have had a different plan for the Post Office. It could have taken a co-operative approach to labor-management negotiations. It could have put aside the faulty legislation it has brought forward to the House. It had an alternative. It has chosen confrontation rather than co-operation, and the public will see through its bluster.

[*Translation*]

Mr. Côté (Lac-Saint-Jean): Mr. Speaker, I would like to make an opening remark before asking my question to the Hon. Member for Winnipeg North Centre (Mr. Keeper). First I must say it is comforting to see him when he gets his senses back, because I was somewhat concerned a moment ago when he began to speak. I think that the only thing which prevented him from jumping on his colleague from York South—Weston (Mr. Nunziata) was the distance between them. I simply cannot see him on a picket line, violence would flare up. While I am at it, here is a piece of advice for newspapermen: that was a very good example why they should never dare attack the leader (Mr. Broadbent).

Well, Mr. Speaker, postal workers from my riding came to see me yesterday but I was not there. I was expecting them on Wednesday. As a matter of fact I had asked my secretary to make an extra pot of coffee. However, since negotiations had started again, when the mailman came he told me it had been postponed. I was here yesterday, and since they could not come to my office, they sent me a telegram advising me they were against the tabling of special back-to-work legislation and asking me to put pressure on the Prime Minister (Mr. Mulroney) and the Minister of Labour (Mr. Cadieux) to oblige Canada Post to bargain seriously with the unions to conclude a negotiated agreement. Mr. Speaker, I immediately informed the Minister of Labour of their demands.

First of all, I would like to say, as was mentioned earlier by the Hon. Member for Charlevoix (Mr. Hamelin) that governments and ministers are always reluctant to table special legislation. They do it because they have to. However, if we consider the rising tension on the picket lines and the incidents that have already occurred, I think it is preferable, in the circumstances, to adopt this Bill which, like all special legislation, is necessary, instead of waiting until something serious happens, when the Opposition will sorely regret the unwillingness to act of some Members and the unconditional support shown by others.

Mr. Speaker, I would like to say to the postal workers in my riding and across Canada that the legislation tabled in the House allows for negotiations, and I am convinced and I express the hope in this House that both parties will find the calm and serenity they need to negotiate an agreement as soon as possible. Mr. Speaker, my question will be very brief and to the point: Canadians already known the NDP is in favour of violence, as confirmed by the Hon. Member for New Westminster—Coquitlam (Ms. Jewett) and demonstrated in flamboyant style just now by the Hon. Member for Winnipeg North Centre (Mr. Keeper) in his speech. Is he trying to tell Canadians we should wait for some regrettable incidents to occur before taking action and that if the NDP were the governing party, that is what he would do?

Mr. Keeper: Mr. Speaker, first of all, I want to respond to the Hon. Member's comments on my Leader (Mr. Broadbent).

The Hon. Member asks what the Leader of the New Democratic Party (Mr. Broadbent) is doing and where he is. He is attending a conference to fight against free trade. I believe that this is essential for the job security of Canadian workers.

The second point raised by the Hon. Member opposite to which I feel I must reply is the charge that the NDP is in favour of violence.

Mr. Speaker, this is not our policy. I know that there are sometimes exagerations in politics, but we seriously have to ask ourselves this question: Who is in favour of violence? Who hired the strike-breakers? Does the Hon. Member not know that, when you hire scabs, there is a good chance that there will be violence? The use of strike-breakers promotes violence, and a Member of Parliament from Quebec should be particularly aware of this fact. Quebec is the only province in Canada with anti-scab laws. Why is this? Because there were violent strikes in Quebec in the past, and Quebecers found this unacceptable and uncivilized. They asked their Government to pass laws to ban the use of strike-breakers.

What I want to ask the Hon. Member is this: Who is in favour of violence? Is it, or is it not, his own Government that hired strike-breakers and that is promoting violence?

• (1440)

[*English*]

Mr. Riis: Mr. Speaker, before I put my question to my hon. friend, I want to put it into context. Part of the Government's program which is expected to be carried out by the postal corporation is to phase out the postal system as we know it in our country. It wants to phase out thousands of employees and replace them with some central depots across the country. It wants to franchise the wickets and install supermailboxes which will essentially do away with the employees.

I would like the Minister to consider this observation. If he was to walk into his office at the end of the day and announce to his staff that he plans to phase out all of their jobs in the next while, what do you think would be the result of that announcement? Of course, the employees in the Minister's office would become very concerned and, I suspect, less than

co-operative and perhaps aggravated. It is no wonder, when someone is told their livelihood will be taken away and their ability to provide for their families destroyed, that people are provoked.

The letter carrier who comes to my door is one of the most positive, friendly working people I ever meet. When I mail a letter or parcel, I see fantastic employees who are always courteous and pleasant.

Does the Hon. Member believe that this legislation is provocative? Does he believe that it is provoking employees of the postal system and putting them into an impossible situation? Does he believe that they are being pushed up against the wall so that they will react and the Government can take action for political points and be seen to have done something good, at the expense of thousands of people who are dedicated to delivering our mail?

Mr. Keeper: Mr. Speaker, I think my colleague has hit the nail on the head. This piece of legislation will have the result of pushing post office workers against the wall, and obviously they will react.

Until now the strike at the Post Office has been a rotating one. It has been very well managed. There has not been the expected violence.

There have been those who have said that the Government had hoped there would be violence because it would have an excuse to bring in back-to-work legislation. There has not been violence until now. Part of the reason for that is that the union was taking a very responsible approach to the negotiations. Also, the union was very much aware that the Government was looking for an excuse to bring in back-to-work legislation.

With this back-to-work legislation and with the fact that the Government has been threatening it since the strike started, the management of the Post Office has been taken off the hook and been left without the necessity of negotiating. Of course workers at the Post Office will feel enormous frustrations, now that the strike has become general. Peoples' frustrations are starting to show as a result of the provocation of this back-to-work legislation. It means that these people have not had a chance to negotiate the conditions of their employment.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, this is a debate on the right to strike, this is a debate on when we should take it away, and this is a debate on something which is incorporated in the Bill as it applies to the circumstances of this strike. Basically it is a debate on some fundamental principles which have governed up until now our behaviour in Canada on the question of the relationship between workers and their employer.

• (1450)

What is making the debate more complicated is the fact that it takes place against the background of some serious disruptions caused by the practice of the employer using scab workers and against the political background of a statement made only a few months ago by the Prime Minister (Mr. Mulroney). When he wrote to the President of the Canadian Labour Congress, he made the following statement:

> Government intervention has not been the solution to labour disputes in the past and is unlikely to be the panacea of the future.

I suppose almost every Member in the House would endorse that statement. However, it is a contradictory statement and it virtually flies in the face of the measure introduced for debate by the Government yesterday and today.

Let us examine for a moment what we have carefully developed over past decades. At the beginning of the century Mackenzie King introduced the concept of bargaining on a collective basis, namely, a situation whereby the employer and the workers would work out an agreement to regulate their relationship over a period of time. I submit that collective bargaining in Canada is a success story over the decades. If we look at the statistics, we see that the vast majority of collective bargaining sessions were solved in an harmonious manner. However, what has been brought to Parliament for resolution has been the most difficult situations.

This raises the question: Is this the right time for Parliament to be asked to settle this strike? Obviously we must look at the situation and examine it carefully to decide whether we have a situation which warrants the intervention of Parliament.

First, we would want the intervention of Parliament when it is absolutely necessary. What does that mean? It means that the convenience of the Canadian public has been damaged, endangered, or put in an unacceptable situation. In the vast majority of cases the Parliament of Canada has historically intervened when it was felt that the Canadian public was inconvenienced in a serious manner. Therefore I must ask, Mr. Speaker, whether in your judgment the movement and delivery of mail is such that it has seriously inconvenienced the public.

Until now I do not know of anyone who has written a letter to our offices, both in our constituencies as well as here, to bring to our attention that the postal service is in a very bad situation. I should like to hear the views of other Hon. Members on whether they have received such correspondence. So far no one in the House, including those on the government side, have indicated in their speeches today that they have received complaints from their constituents about the effect of the strike. Therefore, it is not unreasonable to conclude that as it stands today the mail service to Canadians at large is functioning in a manner which is not causing discomfort to the public.

If that conclusion is a correct one, then the onus is upon the Government to demonstrate that this legislation is urgent and that this legislation is indispensable. I submit that in the speeches we have heard so far that case has not been made. What is the role of the Government? The role of the Government is one of making this difficult political decision. I admit that the role of the Minister of Labour (Mr. Cadieux) is a particularly difficult one, because he is the object of various pressures from various sectors of society. I do not deny that. In

a sense I am sympathetic to his role. However, I should like to draw to his attention that the legislation which has been introduced, because of its strong punitive nature, has caused a lot of unhappiness in the ranks of the union itself. It has not helped to convey a sense of balance or a sense of controlled behaviour in the rotating type of strike which the union had intended to have until now and had intended to have in the future. In other words, it has worked as a destabilizer and, in destabilizing the situation, it has also caused certain difficulties.

I see Mr. Speaker signalling me to conclude. I will do so in a moment. These difficulties have been put to further stress and damage by the fact that the unions and its members have seen the constant use of scabs in the environment in which they work. Of course this calls for a decision on the part of the Government of Canada. It should face once and for all the necessity of legislating on the question of the use of scabs.

It is now three o'clock, so I will leave it for the next session.

Mr. Deputy Speaker: It being three o'clock, the House stands adjourned until Tuesday next at èleven o'clock pursuant to Standing Order 3(1).

At 3 p.m. the House adjourned.

HOUSE OF COMMONS

Tuesday, October 13, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

STRIKING

PRESENTATION OF THIRTY-THIRD REPORT OF STANDING COMMITTEE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I have the honour to present the thirty-third report of the Striking Committee. If the House gives its consent, I intend to move concurrence in the report later this day.

[*Editor's Note: See today's Votes and Proceedings.*]

CONCURRENCE IN THIRTY-THIRD REPORT OF STANDING COMMITTEE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, if the House gives its consent, I move, seconded by the Hon. Minister of State responsible for the status of women (Mrs. McDougall), that the thirty-third report of the Striking Committee presented to the House earlier this day be concurred in.

Motion agreed to.

* * *

• (1110)

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, pursuant to Standing Order 106, I have the pleasure of tabling a petition signed by residents of the National Capital Region. They humbly declare that; whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks; whereas the federal Government in its tax reform proposal is studying the possibility of imposing on Canadians a general tax on goods and services, including food; whereas food constitutes a vital element in day-to-day life and the imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, unemployed, low-income taxpayers, youth, et cetera; wherefore the undersigned petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

OPPOSITION TO DESTAFFING WEST COAST LIGHTHOUSES

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I have the honour and duty to present a petition from residents of Vancouver Island and the coast of British Columbia who humbly request the Parliament of Canada to take action to stop the destaffing of lighthouses on the coast of British Columbia. The petitioners further request that there be a moratorium imposed on this program until such time as a proper study can be done. In addition, they wish the Minister of Transport (Mr. Crosbie) would appear in Campbell River at the first public meeting to account for the program initiated by his department.

REQUEST FOR CHANGE TO TAX LAWS—EXEMPTION FOR SENIOR CITIZENS

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, I have the honour to table a certified petition signed by 31 residents of Calgary who humbly pray and call upon Parliament to change the taxation laws of Canada, specifically the taxation of senior citizens. These people have worked and paid taxes all their lives and the undersigned petitioners believe that senior citizens receiving $45,000 or less per year should not pay income tax or any other taxes.

CONSTITUTIONAL ACCORD—UNANIMITY CLAUSE AND ABORIGINAL RIGHTS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I have the honour to present a petition from the residents of the Yukon territory who wish to take this opportunity to express their concern over the fact that they were not consulted about nor were a signatory to the Meech Lake Accord. They therefore call upon Parliament to withdraw the requirement for unanimous consent for the creation of new provinces and to further ensure that aboriginal rights are entrenched. They call for further aboriginal conferences as well.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is is agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

The House resumed from Friday, October 9, consideration of the motion of Mr. Cadieux that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and referred to a legislative committee.

Mr. Speaker: The Hon. Member for Davenport (Mr. Caccia) continuing debate.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, among the things said on Friday in this debate still ringing in my ears quite clearly was the reference by the Minister of Labour (Mr. Cadieux) to the fact that the relations between Canada Post and the union are venomous. I agree with that observation. However, I have to add that the federal Government has a big responsibility for having allowed this relationship to reach such a stage. I will devote a few minutes to that aspect of my remarks.

What comes to mind first is the role the Minister of Consumer and Corporate Affairs (Mr. Andre) has played in this matter so far. He has certainly not helped. If anything, he has fueled the fire. Second, the introduction of this Bill has provoked the workers to no end. What we are seeing today is a situation where management and labour are virtually at each other's throats and almost waging an all-out war. In the process, the future of the corporation is at stake. That is a very sad state of affairs. Instead of calming the waters and cooling the atmosphere, the Government came forward with this legislation which is comparable to throwing a match into a latent fire.

Until this Bill was introduced we had a type of labour action, a rotating strike, which permitted the movement of mail. Canada Post claimed that 80 per cent of the mail was going through. Evidently the rotating strike permitted the public to be served. However, this Draconian Bill provoked the all-out general strike we are now facing.

The Bill contains measures which force us to conclude it is a bad Bill. The Hon. Member for Saint-Jacques (Mr. Guilbault) eloquently referred to Clause 11 on Friday. That provides for a five-year suspension from union activities which could be interpreted as breaking the spirit if not the substance of the Charter. In addition, the Bill contains a directive to the Canada Post Corporation which leans in favour of the Foisy report. That is something the Bill should not do. If Canada Post has been given the mandate to operate as an independent employer, which it was six years ago, then it should not be told which way to go in subsequent negotiations, mediation and arbitration. In other words, the Government cannot have it both ways. It cannot claim that Canada Post is operating at arm's length from the Government, at the same time through legislation tell Canada Post it should be inspired and directed by a specific document produced prior to the legislation.

It is also a bad Bill because of its timing. It is important to put on record that at this time Canada Post and the unions agree that the operation of the Post Office will break even in 1988. Therefore we must asked, why this push to privatize certain aspects of Canada Post when we are so close to the break even point? It does not seem to make sense to inject such a contentious item when the parties agree that the corporation will reach the break-even point next year.

• (1120)

The issue of jobs touches many people. It is a highly emotional issue and has been mishandled by the Minister of Consumer and Corporate Affairs. The fact is that ideologically the Government favours breaking the backs of unions and making their role in society extremely difficult, if possible at all.

You must have heard, Madam Speaker, about acid being spread on furniture within some of the buildings of Canada Post. That was immediately interpreted as an action by the union. Why would that conclusion be drawn when the workers are locked out of the plants?

It is also worrisome that despite its deficit Canada Post finds it possible to pay the scabs it is hiring to replace the workers $150 plus bonuses. Why does the Minister of Consumer and Corporate Affairs constantly interfere in the proceedings during Question Period? He does that at the expense of the Minister of Labour (Mr. Cadieux) who has to find a solution to this conflict.

If the Government were acting in good faith it would pressure Canada Post to pull out these scabs. It may also introduce legislation to outlaw scabs at the federal level. That move would create an atmosphere at Canada Post tenfold less negative, worrisome and tense than it is now. The union would likely return to rotating strikes which would mean that the home delivery of mail would be almost regular, as it was until last weekend.

By removing the scabs Canada Post would signal to the union its desire to resume negotiations in good faith. The parties are far apart and must resume negotiations to justify the calling in of a mediator-arbitrator. That would fit in with the development, for the long term, of good labour relations.

The employer has a major responsibility to show good faith in this very difficult situation.

The Bill has one positive aspect although it need not be brought in through this legislation. Clause 5 extends the term of the collective agreement to September, 1988, or September, 1989. That extension of the agreement could pave the way for the resumption of negotiations rather than the introduction of this type of legislation which is only adding to the discontent, tension and violence we are witnessing these days.

The Government could announce its intention to extend the collective agreement. A mediator could be appointed. Instead of proceeding with this Bill the employer and the union could return to the table to find a solution without direction from the Government through Parliament on the direction which should be taken.

The Government now has an opportunity to demonstrate that it means what it says, that Canada Post is an independent agency. As this debate is taking place there is a lot of unhappiness across the country. This matter ought to be resolved at the negotiating table and not by the imposition of a decision of Parliament on the collective bargaining system which has served this country and its workers very well.

Mr. Skelly: Madam Speaker, I would like to make a comment and would appreciate a response to it. It astounds me to hear representatives of the Liberal Party who sat in the last Government berate the present Government on this issue. It was the previous Government which poisoned the climate in labour relations in the Post Office so badly that we have the situation which exists today—spying on employees, harassment and intimidation. The operation which the postal corporation has worked into a fine art was started by the Liberal Party when it was in power. It started contracting out and franchising. All of the evils which we see today were started by the Liberal Party. It refused to deal with fair questions of automation raised by the employees. It was unwilling to deal with important job loss issues in a fair manner. Under the Liberal Government we lost delivery of home mail. The whole litany of poor service to the public started under that Government.

How many times did the previous Liberal Government force workers back to work in extremely negative contract situations which I believe were designed to break CUPW and remove the rights of people working in the Post Office? I know that the previous speaker was not guilty of those offences. He often cried out as a lone voice in that Cabinet. However, considering the dirty hands which his administration had, I would like to hear him justify the Liberal Party's criticism of the present Government.

Mr. Caccia: Madam Speaker, it is easy for the NDP to express synthetic indignation on matters like this, having never been in Government and never having had an opportunity to carry the responsibility of governing. That is a typical stance of the NDP.

There is a provision in the Labour Code on automation, introduced by the Liberal Government, to protect workers from dislocation due to the adoption of new technologies in the work place. That measure was hotly contested in the 1970s by employers. Finally, despite the opposition, the measure found its way into the Canada Labour Code. It was put there to protect workers under federal jurisdiction when their job security is at stake.

That is one of a number of measures included in the Labour Code which, I remind the Hon. Member, is not an invention of the New Democratic Party. Canada enjoys a federal labour code which covers a variety of situations because over the years the governing Liberal Party developed a substantial body of measures which are the envy of observers of the labour scene in other parts of the world.

• (1130)

It is true that we have occasionally passed back-to-work legislation through the House. I remember a number of occasions when the service that affected the public came to a complete standstill. This is not the case now with the Post Office. I must say that it is regrettable that mail service today is possible because of scab labour, but until last weekend mail was being delivered because there were rotating strikes and the public was not being inconvenienced.

When we passed legislation in previous years, we did so when it was more than evident that the public was being put at an enormous inconvenience, either because the trains had come to a stop or the harbours were not functioning. Those were real emergency situations which demanded the intervention of Parliament at a certain point.

However, I submit to the Member that we are not facing that situation yet. Therefore, it is perfectly legitimate and consistent for a Liberal to object to this type of legislation and to urge the Government to remove the scabs, give a signal on the part of management that there is goodwill to resume the negotiations and to sit down and find ways of developing a common ground.

I admit that the situation is deteriorating, not because of an attitude by one side but mainly because the Government is introducing Draconian legislation that is fueling the fire rather than taking initiatives that could have a positive effect. I hope that answers the Hon. Member's question. If he wants to ask another question I will be glad to attempt to reply.

Mr. Skelly: Madam Speaker, I think the Hon. Member side-stepped the question. Perhaps he could deal with the specifics.

The legislation before us today is Draconian. Certainly, the Government, with the postal corporation, created a situation in which the employees could not win. The Corporation has poisoned labour relations with the encouragement of the Government.

When the employees went on strike the Government acted on behalf of the Corporation by forcing the employees back to work, with some of the most negative legislation this House has seen. The Liberal Party, when it was in government, played that game with postal workers.

The Hon. Member gave an interesting exposé on the Canada Labour Code. Previous Liberal Governments played this game the Conservatives are playing today, in which they destroyed the opportunity to bargain collectively and obtain a decent contract. They were responsible for poisoning labour relations in the Post Office to the point where it was virtually impossible to obtain an agreement. When the employees were forced back to work, all the cards were in the hands of the Corporation. It was the Liberals who began the process of franchising and it was they who refused to deal with the critical question of job loss as a result of automation in the Post Office.

Will the Hon. Member come directly to the point and deal with the record of past Liberal Governments, which compares almost exactly with the present Conservative attempt to crush the postal unions and violate the rights of workers in the Post Office?

Mr. Caccia: Madam Speaker, the Hon. Member has it all wrong. He is really manufacturing issues.

He wants to create the impression from his own vivid imagination that the Liberal Party was out to destroy unions. If that were so, why have we, beginning with Mackenzie King, introduced a system of collective bargaining that has over the decades managed to resolve almost 99 per cent of the disputes in federal jurisdiction? Laws that were introduced by subsequent Liberal Governments have placed a high value on the important role that labour has to play in society and on the legitimate power labour must have in order to negotiate with the employer. Liberal Governments have developed a body of legislation and a system of resolving disputes which is probably one of the best in the world.

Perhaps the Hon. Member suffers from selective memory. Even those aspects he has put forward are incorrect. We did not shy away from protecting workers from automation. As I stated earlier, we did not shy away from reinforcing labour through labour educational programs to the tune of some $1.5 million a year between 1982 and 1984, in order to allow labour to develop its research and educational programs to perform an effective role in society.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Madam Speaker, my remarks will be very brief. I simply want to urge opposition Parties to expedite passage of this Bill because failure to do so on the part of this Parliament would be very irresponsible and could lead to consequences that I do not believe anyone in the House wants to see.

Much of the debate about this Bill has dealt with the question of whether the Post Office is operating reasonably and properly in the circumstances. I suggest that those who review the contemporary history of the Post Office and come to the conclusion that what is happening now is improper, unfair or unreasonable is engaging in selective review.

I commend to the House a recently published book entitled, *Post mortem*, written by David Stewart Patterson, who is a reporter with *The Globe and Mail*. In his book, he reviews the contemporary history of the Post Office and talks about the various attempts by the Post Office to deal with its labour-management problems over the years.

Various Postmasters General and Ministers responsible for the Post Office have tried every technique known. The New Democratic Party approach would be to give the unions what they want. That is what the Hon. Member for Papineau (Mr. Ouellet) and Bryce Mackasey did when they were Postmasters General.

Today, there is a situation in the Post Office in which independent third-party adjudicators have found that the wage costs with the Post Office are 20 per cent above national norms and productivity is 20 per cent below national norms. The total excess labour cost because of these two factors is between $460 million and $800 million a year in taxpayers' money. This is money that could be spent on day care, economic development or on job creation.

This situation exists not because the workers are lazy but because of acquiescence to militant union demands. The present work rules are impossible.

One of the salutary effects of having replacement workers there now is that management has been made aware that an inexperienced replacement worker, when management is not saddled with these horrible work rules, is much more productive. More mail is being processed by inexperienced replacement workers who are not saddled by these work rules. Something has to be done by a Parliament which feels in some way or other responsible to the taxpayers.

• (1140)

What were the other approaches? The previous speaker, the Hon. Member for Davenport (Mr. Caccia), has left the Chamber but forgets that in 1978 the Liberal Government brought in legislation to end a strike before it began. He was a supporter of that Government yet he stands here and sanctimoniously criticizes us. The approach that that Government took did not work. It did not help to cure the problems of the Post Office, nor did it help labour relations.

In 1981 the Liberal Government used another approach. It said that it would let the workers go on strike. For 42 days the Post Office was shut down and the cost to the small business sector in Canada was $3 billion. The Opposition is saying that the Post Office should not bring in replacement workers and the Government should not legislate an end to the strike. But what are the alternatives? I suggest they are, one, give the union everything it wants; two, shut down the Post Office.

What is the alternative which the Opposition would have us pursue? When one contemplates winning elections, one has to contemplate taking responsible positions. Let us look at four alternatives. First, give the union everything it wants—and everybody knows that many of the problems we have now are as a result of excessive union demands which have been catered to. Second, shut down the Post Office and let the economy bear the cost, which is what the previous Government did in 1981. Third, you can allow the Post Office to operate with replacement workers. I hear the Opposition saying that that is not effective. Fourth, you can legislate an end to the strike. I hear the Opposition saying that we cannot do that either. What is the position of this Opposition which says it should be given the trust of government?

The legislation which my colleague the Minister of Labour (Mr. Cadieux) brought forward is fair and even-handed. The Government is referring the dispute to an independent third party. A fair system is to have an independent third party adjudicate our disputes when we cannot agree, be it our judges in court or arbitrators in labour situations. To suggest that it is more responsible to let economic warfare carry on is wrong.

Let me say in parenthesis that the accusation has been made that the Government is out to break the union. If you are out to break a union you let the strike run for weeks and months with replacement workers so that the pressure builds up on the workers who are no longer working who see that the replacement workers are delivering the mail as effectively or more effectively than they did. Strikers start to argue with the union leadership and demand an end to the strike. That is how you break unions, Madam Speaker. If that were our Government's objective, we would let the strike run.

Mr. Skelly: That is the next step.

Mr. Andre: Because the mail is getting through we would let the strike run until the union's rank and file turn on the leadership and kick them out. That is the way you break a union. That is not what we are trying to do here. We are trying to put an end to a very difficult situation.

In this morning's Ottawa *Citizen* on the front page there is a quote from Darrell Tingley, the National Vice-President with CUPW, who said "—it is turning into a war zone out there". I have an incident report, as the Post Office calls it, as at six a.m. this morning.

Ms. Copps: Caused by your Government's legislation.

Mr. Andre: There is the mouth from Hamilton again.

In Atlantic Canada on Friday a bomb threat was received at a Saint John's plant. A customer in Moncton who dropped off his mail had his car damaged while attempting to leave. In North Sydney, a bus driver and replacement worker were injured when rocks were thrown through a bus window. In Bathurst, Canada Post vehicles were damaged and a CUPW member was arrested for assaulting a management employee. In Dieppe, New Brunswick, tires of vehicles attempting to enter the facility were slashed. On Saturday in Grand Falls, Newfoundland, replacement workers were assaulted by pickets. In Bathhurst, rocks were thrown at trucks entering facility. In Sydney, windows were broken, locks on external doors were broken and broken bottles and nails were spread throughout the parking lot. On Sunday, a security guard had his car damaged in Kentville. In Fredericton, a picket was charged when she damaged a taxi entering the facility. A pop bottle was thrown through the window at the home of a private sector subpost office operator in Reserve Mines, Nova Scotia. On Monday, a female picket was caught between an incoming transport truck—

Ms. Copps: A point of order, Madam Speaker. A point of order.

The Acting Speaker (Mrs. Champagne): I can assure the Hon. Member for Hamilton East (Ms. Copps) that the Speaker is not deaf. The Member has risen on a point of order. The Hon. Member for Hamilton East.

Ms. Copps: Madam Speaker, in reading out the occurrence list which includes a number of allegations of things that have happened in homes and private residences, could the Minister tells us whether there is still a law in this country that people are innocent until proven guilty? How is it—

The Acting Speaker (Mrs. Champagne): Order, please.

Mr. Skelly: Madam Speaker, on the same point of order.

The Acting Speaker (Mrs. Champagne): On the same point of order, the Hon. Member for Comox—Powell River (Mr. Skelly).

Mr. Skelly: Madam Speaker, a number of those incidents have been promoted by the postal service and the security and intelligence group. The Minister should be renaming these incidents—

The Acting Speaker (Mrs. Champagne): Both Hon. Members, and each and everyone in this House, know that those are not points of order but points that can be raised in debate or during the question period which will follow the Minister's statement. The Hon. Minister has the floor.

Mr. Andre: On Monday, a female picket was caught between an incoming transport truck and a guard rail at the facility. The picket was taken to hospital with a possible broken leg. In Halifax, there was a fire at the main entrance of the postal facility. In Quebec, on Friday, in Sherbrooke, a bus carrying replacement workers had windows broken. On Saturday in St. Thérêse, two management supervisors were shoved while entering the facility.

In Rouyn, a replacement worker was followed by pickets after finishing her shift. Her car was stopped and she was harassed. On Sunday in Quebec City, a replacement worker was hit with a thrown brick. In Sherbrooke, 24 letter boxes were damaged. In Montreal, a street letter box was set on fire.

On Monday in Quebec City, seven pickets were arrested as trucks and replacement workers entered the plant and later four security guards were attacked by pickets. On Friday, in Toronto a police officer who was attempting to remove a picket from the path of a bus was struck by the bus. Buses carrying replacement workers had their windows smashed, a management employee was assaulted by pickets. In Windsor, on Friday night, 50 pickets were throwing rocks. In Sudbury, a customer's car was damaged by pickets. On Saturday, two union members were arrested in Ottawa, one for trespassing and the other for smashing a window. In Toronto, at the east letter processing plant, two replacement workers were injured when bus windows were smashed by rocks. A female supervisor had a picket shove a burning two-by-four at her. Thirteen replacement workers were taken to hospital after sitting in battery acid that had been placed on chairs in various rest areas. At the bulk mail facility, four management employees were chased by pickets. They were badly shaken. A regular Canada Post contractor was offered $1,000 to hitch onto the wrong trailer or to take out his trailer and then dump the mail at the Toronto bulk mail facility. In Windsor on Saturday afternoon, pickets were placing children in front of vehicles to bar entry and exit to facilities. Shortly after, a postal inspector was assaulted by pickets while crossing the line. On Sunday, in Toronto, over 200 replacement workers chose to spend the night in the south central facility rather than cross unruly picket lines. They were available for day shift work on Monday. On the Prairies, on Friday, the Saskatoon facility received a bomb threat.

On Saturday, in Winnipeg, a bomb threat was received. In Edmonton, the windshields of both a Canada Post car and a security employee car were smashed. On Sunday, a Canada Post truck was unable to enter the Calgary facility as no police were at the site. On Monday, in Brandon, a picket brandishing a bat broke a mirror on a bus. On Monday in Windsor, an Ontario replacement worker was assaulted while waiting to board a bus to take him to sort mail. In Kitchener, a replacement worker was injured by a stone thrown through the bus window. On Friday, in Port Alberni, on the West Coast, a post office customer was involved in a fist fight with an picket; a regular highway services contractor was run off the road. In New Westminster pickets were seen pouring sand into the gas tank of a truck. On Sunday, in Port Moody, a replacement worker was assaulted while trying to cross the lines. He was assisted across by the district manager who was knocked to the ground. Picket lines were established at subpost offices; these independent businesses are not involved in the dispute between CUPW and Canada Post. On Sunday, in Victoria, two Canada Post managers were struck with the stick portion of picket signs. On Monday, in Vancouver, a convoy of buses that was carrying replacement workers was blocked from getting into the Vancouver plant by a trolley bus that had its wires cut. In Victoria a replacement worker was assaulted by a picket.

• (1150)

Ms. Copps: I rise on a point of order. I believe if you refer to the Standing Orders, Madam Speaker, you will realize that there is prohibition against reading lists of great length in the House. I wonder if you could exercise that prohibition.

The Acting Speaker (Mrs. Champagne): I am sure that the Hon. Minister will continue to tell us more after the list is completed. I think it is quite pertinent to the debate, and I have no intention of stopping the debate at the present moment.

Mr. Andre: The point of that list is to make it clear to the House, the public, and the Hon. Member for Hamilton East (Ms. Copps), who has now left the Chamber—

The Acting Speaker (Mrs. Champagne): I am sure that the Hon. Minister does know of the rule which forbids a Member to mention the presence or absence of Hon. Members in the House. This is the second time during his speech that the Minister has done so. I would appreciate it if he would not do so again.

Mr. Andre: Thank you, Madam Speaker, and I should point out that the Hon. Member has returned.

Ms. Copps: Although the ruling *vis-à-vis* the reading of the list was that the Minister would be allowed to continue, I am sure that the Minister would wish to comply with the Standing Order that requires him to table documents from which he reads in a lengthy fashion. I would ask the Minister, through the Chair, to table the document.

Mr. Andre: I have read the complete document, but if the Hon. Member does not wish to wait until *Hansard*, she can have what I have read. I do not mind.

Ms. Copps: I believe that there is a requirement to table the document. I distinctly saw the Minister reading and quoting from a document at great length. Before he takes some of the pages out of the document, which he may not wish to be made public, and I see him removing pages from the stapled version, would the Minister please table the document as per the Standing Orders.

The Acting Speaker (Mrs. Champagne): The Chair has heard the Minister state that he was quite willing to table the document from which he was reading. The Hon. Minister has the floor.

Mr. Andre: The fact of the matter is that we are getting involved in a point of order regarding whether I need to table my notes or not table my notes, and what is a document. These are notes prepared for me on what has happened. There is no principle in the Standing Orders that requires me to table my notes.

Ms. Copps: Yes, there is.

Mr. Andre: Rather than get involved in this, perhaps the Chair will not allow—

The Acting Speaker (Mrs. Champagne): On the same point of order, the Hon. Member for Comox—Powell River.

Mr. Skelly: Contrary to the statement of the Chair, in my hearing, the Minister did not state that he was prepared to table the document. The Minister stated that he was prepared to give it to the Hon. Member for Hamilton East (Ms. Copps). In order that other Members of the House may have access to the same information, which the Minister purports to be true, I would certainly wish to see the documents, and ask that the Chair request that the Minister table those documents.

Mr. Andre: If I may be permitted to finish my remarks, which I can do quickly, without further interruption from the Opposition, then I will deal with the matter in question.

The purpose of reading this list of incidents and bringing them to the attention of the House is to make Members aware that there are activities which are posing a serious danger—

Ms. Copps: Madam Speaker, I rise on a point of order. I am pursuing the point of order because I do not believe it is the decision of the Minister whether or not he chooses to table the document. The Standing Orders specifically require that if there is a document from which he quotes at great length then he must table the document. It is part of the Standing Orders. I believe the Chair is aware of the Standing Order.

The Acting Speaker (Mrs. Champagne): I do understand and know of the Standing Order to which the Hon. Member for Hamilton East is referring. The Hon. Minister first stated that he was prepared to give his notes, the document, to the Hon. Member. At first the Chair understood that it was an official document. The Hon. Minister has now put the point in a very succinct fashion by stating that they are notes which were prepared for him in order to address the House this morning. A Minister does not have to table personal notes. It will be his decision whether or not to give the Hon. Member a copy of his notes. The Chair cannot make a ruling on this.

I hope that this is the end of this point of order.

Mr. Gauthier: Madam Speaker, I would just like to draw the attention of the House to Beauchesne's Fifth Edition, page 138. In Citation 390 there is a long list of criteria enumerated that are to be applied when determining if government papers or documents should be produced.

I wish to ask the Chair to refer to all the citations in Beauchesne, not only 390, which pertain to the long established practice that, where a Minister reads from a document, as the Minister has done, all Members of the House, not only the Hon. Member for Hamilton East (Ms. Copps), should be given the benefit of that list in order that they can refer to the accuracy of the statements that have been made, and also have the privilege of using those examples to perhaps argue with the Minister in debate of the House.

Mr. Skelly: I rise on the same point of order, Madam Speaker. The question was raised that the Minister stated he was reading from his notes and not from a document. The Minister did mention that he was quoting from the daily occurrence report. I am sure the ears of every Member in the House picked up when the Minister stated that. The document the Minister referred to ought to be tabled in the House; not given informally to one Member but given to every Member of the House.

Mr. Andre: I believe the Hon. Members have simply rehashed a point upon which you have already ruled, Madam Speaker, so there is no need to go any further.

The point I am trying to make which the Opposition does not wish me to make—

Ms. Copps: Is there a ruling?

The Acting Speaker (Mrs. Champagne): The Chair at this point is referring to Citation 327 where it states:

> 327.(1) A Minister of the Crown is not at liberty to read or quote from a despatch or other state paper not before the House—

From my understanding of what the Minister has stated, what he is quoting from is not a despatch or a state paper. Henceforth, I see no obligation for the Minister to table the document.

On the other hand, I would ask that the Minister consider making it available to the Hon. Member, as the Minister has stated he would.

This point of order has now been ruled upon, and I will not accept any other intervention on it.

Mr. Skelly: Madam Speaker, I rise on a further point of order.

The Acting Speaker (Mrs. Champagne): Is it a separate point of order?

Mr. Skelly: It is a separate point of order.

I made notes on the Minister's statement. The notes indicate that the Minister used the term "a daily occurrence sheet".

• (1200)

It has been fairly clear that we do not have a daily occurrence sheet from which he was quoting. He must have been quoting from some other more informal source, and I think the Minister ought to correct the record rather than smear postal workers.

The Acting Speaker (Mrs. Champagne): The Hon. Member assured the Chair that this was a different point of order. Obviously it is not, and this point has been ruled upon. The Minister has the floor.

Mr. Andre: Madam Speaker, the point I am trying to make, which the Opposition does not want me to make, is that we

know from reports over the long weekend that there is damage and that there have been numerous incidents of violence across the country. People have been injured, fortunately not seriously yet. Well, broken legs or being hit by bricks is pretty serious, but no one has died and no one, so far at least, has required extensive medical treatment, we think.

However, how long will that be the case? If opposition Members say that they are prepared to delay this legislation for as long as they are able to use the rules to do so, then they ought to recognize that in essence they are saying that they are prepared to see this violence continue and are prepared to accept that injuries may occur. That would be very, very irresponsible on the part of any parliamentarian in the House. They have a position to take. They have made their positions known. They have articulated the disputes they have with the Government, as is quite proper in this place. It is quite proper in this place that we then divide on it, that we have the vote and we proceed. The use of delay tactics for the sake of delay tactics when we are talking about the personal safety of Canadian citizens is something I would urge the Opposition to give very careful consideration, before deciding on any position of delay for delay's sake. That was the purpose.

On the question of the point of order and the supposed document, the notes I have been reading from, I am supplied with this information on a regular basis. It is part of my job as a Minister to be up to date and aware. I brought it to the attention of the House fully in debate. I was quite prepared to share documents, but in view of the actions, the attitudes, and the precedent which might be established, I will regrettably say "no" to that action, for to say otherwise would be a note of approval or recognition of the appropriateness of opposition actions in this regard, which I do not think is warranted.

Mr. Murphy: Madam Speaker, unfortunately the way the Minister ended off his speech by refusing to table the document indicates the real problem in this dispute, and that has been the attitude of the Minister.

He has quoted from a document. He has used part of a document. He has given not only the House but the public a certain viewpoint because of the document from which he read, but he refuses to give the entire document to the House or to the people of Canada. I think that is a sad reflection of the way the Government has handled the dispute.

I may point out that if we had the entire document we may see other problems which could be associated and directly related to the role of Canada Post.

There have been documents in the past, documents which I have raised in the House, the internal documents of Canada Post, of what happened in the letter carriers' dispute, where they admit that they intimidated workers despite the fact that the Canada Labour Code clearly spelled out that they cannot force a worker to do the work which is normally done by someone who is on strike. The Canada Labour Code points that out very clearly, yet Canada Post broke that law, did it on an ongoing basis, and did it deliberately.

It is not just my opinion or the opinion in the internal document. It was also the opinion of the Canada Labour Relations Board when it found against Canada Post, when it found that Canada Post was not obeying the law of the land.

Obviously the failure by the Government to produce the entire document is an attempt by the Government to leave an impression without giving the public the benefit of the entire picture. I think that is propaganda and I think it is deliberate on the Government's part.

The reason I rose to speak was not to comment upon the document. I wanted to comment on the fact we just heard from the Minister responsible for Canada Post. He spoke for over 20 minutes in the House and did not spend one minute on the issue that has caused the strike. He did not mention franchising-out. He did not mention what has happened to women workers who are getting a decent salary working at wickets across the country and will not be working as a result of the position taken by Canada Post.

What will happen to those jobs? They will be taken by other women who will be working part time and for minimum wages. It is ridiculous to have the Minister rise in the House to do all the fear mongering he can but not deal with the issues which have caused the dispute. That was regrettable. I wish the Minister would at least try to defend his position with regard to franchising-out those jobs and what it will do to the salaries of women workers across the land.

In closing I must say that the attitude of the Minister is the cause of the national strike. It is not just a matter of postal history. It is a matter of what is happening at this time. Certainly there have been disputes in the Post Office in the past, but the problem at the present time is the issue of franchising-out, and it is because the Government refuses to negotiate it that we have a strike at this time.

Before sitting down, I must point out that each and every one of the occurrences which he quoted, from the document he pretends not to have, happened after the Government moved to legislate an end to the strike. They did not happen when it was a rotating strike. They happened after the Government forced the hand of union members across the country, and I think he should admit it. The violence out there, the national strike out there, was caused by the Government. It is interesting to note that editorials in *The Edmonton Journal* and the *Winnipeg Free Press* have indicated that this is a strike caused by government.

Mr. Andre: Madam Speaker, very quickly, in terms of the accusation of deliberate intimidation during the LCUC strike, the Hon. Member is wrong in his assertions and is wrong in his claims. There was one incident in Halifax involving a truck of mail and a local supervisor. Mail is handled both by CUPW and LCUC workers; sometimes the divisions are not clear. The local manager asked CUPW workers to help unload the truck.

They refused. He accused them of insubordination, and it turned out that they filed a grievance and the Canada Labour Relations Board said that they did not have to do the work. It was a local manager who made a decision at the point. To translate that into an orchestrated routine of intimidation and law-breaking is extreme at the least.

The Hon. Member invited me to get involved in one of the issues at the table. I have deliberately avoided doing that because I happen to think that it should be negotiated at the table between Canada Post and the letter carriers' union.

I realize that the Hon. Member and his Party have certain obligations to Mr. Parrot and CUPW which require them to get involved in the details of the dispute and the negotiations at the table, but I think that is improper.

Finally, on the question of violence, I hope Hon. Members have not forgotten that the violence started with the rotating strikes before the Government had made any decision about back-to-work legislation. There was violence in Nanaimo prior to that. To suggest somehow that everything was peaceful, that there was no violence, and that the violence only started upon introduction of the Bill is in fact a distortion of history. I reported to the House about incidents over the weekend. It would have been a much longer list if I had reported on incidents all the way back.

• (1210)

The Hon. Member says that this new thing has to do with franchising and so on. I wonder if he is aware that in 1913, there were 14,132 sub post offices, all run by the private sector. The Post Office has never had as many as that. To suggest that the private sector running the sale of stamps is a new phenomenon is simply not true. In fact it has always been that way with the Post Office since it was formed through the Post Office Act of 1968. As I say, we had the maximum number of private sector post outlets in 1913.

Mr. Gauthier: Madam Speaker, during his speech the Minister did not in my view at any time address the Bill before the House. Not one of his comments was directed to the contents or the principle of the Bill.

Clause 11(2) in my view provides for a serious and a very difficult penalty. What was the Government's rationale for putting forth such severe, such hard and such regressive penalties?

Mr. Andre: Mr. Speaker, I did not go over that, of course, because my colleague, the Minister of Labour did in his opening remarks and I did not think it was necessary to be repetitious. The rationale, I think, was to ensure, to the extent possible, compliance with the law. It had been used previously in back-to-work legislation.

I know the Hon. Member is not suggesting that it would be acceptable for union leadership in this case, or in any other case, to say they refuse to obey the law of the land. That clearly is an unacceptable situation so the question then is, what form of penalty should be used.

As the Hon. Member knows, the Government he supported brought in back-to-work legislation in 1978. Incidentally, it introduced the legislation before the strike started. It was not passed until the strike was three days old, and the union disobeyed. At that time, Mr. Parrot deliberately disobeyed the law. Eventually, after appeals and so on, he served some 60 days or so in jail. That did not seem to serve any useful purpose, so this Government is saying perhaps we ought to look at some other penalties which will encourage compliance with the law.

I do not understand what is so severe about saying that a person who would deliberately disobey the law would thereby lose the right to serve in a responsible position with the union for five years. We are not taking away their freedom, we are not imposing huge fines on them, we are not throwing them in prison, we are just saying that we expect people in responsible positions to behave responsibly and obey the law, and if they refuse to obey the law and behave responsibly then we cannot allow them to be in a responsible position. I do not consider that too severe.

Mr. Ray Skelly (Comox—Powell River): Madam Speaker, it is a severe temptation to comment on the speech of the Minister responsible for the Canada Post Corporation. His speech dealt with the question of violence. There is not a Member in the House who does not abhor violence, but the cause of the violence must be recognized. I would say that that cause lies squarely on the shoulders of the Government and the Canada Post Corporation.

The Conservative Government has done more to precipitate the violence in the letter carriers' strike and the violence in the present situation than any trade unionist involved in this dispute. The Government has created a labour relations climate that is poisoned. The Government has allowed the Canada Post Corporation to execute one of the most vigourous anti-union and anti-employee programs that I have seen in many years.

The kinds of intimidations that are going on in the Post Office today are severe. The objective is clear. It is to break the power of the union in the Post Office and to break the union. We have had very interesting examples of this intimidation raised. One I raised by way of example to the Minister is the case of a woman working in Williams Lake in a Post Office. Her family had been in Norway and they returned to Canada with whooping cough. The woman's doctor ordered her and the family to be quarantined. The local postmaster on the other hand said to her, "If you do not come to work, you will be fired". The woman of course followed the advice of her doctor and did not come in. The harassment goes from there. The woman is phoned at home, contrary to conditions in the contract, and harassed by management. The issue is referred to the postal corporation's doctor who poses as a public health official and phones the woman's doctor, extracts confidential

information about her illness and then berates the doctor for quarantining the woman and suggests that she should be going back to work immediately.

That is not the end of the story. Not only is there harassment, but absolutely unethical behavior of one medical practitioner to another. Then the postal administration decides that, even though the woman is home with an illness quarantine and is a hazard to her fellow employees, she can no longer have her pay cheques. Her pay cheques will be withheld. She cannot pay her bills, feed her family or pay her mortgage. Another form of harassment and intimidation. This goes on and on. It is the most amazing litany of anti-labour practices that I have heard in a long time. Finally, the woman broke out with active whooping cough and all was forgiven and forgotten because of course she would be an immediate health threat to everyone else around her, but not for the operation of Canada Post. The local postmaster was quite prepared to override a local doctor and jeopardize the health of other employees.

The question has been raised about the whole matter of incentives that postmasters and management are given for attendance bonuses. If they can get the worker attendance level up, there are premiums which accrue to the local postmasters and management officials. It is an absolute prescription in many cases for intimidation and harassment of employees. That harassment goes on. Those employees do feel the weight of oppression in that operation. This is absolutely unscrupulous labour relations.

The worst of all possible situations is of course euphemistically referred to by the Minister as the use of replacement workers. They are known in much wider circles as scabs. They are unfortunate individuals. The Governments, both right-wing provincial Governments and this right-wing Conservative Government, hold these individuals in absolute contempt. There is no dignity in the minds of the Government in the scabs forced into the job. They are told that they will be off welfare if they do not take scab positions. They will lose their unemployment insurance benefits if they do not become Conservative Government replacement workers to break the postal union. If they do not do that, then they lose their incomes. What is an individual to say when crushed between right-wing provincial Governments and the right-wing Conservative Government which holds them in total contempt?

So the workers are loaded on buses, swooped up in helicopters and held in warehouses, and eventually, the time comes to try to shove them through a picket line. I would point out that most of the people working in many of these post offices are women. In many of the post offices in the communities I represent there are five, six or eight women who operate those wicket positions, sort the mail and do the other things required to keep the community service going. They are not ogres. In many cases they are single parents trying to raise a couple of kids. These are the people out on the picket line who the Minister is talking about. The Post Office hires security guards to crash through these women.

• (1220)

It has been communicated to me by the people on the picket line that the violence started when people from outside approached the picket line and responded violently to those on the picket line and the situation deteriorated. Many of the injured were people on the picket line. For my money, these people were sent in as provocateurs to deliberately create violence.

Why would the Corporation and the Government do that? I suggest it is to give the impression to the public that this was a dangerous and threatening situation and the public would then support this Draconian legislation. That is the scenario many people in those communities believe. We had the letter carriers dispute and now this situation with CUPW, and the responsibility for the violence lies in the hands of the Government. It has created a situation which allows the Corporation to harass, intimidate and exploit not only the Post Office workers but the replacement workers as well.

The replacement workers have a great future; either go out and break through the line and participate in violence or lose your social assistance or unemployment insurance. Once inside, if you find you do not like the situation and you are out the door you cannot collect unemployment insurance. They are in a most disgusting and contemptible situation precipitated by the Government. That is a real fact of life for those caught by this replacement workers scam of which the Minister speaks so proudly. It is a typical program of the Conservative Government assisted by the Unemployment Insurance Commission on one hand and the Corporation on another. It is a truly disgusting act, despised by most Canadians.

Mr. Shields: You are unbelievable.

Mr. Skelly: Relax, Jack. The Minister talked about 1913 being a time of maximum franchising. At that time we had about four million people in the second largest country in the world. You can understand that anyone around then was probably prepared to participate in some way in a national communications system. Under those conditions it made sense to do so. It does not make sense to do so today. This is an attack on postal workers. The Minister responsible indicated that in his speech. He said the surplus labour cost in the Post Office is so high that we must save taxpayers' money and destroy the working conditions and wages of people in the Post Office. We will do it by franchising.

It is an old trick for destroying the union. You simply go to the private sector and say we have a problem. We are paying for about 4,800 wicket positions. We want to reduce their wages from $14 an hour to $4.50 an hour, about the minimum wage. We would like to put the wicket in the drugstore. Of course, the local Shoppers Drug Mart jumps at it and pays a little above minimum wage for a job that used to command a reasonable salary. People in the Post Office have the benefits of a union agreement which the Minister professes to support

at the same time as he is quite prepared to destroy it by franchising-out.

I found out the other day that mail coming to me as a Member of Parliament cannot be picked up at a Post Office. We have to go down to the middle of a shopping mall to pick it up. The other day my assistant was complaining that she could not pick up two very large bags of mail at the back door of the Post Office anymore. She has to drag these things through a mall with no security or anything else. That must change. Many citizens are complaining about the fact they cannot use the Post Office and that the facilities in the back of some store or laundry are completely unacceptable.

The key point is that the Government is prepared to deliver postal service on the backs of workers who are paid a minimum rather than a decent wage. Every member of the Conservative caucus ought to be disgusted by this. Imagine the situation of a single parent. I have confronted this situation on the picket line. They are trying to raise a couple of kids on $12 to $14 an hour and if this thing goes through their jobs are gone. They will be lucky to get the job in the local Shoppers Drug Mart and they will be paid $5 an hour. Trying to raise their family on that means they are better off on welfare. That is what the Minister wants. That is what the Conservative Government wants. That is not what we in the NDP want and we will fight it to the end. It is a disgusting situation for most Canadians and I think they despise it.

An Hon. Member: Oh, oh!

Mr. Skelly: The true test of that is 24 per cent in the popularity polls. It is hard to conceive of a political Party being able to drop even further, but when the postal carrier strike was over it dropped like a rock. After this strike, given the Draconian legislation we have in front of us, the Government is finished. Its popularity will drop even further.

It is of critical importance that this legislation be withdrawn. The Minister asked what the Opposition would do. He said we would totally cave in to CUPW, give them everything they want, send them all to Bermuda for 12 months. Absolute nonsense. I recognize there has to be a philosophical difference in order to have opposition. Yet what the Conservatives believe is that workers do not have rights.

Mr. McDermid: What a crock.

Mr. Skelly: The right to bargain collectively with your employer, when it interferes with the Government's goals, results in the trashing of the Post Office. The workers are going to lose.

Mr. McDermid: What nonsense.

Mr. Skelly: My friend says "nonsense". Postmasters in many communities who talk to the employees say they will be lucky if they have a job a year from now. They should start looking for other employment because the Post Office is gone with the wind.

Mr. McDermid: Talk about scare tactics.

Mr. Skelly: I am simply repeating what postmasters have told employees.

Mr. McDermid: They are using scare tactics.

Mr. Skelly: They are simply quoting from the management plan which was put in place by the Conservative Government. A beautiful example is the Post Office in Comox, British Columbia.

Mr. McDermid: Try my riding.

Mr. Skelly: If the Hon. Member is not responsible enough to look after the concerns of his constituents and protect the postal service, that does not surprise me one iota. I am concerned about that post office in Comox. It is very clear that the actions of the Canada Post Corporation will put that post office away. The staff has been reduced. The contract entitles it to two positions but Canada Post refuses to fill the other. That means that while preparing for the day the individual worker often cannot open until late in the morning. That post office serves thousands of people in the community of Comox and the surrounding area. The individual worker must close for coffee breaks and lunch. By 3.45 in the afternoon the individual worker must close the post office in order to get the day-end accounting done.

• (1230)

Senior citizens in the community of Comox do not have the benefit of coherent postal service because that post office is closed for a good portion of the day with one individual trying to provide service. The Post Office says that it will fix the problem of inconvenience by franchising out. On either side of that post office, within walking distance for senior citizens, two stores now provide franchise service. They are paying their workers the minimum wage rather than the postal contract rate.

Mr. Shields: Not true.

Mr. Skelly: One of my Conservative colleagues has accused me of lying to the House. He says that is not true. That is absolutely true and there will be a community meeting very soon to deal with that issue in the town of Comox.

If this were the only case of this kind there might be some strange justification for it, but it is not the only case. The Conservative Government has a determined plan to privatize the functions of the Post Office and get rid of its budget and its responsibility for it. Transportation in the Post Office has been contracted out to private companies, as have rural mail service and wicket functions. I have no doubt that if the Government and its agent, the Canada Post Corporation, is allowed to continue, the sorting function will also be franchised out in the future. That will, of course, destroy the union and will put an enormous number of people out of work. They will lose a decent union contract with fair wages and working

conditions and will be put into a situation of having no protection, poor working conditions, and earning minimum wage. That is the direction in which the Government will take Canada Post and it is completely unacceptable.

What is the option, Madam Speaker? The option is not Draconian legislation and it is not caving in to the Canada Post Corporation or to CUPW. The option is to create an environment of decent working conditions and accept that union and management should be able to bargain in good faith without the Government and the Corporation poisoning the water hole. This situation was created by deliberate design. The poisoned environment, for which the previous Liberal Government has substantial responsibility, becomes self-justification for privatizing the Post Office and getting it off the backs of Canadians, as the Conservative Government so often puts it.

We must change this by creating a decent environment within the Post Office and encouraging the collective bargaining process to resolve this matter. That was the purpose of passing the law to create the Canada Post Corporation. It was not to permit the Conservatives to do this to the country.

Mr. Guilbault (Saint-Jacques): Madam Speaker, I would like to ask a question of the Member for Comox—Powell River (Mr. Skelly). Clause 7 of the Bill refers the mediator-arbitrator to the conciliation report. In fact, at the top of page 4 of the Bill it says that the mediator-arbitrator should give due cognizance to the conciliation report. We know that the conciliation report is slanted in favour of the franchising out of postal operations. I would like to ask the Member some questions on this subject.

There are various circumstances surrounding franchising. On the one hand, the Government may decide to close a local post office and have the service provided by a franchise in a drug store or a convenience store. In this situation people who were being paid decent salaries of approximately $13 an hour could be replaced by people earning the minimum wage. On the other hand, in the situation of an entire new subdivision being built where no post offices previously existed the Post Office could decide to have the mail delivered by a franchise operation.

What does the Member think of these possibilities? Does he think that the Government should have directed the mediator-arbitrator to give "due cognizance" to the conciliation report?

Mr. Skelly: Madam Speaker, the issue of franchising out is complex. There are two ways in which to serve communities in which there is not sufficient volume to justify a full-time operation. There are many such communities in remote areas. My riding is filled with them. On the other hand, when new communities develop where there is a substantial amount of work to be done, creative means can be used to keep operations within a collective bargaining agreement under the framework of the union. The new outlook postal stations have fallen within the purview of the union agreement and have been very successful. However, the postal corporation is not interested in expanding services. The supermailbox is an example of the corporation's failure to deliver mail to homes in new subdivisions. A chaotic and ridiculous situation has been created.

As the Member well knows, if the Government and the postal corporation wanted to deal in good faith with their employees and the communities they serve we would see solid progress with due and fair cognizance of the situation. The corporation would be trying to keep as many of the positions as possible in the expanded service area within the framework of CUPW and the Post Office. Rather than that, Canada Post has deliberately tried to franchise out in order to get rid of CUPW positions and drop the wage levels from $12 or $14 an hour to $4.50 an hour. I know that my colleague is aware of that and is as concerned about it as we are.

The Acting Speaker (Mrs. Champagne): Are there further questions or comments? The Hon. Member for Saint-John's East (Mr. Harris).

Ms. Copps: I rise on debate, Madam Speaker.

The Acting Speaker (Mrs. Champagne): I would like to advise the Hon. Member for Hamilton East (Ms. Copps) that there are still five minutes available for questions and comments and the Hon. Member has asked for the floor. I do hope that she does agree with the Chair for once.

Mr. Harris: Madam Speaker, would the Hon. Member care to comment on the remarks made by the Minister of Consumer and Corporate Affairs (Mr. Andre) this morning in debate? He said that if responsible officials of the union violate the Act and are convicted they will not be able to serve in responsible capacities in the union. The legislation, of course, says that if an individual is convicted, that individual may not be an officer or representative of the union and shall not be employed in any capacity by or act as an officer or representative of the union at any time within the next five years. Would the Hon. Member comment on this provision? It seems to be an additional punishment on the individual, who may not be employed in any capacity by another entity for a period of five years.

• (1240)

As a lawyer, this seems to be a reprehensible indication of the Government's intention to control the activities of individuals in the union movment of this country. Will the Hon. Member comment on that?

Mr. Skelly: Madam Speaker, the Hon. Member's point is extremely relevant. When an individual is charged with breaking the law of the land, that person must answer to that charge and, if guilty, the court would impose a fit sentence. Once the sentence is served, the individual should definitely be eligible to resume his or her activities as a citizen of Canada. That is a part of the concept of paying a penalty.

The Hon. Member raises an interesting situation. This is a mechanism to assist in breaking the union. There is no doubt that the people who lead this union enjoy the confidence of the rank and file. If they are prohibited from holding elected office for five years, they are likely to be voted-in anyway, which will lead to a confrontation between the Government and the union. The Government could then move to put the union under trusteeship, thereby excelerating the union-busting procedure.

This is the most blatant example of union-busting I have seen in a long time. It sets the conditions by which the Government can now have more tools to force the destruction of this union.

I am extremely concerned that the Government did not choose the other route and enforce the Corporation to adhere to the principle that it must bargain with its employees in good faith and adhere to the Canada Labour Code.

Once example of that lack of adherence is the grievance procedure. Management regularly violates the contract and dares the employee to take it through the four stages of the grievance procedure. That is a long procedure and the individual who is suspended, deprived or penalized in some way must endure that long period of time. Therefore, an increasing number of workers are reluctant to do anything but submit to oppressive management. The harassment and intimidation as a result of management refusing to adhere to the grievance system helps to break the union by creating fear among the employees.

The point raised by my colleague today is the end result of one of the most Draconian pieces of legislation we have seen in the House. It is the continuation of a policy that begins with shop management on the floor of the Post Office who have been given the direction to harass and intimidate employees, and fail to follow the established practices in labour-management relations that allow grievances to be dealt with quickly and effectively. The practice of the management, assisted by the Government, is one of the worst examples of labour-management relations I have seen.

Mr. Shields: Madam Speaker, the Hon. Member began his speech this morning by saying that there is no one in the House who would condone violence. How does he square this with the Hon. Member for New Westminster—Coquitlam (Ms. Jewett) who said in the House that there are times when violence could be condoned? His Leader also indicated that he supported the statement that there are times when violence would be condoned. Does the Hon. Member, like his Party, condone violence?

Mr. Skelly: Madam Speaker, I have profound respect for my colleague, the Hon. Member for Athabasca (Mr. Shields), who is one of the most thoughtful and diligent people in the House. I think he knows that his remark was made in a mischievous fashion.

I assume he would not have participated in the Second World War conflict to overthrow Hitler. I suppose he is trying to tell us that violence on the part of Canadians in order to re-establish democracy and fight for self-preservation was not condoned.

I believe my colleague, the Hon. Member for New Westminster—Coquitlam (Ms. Jewett), was basically saying that the administration of South Africa has inflicted such terrible violence on black South Africans that there are very few options left to them but to rise up and throw off the yoke of violence that has been flung around their necks.

I would ask my colleague why he was opposed to the use of violence by Canadian Armed Forces to overthrow Hitler's regime in World War II.

Ms. Sheila Copps (Hamilton East): Madam Speaker, first, I might say that I am surprised that no government Members are rising to speak in defence of this particularly ignominious piece of legislation.

This morning, the Minister reponsible for Canada Post, from what he referred to as his notes, cited a litany of excesses which had apparently prompted this legislation. However, the one element the Minister forgot to mention in his speech was that the litany of excesses that have occurred were not prior to but as a result of his Government's imposition of a proposed back-to-work order on the workers involved in the postal dispute.

Further, the Minister laid his cards on the table for the people of Canada when he claimed on the one hand that he had not taken a position with respect to the matters in negotiation while, on the other, he stated quite clearly that the mail is getting through and talked about excessive union demands.

The Minister's statement that the mail is getting through suggests to me that we do not have a national emergency. Furthermore, his statement about excessive union demands quite clearly demonstrates that the Government has a hidden agenda, together with Canada Post, to break the backs of workers across the country. This intent is demonstrated quite categorically by the Draconian measures which have been embodied in this Bill and particularly by the Government's claim that we should consider the recommendations of the Foisy Report.

The Government is laying out the plan for a settlement before one has been negotiated. I remind the Minister and the Government that it was the union that first called for a mediator and that the union was prepared to go back to the bargaining table.

However, it was not in the interests of Canada Post or the Government to have a negotiated settlement because of its agenda which includes breaking the back of the union. What better way to do so than by knowingly and willfully introducing back-to-work legislation that will have the effect of

escalating the difficulties on the picket-lines and, in fact, will involve an increase in violence as we saw over the weekend.

The Government cannot then claim this morning that increasing violence must lead to back-to-work legislation when the fact is that back-to-work legislation has created the violence on the picket-line. The Government introduced this legislation knowing this would happen because it wanted to break the back of the union once and for all. How the Minister can stand here in the House—Madam Speaker, there does not appear to be a quorum in the House.

• (1250)

The Acting Speaker (Mrs. Champagne): There is quorum now. The Hon. Member has the floor.

Ms. Copps: I heard a government Member saying that the Members wanted to hide behind the curtains because they could then adjust the volume. I would like to remind Hon. Members that the volume they will have to deal with is the volume of complaints from constituents who will see through this facade, this feigned national emergency which was created by the Government, aided and abetted by Canada Post. This Government is out to break the backs of working people. I find it passing strange that the Prime Minister (Mr. Mulroney) who claims to be the great negotiator stands back and says nothing while he permits his Minister of Labour (Mr. Cadieux) to introduce a piece of legislation that is so Draconian in its influence that it is possibly a violation of the Charter of Rights and Freedoms.

Of course the Government does not care about the Charter of Rights and Freedoms because it does not believe that individuals should have access to a Charter of Rights to protect them. That is clear from the contents of this piece of legislation. Any thinking person in Canada who reviews this Bill will realize that the prohibition laid down, including fines of up to $50,000 against individuals and up to $100,000 against unions for not abiding by the terms of the legislation, is heinous enough in itself, but on top of these very onerous fines the Government is suggesting that if any person for any reason does not comply with the contents of the Bill, he or she will be forced, potentially, out of his or her job for a period of up to five years.

If I were the president of my local and in that capacity did not respect the prohibition against picketing or did not come back to work on the first day I was ordered to, I could lose my job for up to five years. Canadians believe that that is bad and is wrong. I think it is very sad that the Government has attempted to create a climate of violence in an effort to justify to Canadians what is really a very onerous and Draconian piece of legislation.

I am not surprised that we heard the Minister responsible for Canada Post here this morning negotiating the contract on the floor of the House of Commons by suggesting that the union had made excessive demands.

Let us look at the demands, Madam Speaker. Everybody knows that the union involved is not the most popular union in Canada but at the same time it has been quite responsible in the issues it has raised for the attention of the public and for the attention of Canada Post, namely, the issues of franchising and part-time workers.

We recall quite vividly the Prime Minister making a promise before all people in Canada that he was going to deal with the issue of part-time workers, who are primarily women. The union in this case has shown the lead with respect to the treatment of part-time workers. Part-time workers under the collective agreement are protected. They do have access in many respects to similar kinds of benefits that might be available to full-time workers. The union would like to improve that situation for part-time workers.

Instead we have the company, aided and abetted by the Government, which does not want to deal with the question of part-time workers, even though the Prime Minister himself promised that resolving the difficulties facing mostly women, who are working part time—many of whom would like to work full time but jobs are not available—would be a number one priority of the Government. Yet when the opportunity was presented to deal with it in the context of these negotiations, the Government turned its back on the working people.

The Government is asking the opposition Parties to pass a piece of legislation expeditiously which succeeds in discriminating against women and violating potentially the Charter of Rights and Freedoms by denying a worker the right to work for up to five years, if he or she is responsible for an infringement under this Bill. This legislation levies fines of up to $50,000 or $100,000 for individuals and/or unions which might be involved in violations, and the Government is coming down hard because it is trying to create a climate of violence in which it can be justified in breaking the back of the union, in the same way that Ronald Reagan made breaking unions a hallmark of his administration in the United States.

It is shameful for a Prime Minister who claims to be a negotiator, and allegedly built a reputation on his abilities to bring the parties together, to stand silently by while his Minister of Labour and his Minister responsible for Canada Post, siding only with the company in not agreeing to the union's demand for a mediator, are trying to create a situation where violence is likely to occur.

As a Member, I will not take the rap the Government will try to lay on us in Opposition, that it is our fault because we do not move quickly with the legislation. The Government moved first by claiming the possibility of back-to-work legislation as early as October 3. The Minister of Labour had already set the stage. The company had no need to negotiate in good faith because it knew the Government would move in with a heavy hand.

Up until the Government moved in with the back-to-work legislation, according to the company's own spokesman, the mail was moving and there was no problem. Canada Post was

even spending hundreds of thousands of dollars telling Canadians "to mail your mail. It is getting through. There is no problem." At the same time that Canada Post was spending hundreds of thousands of dollars to hire scabs at $156 a day, and running advertising campaigns suggesting there were no problems, it was telling its own employees not to use the mails. I refer to a directive which went out to all people working in the Huron District, which includes Hamilton, London and various areas in that neighbourhood even though Canada Post was telling Canadians to use the mail, that there were no problems. This is how much you can believe the word of Canada Post. It was concerned that pay cheques would not get through for its employees and it sent out a directive. A separate mail service was set up where Canada Post's mail was going from one postal area to another by private car. This directive to all employees said that they were not to get their pay cheques through the mail, as is normally the case, because the mail could not be trusted, but through a special service which was established in the same way the special mail service was established only for Canada Post during the previous rotating walkouts.

[*Translation*]

The Acting Speaker (Mrs. Champagne): I am sorry to have to interrupt the Hon. Member. I am sure she will also be glad to have a rest. It being one o'clock, I do now leave the Chair until two o'clock this afternoon.

At 1 p.m., the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON WESTERN LOW SULPHUR COAL SALES

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, months ago the Deputy Prime Minister (Mr. Mazankowski) announced an action committee to identify ways to improve the chances of selling western Canada's low sulphur coal in Ontario. If Ontario Hydro alone were to use western Canadian instead of United States coal, there could be up to 13,000 new jobs in western Canada, and significant reductions in acid gas pollution.

At present, American coal is up to $20 per tonne cheaper. In addition, with the Canada-U.S. trade agreement guaranteeing duty-free access to Canada, there will be little incentive for Ontario Hydro, or other industries, to use western Canadian coal. Furthermore, the so-called free trade agreement could prevent us from adopting transportation subsidies that would lower the cost of moving western Canadian coal to markets in eastern Canada.

Will the Deputy Prime Minister speak to western miners, to whom he promised seven months ago to expand the market of western coal, and explain the consequences of the so-called free trade agreement which gives our energy resources away to U.S. industry, restricts Canadian use of Canadian resources, and removes desirable opportunities for future expansion?

* * *

VETERANS AFFAIRS

CANADIAN NAVAL AIR GROUP ASSOCIATION—OTTAWA REUNION

Mr. W. R. Bud Jardine (Northumberland—Miramichi): Mr. Speaker, they gathered here in the nation's capital on the weekend by the hundreds. They came from all parts of our country and beyond, former officers and men of the Royal Canadian Navy. They came to pay tribute to one of Canada's great wartime heroes, Lieutenant Hampton Grey, the only Canadian naval officer and naval aviator ever to have been awarded the Victoria Cross, and it was done so posthumously.

They came to reminisce, those men who, in the words of an unknown naval aviator, knew fear and excitement, kinship and challenge, joy and victory, because they shared the carrier experience. They are members of CNAG, the Canadian Naval Air Group Association, which was formed at the demise of the Royal Canadian Navy and Canada's last aircraft carrier, Her Majesty's Canadian Ship *Bonaventure*. They are all men who served in Canada's flat tops. They belong now to a closed shop, a rare breed, and I salute the contribution they made collectively to Canada's naval history, and to the history of aviation in Canada.

* * *

NOBEL PEACE PRIZE

ANNOUNCEMENT OF AWARD TO PRESIDENT ARIAS OF COSTA RICA

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, President Oscar Arias of Costa Rica has been awarded the Nobel Prize for his work in developing and forwarding a peace plan for Central America.

Despite economic sabre rattling by President Reagan, and some of the right wing Republicans who hope to succeed him as President, the people of Central America have pushed ahead with the peace agenda which was adopted by the five Central American Presidents on August 7. For the first time in 26 years, Guatemalan guerrillas and Government are talking with each other. Talks are also under way in El Salvador. The Nicaraguan Government has set up reconciliation committees

throughout the country. It announced a unilateral cease-fire in one region, and state of emergency regulations have been relaxed.

The violence in Central America has been rooted in political and economic injustice. If the Arias' peace plan succeeds, it will be an important first step in correcting that injustice and helping the people of Central America to rebuild.

Canadians will not only wish to extend congratulations to President Arias, but they will want the Canadian Government to play an important part in helping the peace plan succeed.

* * *

ENVIRONMENTAL AFFAIRS

ACID RAIN—NOVA SCOTIA URGED TO SIGN FEDERAL-PROVINCIAL AGREEMENT

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, environmentalists across Canada are delighted with New Brunswick's recent decision to sign the joint agreement to reduce acid rain. This commitment means six of Canada's seven polluting provinces have signed an agreement with the federal Government to cut back allowable sulphur dioxide emissions.

Unfortunately, one province is preventing this country from showing solidarity in acid rain abatement. I have invited the Premier of Nova Scotia to appear before the Special Committee on Acid Rain to discuss the inclusion of his province in the Canadian agreement. It is imperative that Premier John Buchanan join the other First Ministers in waging war against acid precipitation.

The potent coal lobby in the United States is quick to point a crooked finger at the lack of provincial co-operation in Canada, and it will continue to do so until all provinces have signed. Without the Nova Scotia Premier's signature on the dotted line, we are hamstrung. I urge Nova Scotia to share in the wisdom shown by the other six provinces. It is patently unfair to the people of Canada to be shackled by our own. Canada must be, and appear to be, united in its effort to reduce our own emissions while expecting the United States to respond in kind.

* * *

[*Translation*]

REGIONAL DEVELOPMENT

NEED FOR GOVERNMENT ACTION

Hon. Jean Lapierre (Shefford): Mr. Speaker, last night, I witnessed a tragic sight. I saw more than 200 people who had travelled for hours by bus to come and talk some sense into their federal Government. I saw men and women, young and not so young, who had to sleep in the gymnasium at the Polyvalente de l'Île in Hull, because in Ottawa they have a Government that will not listen to reason. These people had to get organized, and they held meetings that were attended by 5,000 people. They are now here to ask the Government, not for hand-outs, but for a chance to have jobs like so many other Canadians.

Mr. Speaker, the people of Matane came here proudly to ask the Government to meet its commitments, to consider the needs of their region and to let them and their children work and prosper in their own region, to which they are very much attached, and to ensure that they will have a sound economy and steady, paying jobs. These people are to be commended, and the Government should be ashamed of letting things get to the point where people have to put on a show of strength.

* * *

• (1405)

[*English*]

ETHNIC AFFAIRS

ANNUAL MEETING OF CHINESE CANADIAN NATIONAL COUNCIL

Mr. Alan Redway (York East): Mr. Speaker, this weekend I attended the annual conference of the Chinese Canadian National Council in Toronto. The council, which represents Chinese Canadians in 28 cities across the country, was established in 1980 to protest the inaccuracies and racist overtones of the nationally televised W-5 broadcast called "Campus Giveaway".

Since then the council has focused on many other issues including family reunification, employment equity, women's and minority rights.

A major concern of the council is redress for the head tax and the Chinese Exclusion Act. Between 1885 and 1923 Canada imposed a head tax of up to $500 on all Chinese immigrants. Ironically, during the same period our Government was providing financial assistance and incentives to other immigrants. In 1923 the House passed the Chinese Immigration (Exclusion) Act which prohibited, among others, illiterates, diseased persons, beggars and vagrants, idiots and epileptics, and persons of Chinese origin from entering Canada. No wonder the Chinese Canadian National Council is asking for an apology and compensation.

This is an issue which all of us should bear in mind as Commonwealth leaders meet in Vancouver to discuss human rights.

CANADA POST CORPORATION

TREATMENT OF EMPLOYEE AT WILLIAMS LAKE, B.C.

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I wish to draw to the attention of the House the outrageous and unacceptable labour relations practised by Canada Post.

In Williams Lake a postal employee, Linda Rowse, was ordered quarantined by her doctor for whooping cough. The postmaster threatened to fire her if she did not return to work forthwith.

In Williams Lake the postmaster was not only prepared to violate Mrs. Rowse's rights but was also prepared to expose the rest of the postal employees to disease and work loss.

Not satisfied with this harassment and intimidation, the postal corporation then asked its doctor, Dr. Bell Irving, to telephone Mrs. Rowse, posing as a public health official, to obtain confidential medical information about Mrs. Rowse.

Dr. Bell Irving then began to harass Mrs. Rowse's doctor saying that she had no right to quarantine the woman.

Not satisfied with these exorbitant violations, the postmaster then refused to give the employee her pay cheque. Mrs. Rowse broke out with active whooping cough, and all was forgiven.

If these unacceptable acts were not widespread, they could be viewed as an isolated incident. The Government must act immediately to clean up the mess within that corporation and to grant employees within the postal corporation basic rights which are expected in Canada.

* * *

HUMAN RIGHTS

COMMONWEALTH VIOLATIONS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, an Amnesty International report indicates that 33 of the 49 countries in the Commonwealth are guilty of serious human rights violations. These include beatings, tortures, and political executions.

The countries cited in the Amnesty report are the Bahamas, Bangladesh, Botswana, Brunei-Darussalam, Dominca, Fiji, Gambia, Ghana, Grenada, Guyana, India, Kenya, Lesotho, Malawi, Malaysia, Malta, Mauritius, Nigeria, Seychelles, Sierra Leone, Singapore, Sri Lanka, Swaziland, Tanzania, Uganda, United Kingdom, Zambia, Zimbabwe, Jamaica, St. Christopher and Nevis, and St. Vincent and The Grenadines.

Clearly human rights ought to be on the agenda of the Commonwealth Heads of Government meeting in Vancouver, and clearly we need an ongoing program here.

Some of the offending countries receive Canadian development assistance. The Canadian Government will do right to use the leverage of its assistance programs to gain justice for people unable to secure it for themselves.

* * *

• (1410)

THE CONSTITUTION

MEECH LAKE ACCORD—POSITION OF CANADIAN COALITION ON THE CONSTITUTION

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, I would like to share with Hon. Members a part of a letter sent to me by Deborah Coyne of the Faculty of Law, University of Toronto, written on behalf of the Canadian Coalition on the Constitution. She writes:

> As you have clearly recognized, the Meech Lake Accord involves major irrevocable constitutional changes that will seriously weaken the national Government such as to put in doubt our future existence as a single, sovereign, bilingual and multicultural nation. The Accord also undermines the Charter and our commitment as a people to respect and promote basic rights and freedoms, and to strengthen protections for minorities across the country.
>
> The coalition believes that the Accord is seriously flawed and does not reflect the views of the majority of Canadians. The First Ministers must therefore reopen the Accord for changes and renegotiation, rather than stifle the legitimate and widespread public concern as was done during the recent Special Joint Committee hearings . . .
>
> The vote of every Member of Parliament on this issue that will decide the future of this nation is of historical importance. We deeply appreciate your decision to add your voice to the side of those who are committed to ensuring that Canada remains a strong, sovereign and united country with the capacity to build further on the standards of fairness and social justice we have already attained.

* * *

[*Translation*]

FREE TRADE

PROTECTION OF FARMERS

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, farmers and especially dairy producers are concerned because they were misinformed about the Free Trade Agreement with the United States. In all areas, marketing boards have been and will continue to be maintained.

The anti-free-trade coalitions have acted shamelessly by alarming, without reason, both farm producers and their long-term lenders. This is rhetoric that is both unfair and dangerous.

There are federal Members who support the interests of Quebec farmers and there are provincial Members. We have all protected the interests of our farm producers.

The others who are responsible for representing them as a group should retract their previous, unfounded statements and give their members the correct information.

The interests and peace of mind of our farmers are at stake, Mr. Speaker.

* * *

[*English*]

BIRTH CONTROL

RESPONSIBILITY FOR ISSUE

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, an article in today's *Globe and Mail* contains the following indictment of birth control: The most effective means of preventing pregnancy—the pill—is dangerous. Women who take the pill face a four times higher risk of dying from arterial disease.

The next most effective method, intrauterine devices, causes infections, haemorrhaging, and can result in infertility.

Women have turned to sterilization as a method of birth control. The need to terminate unwanted pregnancies arises directly out of the abysmal lack of safe, effective choices.

The responsibility for the development of birth control lies with large profit-making pharmaceutical companies.

Birth control is considered to be the responsibility of women when the repercussions of unsafe and ineffective methods hurt us all.

Fertility is not just a women's issue. It has profound and far-reaching implications for our whole society. I challenge the Government to lay aside its prudish and romanticized notions from the past and to take up the challenge of today's society. Provide research dollars for safe, effective birth control choices. Provide support for responsible educative agencies like Planned Parenthood. Ensure coverage through medicare for reproductive services at the provincial level. Decriminalize abortion.

* * *

POLITICAL PARTIES

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF OPPOSITION PARTIES

Mr. Albert Cooper (Peace River): Mr. Speaker, last week I had a guest with me here in Parliament and I took advantage of the occasion to sit for a few moments in the gallery and watch the House proceed with its business. First, my hat goes off to the people in the gallery who are able to keep silent after listening to some of the questions that are asked and statements that are made in the House of Commons.

The second thing I observed that I want to bring to the attention of this House was that for several months now we have been given the line that the Liberals and the NDP represent western Canada and that they are standing up for the rights of western Canadians.

Some Hon. Members: Hear, hear!

• (1415)

Mr. Cooper: I appreciate their applause. Any Member from western Canada who took the time to sit in the galleries for just a few minutes and watch what has been going on would have been treated to a litany of complaints about freer trade and the kinds of things western Canadians have been seeking.

We are now going to be dealing with the elimination of tariffs, those very tariffs which have hurt western Canadians for generation after generation. Those Members across the way do not speak for western Canadians. It is the people pushing for the free trade agreement who do.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

QUEBEC FILE—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my colleague from Shefford (Mr. Lapierre) has clearly shown how the Tory government is dragging its feet about the Quebec issue. It is dragging its feet about the Matane paper mill and the development of Montreal Island which the Minister of Regional Industrial Expansion (Mr. de Cotret) was supposed to announce following the recommendations made by Mr. Picard. It is also dragging its feet on the East Montreal file.

Mr. Speaker, this morning the citizens of Montreal have stated their position with respect to job creation in East Montreal and an employee of the Angus plant was right when he said: The government does not drag its feet; it has both feet in the same shoe and is helpless.

ORAL QUESTION PERIOD

[*English*]

PHARMACEUTICAL INDUSTRY

CANADA-UNITED STATES TRADE AGREEMENT—AMENDMENT OF PATENT ACT

Hon. Herb Gray (Windsor West): Mr. Speaker, last Friday I asked the Minister of Consumer and Corporate Affairs why he and other Ministers had been saying that Bill C-22 was not part of the free trade discussions when there was evidence that on October 3 a document had been signed by Canada and the U.S. in which Canada pledged to see through the passage and adoption of Bill C-22. In answer to that question the Minister once again said that "Bill C-22 was not part of the trade

negotiations". Later that very same day the Minister for International Trade issued a statement clearly confirming that C-22 had been discussed and was "part of the natural process of these negotiations."

Why was the Minister saying to this House and the Canadian people that C-22 had not been part of the negotiations when that was clearly not the case? Will he not admit now that the Government has been misleading this House and the Canadian people, and trying to hide the fact of a clear link between C-22 and agreement by the U.S. on to free trade?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as we have been saying since the election campaign of 1984, amendments to the Patent Act with respect to pharmaceuticals are absolutely necessary for research and development and health care in Canada, for our international obligations, and the protection of intellectual property. It is on that basis we have been proceeding. Bill C-22 was introduced, and hopefully will be passed by the other place, because it is needed for Canada.

The agreement between the U.S. and Canada, tabled in this House and signed by all parties, does not deal with C-22 because we introduced it because of its benefit to Canadians. We campaigned on it in the 1984 election. Indeed, the Government of which the Hon. Member was a part in June of 1983 said it was committed to changes in the Patent Act. All these things happened long before the trade talks were even initiated.

BILL C-22—GOVERNMENT POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, the Minister has not explained why he said as recently as last Friday that Bill C-22 was not part of the trade negotiations when his colleague, the Minister for International Trade, said in her statement issued later that day that it clearly was. In fact, that was demonstrated to be the case by a document released to the press by the Canadian Embassy.

• (1420)

Why is the Minister trying to evade answering my very clear question as to why he, on behalf of the Government, continues to insist that Bill C-22 was not part of the free trade negotiations when it clearly was part of the negotiations? Why will he not come clean with the Canadian people and, rather than trying to hide that fact, try to explain the link? What is he afraid of? What is he hiding?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not know to which press release the Hon. Member is referring. The one issued by the Minister for International Trade on Friday says that one of the working parties sent forward to negotiators a draft initialled by the working party chiefs recommending a commitment by the Government of Canada with respect to Bill C-22. The Ministers who were there, the Minister of Finance and the Minister for International Trade, said no, and it was not included and is not included as part of the free trade package.

The contents of C-22 were put together by the Government quite separately, starting in September, 1984, and have to do with promoting research and development and better health care in Canada. The Bill reflects our obligations internationally in terms of intellectual property which are not and have never been a part of a free trade agreement. They have nothing to do with the free trade agreement.

DISCUSSION OF LEGISLATION BY WORKING GROUPS

Hon. Herb Gray (Windsor West): Mr. Speaker, I will direct my supplementary question to the same Minister. If Bill C-22 was not part of the free trade negotiations, what were the two working parties doing discussing C-22? Were these working parties not there on behalf of their Governments? Is he trying to tell the House that the Canadian working party was there only to send out for fried chicken for the Ministers?

The fact is that the chickens have come home to roost and the Government has been shown to have been misleading the Canadian people. Why will he not admit that? If he did it would be a lot easier for himself and for this stumbling Government.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, perhaps I would be allowed to answer that question since I was at the table when this event took place. There was some discussion in the working group on this. The members of the working group passed it up to the Ministers and we said, "Absolutely not, this is not a part of the trade agreement".

As the Minister for Consumer and Corporate Affairs has very effectively stated, it has never been a part of the—

Ms. Copps: Why did you sign it?

Mr. Wilson (Etobicoke Centre): The question coming from across the floor is "why did I sign it?" The simple fact is that I did not sign it, nor did the Minister for International Trade, the Chief of Staff of the Prime Minister nor the chief negotiator.

Mr. Lapierre: Who did?

Mr. Wilson (Etobicoke Centre): I should make it very clear that there were working groups—

Mr. Gray (Windsor West): Who were they working for?

Mr. Wilson (Etobicoke Centre): These working groups were made up of officials from both countries and were working on the components of the agreement. Anything that the working group members agreed upon had to be passed on to the table of Ministers where decisions were being taken. That particular proposal was not ratified by the Ministers since, as my colleague has just said, these discussions have never involved Bill C-22 in any way, shape, or form.

Oral Questions

EXTERNAL AFFAIRS

NICARAGUA—ATTACK ON PROJECT SPONSORED BY FARMERS FOR PEACE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to direct a question to the Deputy Prime Minister. We learned this past weekend that a Canadian aid project in Nicaragua supported by the Farmers for Peace group which, as he knows, is very active in his own province, was once again attacked by the U.S. supported and financed Contra organization with loss of life and very serious property damage.

The last time such an attack took place the protest raised by the Canadian Government with its U.S. counterparts came to absolutely nothing. Would the Deputy Prime Minister see fit to contact his colleagues who are attending the Commonwealth Conference, the Prime Minister and the Secretary of State for External Affairs, to ask them to raise once again the strongest possible opposition to this kind of attack on Canadian aid projects?

Is it not time for the Government to speak out in an unqualified way against continued U.S. aid to the Contra forces which are now attacking Canadian backed projects in Nicaragua?

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to the Secretary of State for External Affairs): Mr. Speaker, as a matter of fact we learned of the attack on that project on October 9. Indeed, the first attack had been denounced by the Secretary of State for External Affairs. We had even discussed the matter with Mr. Shultz at the time. We have asked our Ambassador to that country for a report, and are monitoring the situation very closely.

• (1425)

[*English*]

REQUEST THAT GOVERNMENT TELL AMERICANS TO STOP AIDING CONTRAS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I am sorry, that is not an answer to the question. The project has been attacked a second time. Obviously that first protest had absolutely no impact whatsoever on the Americans.

I want to ask the Government, especially in light of the fact that today the Nobel Peace Prize was awarded to President Arias of Costa Rica who has specifically asked other countries to speak out against Contra aid, if the Government will have the courage to stand up and tell the Americans to stop aiding the Contras, stop attacking our projects, stop risking human lives.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to the Secretary of State for External Affairs): Mr. Speaker, the first attack was strongly protested by the Minister in this House, and some representations were made. Of course we condemn the second attack and are monitoring the situation very closely. We will take appropriate action.

* * *

[*English*]

TRADE

ENERGY—EFFECT OF UNITED STATES TRADE AGREEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to either the Minister of Finance or the Minister of Energy, whoever is answering today with respect to the trade agreement that was initialled in principle between Canada and the United States some 10 days ago.

The Premier of Prince Edward Island is quoted in today's press as saying that in all the discussions leading up to the proposed agreement there was absolutely no mention by the Prime Minister of talks taking place in the important domain of energy.

Will the Government confirm that not only was there no discussion of energy with the Premiers leading up to the weekend on which an agreement took place, but even when the Prime Minister met with the Premiers on the Friday before the agreement was initialled in principle he did not mention the subject of energy although it profoundly affects the provinces? Will the Government confirm this incredible allegation made by the Premier of Prince Edward Island?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, it must be made very clear to the Hon. Member that the intent of this agreement and the effect of it is to improve trade in energy and remove the trade barriers in energy between the two countries.

There is no change in the regulation. There is no change in the regulatory practices. There is only a removal of the trade barriers between the two countries, the effect of which will be greater encouragement to investment in our energy resources that will increase our security of supply because investors in Canada will have a greater incentive to invest and more security that these resources can find a market without the obstacles that have restricted that market during the past number of years.

Mr. Broadbent: This Minister, in addition to his colleague last week, must be tuned into Radio Peking because he has not answered the question at all.

ROLE OF PROVINCES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, Section 92(a) of the Constitution in 1982 gave to the provinces very specific powers over the control, development and management of their resources. Therefore, does the Government not believe

from a moral point of view that the provinces ought to have been consulted on the question of energy? Furthermore, given the new commitments that the federal Government wants to make in terms of internal pricing within Canada by these provinces, does the Government of Canada not agree that provincial agreement is constitutionally required in order for this agreement and its energy provisions to go anywhere?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, clearly, if there were in the free trade agreement with the United States changes leading to amendments to the Constitution, those amendments would follow the procedures already known in Canada for constitutional amendments, so that in such circumstances Prince Edward Island could take action if need be.

But I would call the attention of the leader of the New Democratic Party to the fact that this government has been reviewing its energy policy, since 1984. Our policy which is market-oriented and deregulation-oriented has been largely implemented in the oil and gas sectors.

In September last, long before the agreement was signed, I wrote to the National Energy Board asking for public hearings on the matter of electric power exports. Those hearings took place and Prince Edward Island made some representations.

The National Energy Board wrote to the Minister of Energy in July of this year to make its recommendations known. Those public recommendations were made available to all provinces, and Prince Edward Island can make its views known at every stage.

It is only next winter, after consultation with the provinces, that the Canadian government will take steps on the matter of hydro-electric power exports from Canada.

FREE TRADE—SUPPORT OF PROVINCES—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I will try once more. My question to the Minister is very simple. Considering the powers the provinces have to control and develop their natural resources, would he not agree that the Canadian government must obtain provincial approval in order to conclude this agreement with the U.S.?

• (1430)

[*English*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, it is very clear that the natural resources, by the Constitution in this country, are the responsibility of the provinces. Nothing in the free trade agreement is against that aspect.

It is very clear that this Parliament, supported by the New Democratic Party, decided to create a National Energy Board with some responsibilities. That is the federal responsibility, and it is supported by the hon. gentleman's party.

Mr. Broadbent: What has that got to do with the question?

Mr. Masse: In Canada the natural resources are owned by the provinces but the trade in natural resources between provinces and at the international border is in the responsibility of the federal Government.

SIGNING OF AGREEMENT—GOVERNMENT POLICY

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is for the Minister of Finance. He has said that the free trade agreement has removed the barriers to trade and energy. What this has done has not only removed the barriers to free trade but it as removed energy to the detriment of Canadians. There is, no longer, any protection against shortages of energy in Canada.

There were meetings with the Premiers to inform them about what was going on in these free trade negotiations, yet energy was never mentioned, in the words of the Premier of Prince Edward Island himself.

Was the Government so intent on signing this free trade agreement that it failed to protect Canadians against shortages of energy in Canada and double-crossed the provinces?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, it is true that the agreement provides for the establishment of various basic rules relating to exports, but it is also true that, apart from these general rules, there is nothing specific that applies to energy. So there are no particular problems with energy exports. There is a government decision to open the U.S. market to all Canadian producers and this includes people in all provinces.

[*English*]

GOVERNMENT POSITION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, there is no problem about the export of energy for the Americans. There is nothing to stop them from taking whatever they want. Has the Government not read the papers this weekend on how the Americans are gloating about what they were able to squeeze from Canadians? We do not even know what energy means. It is not defined.

Mr. Speaker: The Hon. Member had an extensive preamble to the first question. I would ask him to put his question.

Mr. MacLellan: Mr. Speaker, is this Government so intent on being liked by the Americans that it gave up its control of the energy sector and all protection to Canadians against shortages in the industry, and Canadian sovereignty as well?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I realize why the Opposition is using scare tactics, but it is totally untrue to claim that Canadians will have to sell their energy to the United States. Canadians will sell their energy if they think they can make a profit. There is nothing in the Agreement to contradict this. I know the Liberal Party wanted to prevent people in Alberta, Saskatchewan, British Columbia from taking advantage of their own natural resources, and that was the case under the Liberal Party's energy program at the time. It cost Western Canadians and Canadians in general a lot of money, and we do not want to get back to that kind of policy, Mr. Speaker.

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REGIONAL ECONOMIC DEVELOPMENT

INQUIRY WHETHER MATANE REGION PAPERMILL PROJECT HAS BEEN AFFECTED BY CANADA-UNITED STATES FREE TRADE AGREEMENT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I have a question for the Minister of Regional Industrial Expansion. The House is aware that a delegation from Matane was here this morning to pressure the federal Government into deciding in favour of a proposed paper mill in the Matane area, and as you know, Mr. Speaker, the Government has been dragging its feet. My question is as follows: Has this project been compromised under the Free Trade Agreement between Canada and United States?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Not at all, Mr. Speaker.

INQUIRY WHETHER FEDERAL PROGRAMS AFFECTED BY CANADA-UNITED STATES FREE TRADE AGREEMENT

Mr. Lorne Nystrom (Yorkton—Melville): I have a supplementary, Mr. Speaker. Could the Minister say categorically that our present regional development policy such as tax credits and subsidies, not just for those projects but for other regional development programs as well, have not been compromised by the Agreement signed by this country and United States? Could you say so in no incertain terms, right now, for every project?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I can say categorically that federal programs aimed at resolving regional disparity have not in any way been compromised by the Agreement signed by our two Governments.

MATANE PAPER MILL PROJECT—INQUIRY WHETHER GOVERNMENT WILL CARRY OUT PROMISE

Hon. Jean Lapierre (Shefford): Mr. Speaker, I also have a question for the Minister for Regional Industrial Expansion. Isn't this project jeopardized by the indecisiveness of the Minister if not by the Free Trade Agreement? For months, and particularly in the last weeks, people in Murdochville, for instance, had to block roads to get answers from Ottawa. People in Sept-Iles are going to take their protest onto the streets, on the 31st of this month, in an attempt to get answers from Ottawa. People from Matane are here to try to get this Government moving.

I ask the Minister the following question. He promised to give us an answer within a month and his deadline will expire in a few hours. Could the Minister ensure us today that we will be given an answer within this deadline?

Hon. Robert de Cotret (Minister for Regional Industrial Expansion and Minister of State Responsible for Science and Technology): Yes, Mr. Speaker.

INQUIRY IF MINISTER POSSESSES ALL NECESSARY FACTS TO MAKE POSITIVE DECISION

Hon. Jean Lapierre (Shefford): Mr. Speaker, I want the Minister to give us an answer and not a mere commitment to answer "within the next few days", as for the Picard report about which he has not answered as yet.

I ask the Minister if he now has on hand all the elements required, as well as the assurances from the Minister of Finance, in order to make a positive decision?

Hon. Robert de Cotret (Minister for Regional Industrial Expansion and Minister of State Responsible for Science and Technology): Mr. Speaker, I shall say to my hon. colleague that when I personally met, for the first time, with the representatives from Matane, about one month ago, I told them that the final data from the sponsor of the project had just been received ten days earlier and that it would take about six more weeks to reach a final decision. I then said that I would give an answer around the 14th, which is tomorrow.

Generally, Mr. Speaker, it takes quite a long time to study matters of such importance. All the studies have been completed, all the recommendations have been received and I am confident that, in the next few hours, we shall be able to give a definite answer to the people of Matane which I want to congratulate for the representations they made today. In fact, they presented in a very dignified and sound way their views on that project. I congratulate them and I can say to my honourable colleague that they will get an answer within the next few hours.

• (1440)

[*English*]

FISHERIES

CANADA-FRANCE DISPUTE—OVERFISHING BY FRENCH FLEET

Mr. Jack Harris (St. John's East): Mr. Speaker, in light of the French Government quitting the negotiations over the Canada-France fishing dispute without agreeing to put the St. Pierre boundary question to international arbitration, can the Deputy Prime Minister tell the House what pressure is being put on France to prevent overfishing in 3PS? Will the Deputy Prime Minister tell us why the Government is still considering spending $7 billion on French designed nuclear submarines when the French Government will not do the civilized thing and proposes to continue overfishing in that zone?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, as the House knows, at the negotiations last Friday the French again broke off negotiations because they felt that the Government was being too firm and resolute in connection with the demands that it was making with reference to fish quotas in Canadian waters. Therefore, they have broken off negotiations.

We have explained to France that, as a result, there will be no quotas for French fishing vessels on the East Coast Canadian waters next year. We are not going to go to arbitration under the Treaty of 1972 for several reasons, one of which is that since they will not go to arbitration on the question of the boundaries between St. Pierre and Miquelon and Canada, no one can say with finality what are Canadian waters. In addition, France's actions have been so unreasonable that it is making the 1972 Treaty unworkable.

The House can be assured that we are taking a firm and resolute position that the French now certainly understand, and that there will be no give-away that is not absolutely necessary and reasonable in order to settle this situation.

With respect to the question of nuclear submarines, no decision has been made, and it is certainly unrelated to the present controversy.

CANADIAN COD STOCK

Mr. Jack Harris (St. John's East): Mr. Speaker, the Government has attempted the "carrot" approach by offering northern cod. That has not worked. The difficulty that we have is with 3PS and the threat by France to overfish that stock to the detriment of fishermen on the south coast of Newfoundland.

I wish to know what the Government will do about that situation? Will it put pressure on the French Government to prevent that stock from being depleted, and how will it do that?

Hon. John C. Crosbie (Minister of Transport): It was suggested by the Hon. Member's foreign affairs critic—one of the Rambos in the NDP Party—that armed force be used in this situation, and the Leader of the NDP seemed to support that particular Rambo suggestion several months ago.

We are dealing with France in the following manner. We are taking a firm position. We have told them that there will be no quotas next year at all unless they are prepared to come back and discuss this matter reasonably. That is putting tremendous pressure on France because, in addition to the French fishing fleet, the fishermen of St. Pierre and Miquelon will not have access to the Gulf of St. Lawrence or any other Canadian waters.

What other types of pressure may be needed, I do not know. This is certainly very firm pressure upon France which we hope will bring them back to the bargaining table in a reasonable frame of mind.

* * *

TRADE

CANADA-UNITED STATES AGREEMENT—PROVINCIAL APPROVAL

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is directed to the Deputy Prime Minister. The free trade strategy of the Government has been characterized by contradiction, confusion, and confabulation.

Some Hon. Members: Oh, oh!

Ms. Copps: Last Friday we saw the mess that was wrought by its introduction of Bill C-22.

I wish to ask the Deputy Prime Minister whether he agrees with his Minister for International Trade on another issue relating to the free trade talks when she states that no provincial approval is necessary, or whether the Deputy Prime Minister agrees with the position taken by the United States trade representative that no deal will go forward without provincial approval?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, first, perhaps it would be appropriate for Ambassador Yeutter to concentrate his efforts on selling this very important free trade package to Americans, and particularly to the Congress, rather than engaging in concerning himself with the Canadian situation.

The position of the Government is that this is a deal that has been negotiated, it is good for Canada, it is a balanced package, and it is good for all regions of the country. We believe that given the fact that the Premiers have been involved—and I should say in passing that reference has been made to the fact that the Premiers were not involved in the energy discussions, and that is simply untrue; I am informed that energy was brought up on various occasions; the Premiers were fully briefed on the energy situation,—we believe that we

can continue to work with the provinces and over time, after examining the documents in detail and recognizing the positive benefits, we hope that the Premiers will all come onside.

ENERGY—GOVERNMENT POSITION

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the words of the Premier of Prince Edward Island were quite clear when he stated the Premiers "were never told energy was on the table. It was not discussed". Now the Deputy Prime Minister is claiming that energy was under discussion. Is he suggesting that the Premier of Prince Edward Island was lying? If he is not suggesting that, could he stand up in the House and clear up once and for all the confusion and the confabulation that have surrounded the Government's selling job, both with respect to provincial involvement, and also with respect to the link between higher drug prices in this country and a sell-out to the Americans in the so-called free trade debate?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am not prepared to comment upon the confusion in the mind of the Hon. Member. But I can say to her that I am advised that the Premiers were briefed on the energy situation not once, but twice, and on several occasions. That was part and parcel of the briefing, as I understand it, and as I am informed.

* * *

APARTHEID

SOUTH AFRICA—AID TO FRONT-LINE STATES

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, my question is directed to the Deputy Prime Minister, and it has to do with Canada's policy towards South Africa and apartheid.

Can the Deputy Prime Minister clarify for the House, and for the Canadian people, what type of aid the Government has in mind when it talks about aid to the front-line states?

Can the Deputy Prime Minister assure the House, on behalf of the Government and the Prime Minister, that any new emphasis on aid to the front-line states will not be used as an alternative to or a substitute for tough economic action against South Africa?

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to the Secretary of State for External Affairs): Mr. Speaker, the Hon. Member knows, I believe, that an important conference is under way in Vancouver, and it would be inappropriate at this stage either to put forward a new position or confirm any previous one. Mr. Speaker, members attending the Conference are there to discuss, and the future will show those discussions to have been fruitful.

[*English*]

ECONOMIC SANCTIONS—COMMONWEALTH CONFERENCE

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, it would be appropriate if the Deputy Prime Minister could speak for the Government. The Prime Minister has made it clear in the past that Canada would be prepared to invoke complete economic sanctions against South Africa. He has also made it clear that, in his view, there are limits to unanimity.

I wish to ask the Deputy Prime Minister, does he not think, at this time when the leaders of the Commonwealth countries are meeting here in Canada that, if there is failure to get collective economic action with respect to South Africa, this would be the time for Canada to show the leadership that the Prime Minister has done a lot of talking about, and make it clear that Canada is prepared to go it alone with respect to comprehensive economic sanctions against South Africa.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I think the position of the Canadian Government is very clear. The Prime Minister reiterated that position last night on the CBC interview. I would invite the Hon. Member to read it, because it clearly restates the position and strategy involved. As the Hon. Parliamentary Secretary indicated, there is—

Ms. Copps: What about C-22?

Mr. Mazankowski: Mr. Speaker, if the Hon. Member for Hamilton East continues to involve herself in all matters related to questions in the House of Commons, rather than sitting back and listening, perhaps that is the manner in which she would like to see Question Period run.

Mr. Blaikie: I am listening.

Mr. Mazankowski: I appreciate the remark of the Hon. Member for Winnipeg—Birds Hill.

With respect to aid for the front-line states, the Prime Minister again made it very clear, and I quote, "They need assistance to help them rebuild rail lines, their port system, their transportation and communication links. They need aid for human suffering, and they need military aid. Canada's preoccupation is with the first part of that equation. We believe that it is consistent with our traditions and our objectives and our expertise and our wishes for the region that we help in the infrastructure development, helping human beings, helping transportation, ports, rail lines, and so on as opposed to the military implications".

We are not offering any military aid. That is very clear and unequivocal. It is a different position from that taken by the NDP Party.

INDIAN AFFAIRS

RESTORATION OF BAND STATUS—HOUSING NEEDS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is directed to the Minister of Indian Affairs. It concerns C-31, a Bill that was passed by this Parliament and is now law. The House will recall that this Bill had to do with the reinstatement of Indian persons who had lost their status and wished to return to their communities.

• (1450)

When the Bill was before committee, the Minister's predecessor said:

> The Government is fully committed to ensuring that bands have adequate funding to enable new band members to be integrated with a minimum of disruption to community life.

What plans does the Minister have to provide the hundreds of houses needed this year for the women and children who are returning to their communities? There is a shortfall between the Department's budget and the actual needs. This is creating a housing crisis in Indian communities. When will the Minister respond?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, regarding Bill C-31, the Hon. Member is aware that when the legislation was passed the estimates of those who would seek reinstatement were grossly inaccurate. It is now estimated that there will be some 100,000 people of aboriginal origin seeking and obtaining reinstatement as Indians in Canada.

I believe for the infrastructure and housing to date the total is $27 million. I am sure the Hon. Member is aware that within the government process there are discussions to identify the funds. I am having those discussions with my colleagues at this time.

AGREEMENTS MADE WITH INDIAN BANDS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the Minister knows that this year he has entered into a large number of agreements with Indian bands for the provision of these houses. Does he think it is right that he and his Government should be breaking these agreements?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I can only ask my hon. friend if he would identify agreements and I would certainly be pleased to look at them.

As he is aware, through the process there is an ability to put forward subsidized housing dollars for Indian people in Canada up to, in some areas, an average of $30,000 per home.

Also, as the Hon. Member is aware, there is the criterion and there is the necessity of the band being able to complete those homes. We are having those discussions with bands at this time.

AIR SAFETY

AIRPORT WORKERS—SECURITY CHECKS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is for the Minister of Transport. It concerns the decision of his Government to force existing airport workers to undergo detailed security investigations, even if they have been employed in their positions for more than 20 years.

Will the Minister indicate to the House what proof he has that any employee, past or present, was actually a security threat at Canada's airports?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, all over the world Governments have had to take steps to try to protect the travelling public and their transportation systems from threats from terrorism and armed action which we have seen occurring for some 12 years to 15 years. Every country has had to institute certain checks on personnel who go into certain restricted areas of airports, who have access to aircraft or other sensitive areas like that.

Canada has to follow suit. It is distasteful in a free and democratic country such as ours that we have to take these steps. That is why the regulations have been brought in.

The House adopted amendments to the Aeronautics Act at the invitation of the Government a year and a half ago to give us these powers. We are now implementing these powers. Reasonable notice is given to everybody involved.

Surely it is not too harsh for a person to have to get a permit every five years to have access to these areas. All that is happening now is that when you need a permit, if your permit expires or you are a new employee, you have to go through these checks before obtaining a permit. There will be about 12,000 this year.

This is not unreasonable if we are serious about trying to prevent any possibility of terrorist acts in our transportation system.

REPORTED EXEMPTION FOR STRIKE-BREAKERS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, if the Government were that serious about security, it would not have issued a telex on October 9 which instructed airport managers and security personnel to exempt any scabs from the requirements of this Draconian approach.

Perhaps the Minister could explain to the people of Canada why it is necessary to have massive security checks on the workers and their families but not on last minute call-ups to try to replace a striking worker. Could he explain that to the people of Canada?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I do not know what directive the hon. gentleman is referring to and, therefore, I am not going to attempt to explain it.

If the hon. gentleman would send me over whatever telex he says he has, I will certainly look into it. As far as I am concerned, anyone who has to have admittance into these areas should be required to be checked, or they should have a person who has been cleared going with them.

Everyone cannot be checked in 24 hours, so the system is that if you are a new employee you are allowed into these restricted areas as long as you have somebody accompanying you who has been cleared.

Perhaps that is what has been proposed in this situation. If not, I will look into it, but it would be nice to have the information first so that you can check out these matters rather than somebody just trying to catch you with a fast one in the Question Period.

* * *

CANADA MORTGAGE AND HOUSING CORPORATION

LACK OF AFFORDABLE HOUSING IN TORONTO

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, my question is for the Minister responsible for Canada Mortgage and Housing Corporation. Metro Toronto has become a place where lower and middle-income earners find it easy to get work but almost impossible to locate affordable housing.

The average wage earner cannot afford a house costing more than $135,000, but last month the average selling price in Metro was $186,000 for a family home, and many families are having to spend 40 per cent more of their income for rent.

What hope can the Minister give these people and what information can he give the House that we can prevent this problem from becoming a crisis?

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, I thank the Hon. Member for his continuing interest in housing matters relative to Toronto and indeed to all Canada.

In the last three years we have had record housing starts throughout Canada and in Toronto. All the funds in my portfolio, namely, $1.5 billion, are devoted to those most in need. In Toronto in the last year we constructed some 4,500 new units. In Canada we either constructed or renovated some 55,000 units for those most in need.

The province also indicated that they were very interested and have an obligation to respond. They did that in their platform. We are anxiously waiting to see what particulars they will put forward to accommodate the need in co-operation with the federal Government.

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

MONTRÉAL EST—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion, and it concerns regional development.

We know, from his answer to my colleague for Shefford, that people in Matane are to be congratulated because my feeling is they won, although unfortunately they had to spend money to come here and beg. Not that this Conservative government wanted to help them, it is simply that the people from Matane forced its hand.

Now, people from the Eastern sector of Montreal want to know how long they will have to wait. This Conservative government has been dragging its feet for three years now about this matter. This morning, the City of Montreal announced its economic recovery plan for Montreal's Eastern sector and here is what I would like to know from the Minister of Regional Industrial Expansion: What are his plans to pave the way to Montreal Eastern sector's economic recovery? Is he ready to give respond to the CREM report, Mr. Pichette's report? The Minister has had that report for two weeks now and we are waiting for his answer.

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, it seems to me it took a lot less time for the previous Government to break down the economy in Montreal East than it took to restore its vitality as we have been doing during the past three years. If we look at the number of jobs created in the Montreal area, we realize it is one of the areas with the fastest increase in employment across this country.

I wish the Hon. Member would look at his statistics and stick to the facts when asking a question. At least it would be easier to give an intelligent answer.

ESTABLISHMENT OF RAILWAY TRANSPORT PREFERENTIAL PURCHASING POLICY

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, the employee at Vickers was right: The Minister isn't dragging his feet, he can't even walk.

The Minister's answer proves he did not read the CREM Report. In Montreal East, the employment rate is 12 percent. It hasn't gone down in three years. I suggest the Hon. Member and Minister read the CREM report.

This is what the people of Montreal East want: They are sick and tired of the Minister's song and dance. Is the Minister going to respond to the CREM report? Will the signing of the Free Trade Agreement with United States prevent the Government from carrying out one of the proposals made by the Montreal East Committee, which was to establish a preferential procurement policy with respect to rolling stock?

Will the Government, despite the signing of the Free Trade Agreement, be able to introduce a policy that will create jobs in Montreal East and protect jobs in the railway transportation industry? Yes or no?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, finding out what this question is all about is quite a challenge!

First of all, the Hon. Member is talking about unemployment instead of employment rates. He does not mention the fact that the number of people in the labour force has increased considerably in the area. He does not mention job creation. And all this is being mixed up with free trade. He overlooked action taken by the present Conservative Government to enhance the economic well-being of the area. The report is being studied, thank you. And we will be able to make some pertinent announcements as soon as the studies have been completed.

If we look at regional economic development generally, because we have to consider all regions, we see that the Government has done very well, while Opposition Members keep trying to impede our progress on all kinds of initiatives that could create jobs, such as Bill C-22, with its prospects for advanced technology, 700 jobs, 1,300 jobs and $700 million worth of investment. That isn't good enough!

* * *

• (1500)

[*English*]

TRADE

ENERGY—CANADA-UNITED STATES TRADE AGREEMENT—STATEMENT ATTRIBUTED TO P.E.I. PREMIER

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Deputy Prime Minister arising out of what he said earlier in the House. In my earlier question I asked the Government to confirm what Premier Ghiz of P.E.I. had said about the energy discussions and I want the Deputy Prime Minister to listen to the question and reply to it.

Premier Ghiz has said that the Premiers were never told energy was on the table and that it was not discussed at any of the meetings of the First Ministers. Since I confirmed with Premier Pawley's office in Manitoba that what Premier Ghiz stated is absolutely true, does the Deputy Prime Minister stand by what he said earlier in Question Period?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am advised that Premiers were briefed not only once but twice in September and in July, and on other occasions officials were briefed about the energy package as well. Perhaps the Hon. Leader of the NDP might want to put in another call to his friends.

Mr. Broadbent: Mr. Speaker, if the people of Canada, not to mention the Opposition, had to choose between the reliability of Premier Ghiz and Premier Pawley and that of the Government, I do not need need to tell him whose side they would come down on.

INFORMATION PROVIDED TO DEPUTY PRIME MINISTER

Hon. Edward Broadbent (Oshawa): Since the Minister has said he was advised, by whom was he advised? Was it one of the other Ministers involved in the discussions? Was he advised by the Prime Minister's office? This is a fundamentally important question. Two Premiers have said one thing and the Deputy Prime Minister is saying another. The people of Canada have a right to get to the truth of this important matter.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, it is a very fundamental question. I can advise the Hon. Member that I am giving him the information that has been given to me by a very senior official within the Government of Canada. I know that sometimes the Hon. Leader of the NDP does not like the answers, but just because he does not like them, he does not have to charge them with being dishonest. That is the information.

There is an axiom in this House that when a Minister for the Crown responds to a question, it is assumed that it is the truth, and on the basis of the information—

An Hon. Member: That's the problem.

Mr. Mazankowski: Mr. Speaker, we went through this a little bit on Friday and I want to make it very clear that I am not misleading or distorting—

Ms. Copps: Just like C-22.

Mr. Mazankowski: Mr. Speaker, the Hon. Member for Hamilton East would do well to sit back and listen from time to time because she will never allow the courtesy of a Member to put a question or answer a question without talking from her seat.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: The Leader of the New Democratic Party has every right to clarify this and I am trying to clarify it and that is the answer.

Mr. Speaker: I would advise the House that that concludes Question Period.

PRIVILEGE

ALLEGED RESTRICTION OF RIGHTS OF MEMBERS OF STANDING COMMITTEE

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I rise on a question of privilege of which I have given you advance notice. To put this question of privilege into some perspective, I have to tell you the background of what caused me to raise this matter.

This morning, the Standing Committee on Employment and Immigration met and a resolution was passed. The resolution was passed because all members from the Government side voted for it while Members of the Opposition and one Conservative Member voted against it.

The resolution was that members of the committee could not contact the researchers, hired by the committee of Parliament and paid for with taxpayers' money through the House of Commons, unless we got the permission of the chairman of the standing committee.

Under the Standing Order 97(1) of this House, the committee has the power to retain the services of expert, professional, technical and clerical staff as may be deemed necessary to carry out its mandate.

A group of government Members came into that committee, having shut down the committee by removing its Chairman last week, and they encroached on my privilege as a Member of Parliament to carry out my duties as a Member by saying that I cannot contact the researchers hired by the committee with the budget that has been allotted to the committee by Parliament, and that I cannot ask them for help in carrying out my duties as a MP, unless I go through the Chair.

If we were to extend that to its logical conclusion, Members of the Opposition could not contact the Clerks of the House for advice on matters pertaining to the operations of the House or our conduct in the House unless we went through the Chair. Can you imagine that? We could not talk to a Page and give a Page an instruction, be it to bring a glass of water or whatever, unless we went through the Chair. We could not contact the legal beagles who are attached to the House to give Members advice in drafting Bills unless we went through the Chair. We could not contact the researchers of the Library of Parliament unless we got the approval of the librarian who is a servant of this House.

I would suggest that my privilege, the privilege of other members of that committee and, by extension, the privileges of all Members of the House, no matter on what committees they sit, have been breached and encroached upon by this particular motion passed by the Conservative members of the committee this morning.

It is noted that the Opposition voted and argued against the motion. We raised all of these points in the committee. We objected strenuously to the motion, as did the Hon. Member for La Prairie (Mr. Jourdenais). I know that he is *persona non grata* in the Caucus of the Conservative Party, but the fact is that having done him in as chairman of the committee, they sought to deliver the *coup de grace,* which was to limit opportunities for members of that committee to carry out their duties under the McGrath report's new view of committees in this House, which is that committees are masters of their own destinies and have the ability to spend their budgets on hiring research staff.

I think it was an abuse of our privileges for the majority to deal with the committee in the way it did this morning. I suggest, if you find there is *prima facie* evidence of a breach of privilege, that you refer this matter to the appropriate committee for examination.

• (1510)

Mr. Sergio Marchi (York West): Mr. Speaker, I am pleased to support the sentiments expressed by my friend from Nickel Belt. Once again in the ninth inning we see the Government call upon its bullpen of parachute artists to descend upon the Standing Committee on Labour, Employment and Immigration and poison the work of that committee. That committee, along with perhaps the Standing Committee on Finance and Economic Affairs, was the flagship committee with respect to tackling major issues and producing recommendations through a number of excellent reports.

We saw that poisoning in the John Quigley affair and the Georges Grossmann affair. Last week the Government did an end run around the previous chairman. Today it proceeded to terminate the committee's research director without a shred of evidence to suggest that the research was incompetent. That attempt failed, but then unfortunately government Members proceeded to pass a motion which suggested that until the research needs of the committee are dealt with, which will take until the end of this year, no member of the committee will be able to access the research staff of the committee unless he or she goes through the chairman of the committee.

I said in committee, and I say it here, that I will refuse to go along with a motion which I believe is an affront to the privileges of each Member of Parliament. Access to the research staff of the committee, seconded from the Library of Parliament, is not the sole prerogative of any individual Member. Those researchers are responsible for providing assistance and direction to 282 Members of Parliament without requiring the written consent of a committee chairman.

While committees are theoretically supposed to be masters of their own fate, I believe there is good cause to be alarmed by a resolution which restricts the freedom of any Member of Parliament. These researchers are paid by the tax dollars of all Canadians. Not only is it an affront, it is a waste of taxpayers dollars. The researchers are there to complement the work of Members. If we decide we need to utilize their services in order to enhance our work, then this motion does nothing but

undermine the integrity and independence of any committee and its members.

I will end by stressing the importance all Members place on the McGrath recommendations. That report suggests that committees are to be somewhat more useful in influencing public policy. The system should allow for greater independence of a committee from the Government. Yet now we have a motion which suggests that MPs are unable to access research information unless consent is obtained from the chairman of the committee.

Mr. Lewis: How do you know you will not get it?

Mr. Marchi: Then government Members have the temerity to suggest that any Member who does not subscribe to the motion will face some consequences. In my humble opinion that motion is undemocratic. It poisons the possibility of the non-partisan co-operation this committee has had for the last two and a half years. It threatens its independence and is an affront to the individual freedoms of individual Members as well as undermines the purpose of research being available to Members. I hope you address yourself to this very crucial motion, because it is in danger of setting a very alarming course for members of our parliamentary committees.

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, I listened very carefully to both the Hon. Member for Nickel Belt (Mr. Rodriguez) and the Hon. Member for York West (Mr. Marchi). In the interest of your making a decision, it would help if we got all the facts on the table.

This morning the committee voted on a motion to evaluate the researchers and research requirements of the committee. The Chair was to report back to the committee before the end of this year. That motion, if not unanimously passed, was at least passed by the majority of Members present.

While there was debate on the motion, the Hon. Member for Nickel Belt agreed that it would be in the best interests of the committee and the evaluation if Members of Parliament were not to use the services of the researchers during the course of the evaluation. I therefore find it somewhat odd that the Hon. Member now believes his privileges have been somehow abused. He agreed to the very motion prior to the vote. I find it very unusual that five minutes prior to the motion being put the Member did not feel that his privileges were being violated, supported the motion, and then all of a sudden finds himself in a position where those privileges are being violated.

I invite you to examine the record, and I suggest there has been no violation of any Member's privileges whatsoever.

Mr. Speaker: I should indicate that the complaint may, given the facts coming out, be a serious one. I have some doubt as to whether it is a question of privilege. I want to indicate to Hon. Members that the Chair has the point being made, but some assistance could be given, perhaps by the Hon. Member for Nickel Belt (Mr. Rodriguez) who spoke first, if he could send to the Chair, for my deliberation at the appropriate time, the actual motion passed in the committee. I ask him to do that.

• (1520)

The Chair has the point and will hear several more Members, but we will not spend all afternoon on the issue.

The Hon. member for Notre-Dame-de-Grace—Lachine East (Mr. Allmand).

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, as a former chairman and a present member of the committee, I want to speak in support of the question of privilege. When I and the Hon. Member for Calgary West (Mr. Hawkes) were chairmen of the committee, members of the committee were never required to ask the chairman for access to the researchers which were made available to the committee.

You, Mr. Speaker, were once a member of the Opposition and know that Members in Opposition do not have the same expertise available to them to assist them with their work in Parliament as do the Ministers and Parliamentary Secretaries who are provided with a lot of research support by their Departments.

It was a great day when, on the recommendation of the McGrath committee, committees were able to contract experts to help them with research. For the last two years members of that committee have been able to call these researchers to get information on matters being dealt with by the committee. I am not speaking of matters which were not being dealt with by the committee.

To pass a resolution that members of the committee cannot have access to the expertise of those researchers who are being paid by Parliament and the people of Canada is a violation of our privileges, because it affects the way we can work in Parliament. We have one or two research people in our offices but cannot afford experts in the areas on which we are critics. Therefore, we rely on the experts who are assigned to committees. These are experts in labour economics, employment economics and immigration who can provide us with expertise.

The issue of unemployment insurance was before the committee last spring. I could call the researcher and ask him to look into former studies done in the 1940s or 1950s on a certain point and report on that to the committee, as well as on the implications of the Forget report on such matters. To require me to ask the chairman whether I can do that is a clear violation of my privileges.

As long as we are dealing with the work before the committee in a broad way, we must have the right to ask researchers to study specific points so that all aspects can be brought out and we can do our work better. If we cannot do that we become eunuchs and the reforms are meaningless.

[*Translation*]

Mr. Fontaine: Mr. Speaker, I was present this morning at the sitting of the Committee on Employment and Immigration, held in camera at the request of the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand).

Mr. Speaker, I heard the representations of the three previous speakers and they did not tell you 5 per cent of what happened in camera this morning. I would ask you, if you want to investigate this matter, to inquire of the members and dispense us from having to consider the meeting as having been held in camera. You will then note that they deliberately held back 95 per cent of the facts to mislead you Mr. Speaker.

Mr. Speaker: I regret but the Hon. Member knows that it is not proper to impute motives to other Hon. Members. I would be pleased if the Hon. Member could give a proprer answer to assist the Chair.

Mr. Fontaine: Because the Chair is asking me, Mr. Speaker, I will readily admit that maybe I should not have voiced my accusations here in the House. I am sorry for the Chair, but as a newly elected member, I was so flabbergasted by some of the representations made that I simply could not keep quiet.

Mr. Speaker: I am really grateful to the Hon. Member for making a reply which is absolutely proper and consistent with the tradition of this House. But the situation, especially as described by the Hon. Member for Lévis (Mr. Fontaine), is creating difficulties for the Chair, because it is clearly impossible for the Chair to attend the said meeting. For my own sake, as suggested by the Hon. Member for Lévis, it might be necessary for the Hon. Member to have this committee business investigated. But it is impossible, considering that our Standing Orders and the tradition of the House are clearly against such an approach. I suggest, however, that the time may have come for a pause in dealing with this issue, especially because I do not yet have the exact motion; as soon as I have it, and after some further deliberation on my part, I might deem it necessary to continue the discussion.

For the time being, however, I seek the cooperation of all Hon. Members to conclude the interventions for now; if I feel it necessary, once I have had the opportunity to examine the exact wording of the motion, the Chair may feel advisable to return to the House to continue hearing the interventions.

I therefore ask whether this approach is satisfactory to the Hon. Member for Nickel Belt (Mr. Rodriguez).

[*English*]

Mr. Rodriguez: Mr. Speaker, that is a very sound proposal. I will submit to you the exact motion which was passed in the committee. I trust that we can discuss it tomorrow once you have had a chance to review it.

Mr. Speaker: I thank the Hon. Member very much. I notice that the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) is rising. I hope it is not on this point.

Mr. Boudria: Mr. Speaker, I will defer my remarks until tomorrow but I would like to participate in this debate because I do believe that a question of privilege has been raised.

Mr. Speaker: I want the Hon. Member for Glengarry—Prescott—Russell to know that I have noted his comments. I know that there are some other Members, including the Hon. Member for Hamilton Mountain (Ms. Dewar), who were seeking the floor. Until I can consider the matter a little more carefully we will adjourn the matter. As I say, it is only an adjournment. If necessary, I will hear further interventions.

Are there any further questions of privilege or points of order on any other matter?

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Cadieux that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and referred to a legislative committee.

Mr. Speaker: The Hon. Member for Northumberland—Miramichi (Mr. Jardine) has the floor.

Mr. W. R. Bud Jardine (Northumberland—Miramichi): Mr. Speaker, I would like to comment briefly on the proposed legislation before Hon. Members today, namely, the Postal Services Continuation Act, 1987. As the Hon. Minister of Labour (Mr. Cadieux) indicated in his remarks yesterday, the introduction of back-to-work legislation is something which the Government finds not only repugnant but frustrating. Given the free democratic society in which we live and the collective bargaining system which reflects the inherent rights of such a society, it is indeed regrettable that situations such as that which we are now facing with the disruption of postal services occur. It is regrettable from the point of view that the parties to the dispute, in this case Canada Post Corporation and the Canadian Union of Postal Workers, have been afforded every opportunity that the free collective bargaining system offers to demonstrate a responsible attitude and settle their differences themselves without inflicting such serious hardship on the Canadian public and on the economy of the country.

• (1530)

Hon. Members will be well aware of the vast amount of rhetoric that has been emanating from the two sides in the dispute recently, firmly laying the blame for the failure of the negotiations at each other's doorstep. One has only to examine the report of the conciliation commissioner, Mr. Claude H. Foisy, to appreciate that the current bitter dispute is the collective responsibility of both parties. After reading the

report of the conciliation commissioner, one is left with the distinct impression that if the two sides would channel the same energies into the resolution of the issues in dispute as they spend now in criticizing each other, the consumers of postal services in this country would indeed be much better served.

In his report, Mr. Foisy describes the relationship between Canada Post Corporation and the Canadian Union of Postal Workers as one which is characterized by profound mutual distrust. While this revelation basically serves to confirm that which has been known for some time, it is of particular concern to the Government which has set specific goals and targets for the corporation to achieve in the coming years.

Let it be clearly understood that this Government is firmly committed to providing Canadians with a postal service which offers an effective and cost-efficient service. The clock is running and it is time that labour and management exhibit of some proof of the ability to come to grips with crucial issues which impact on the Corporation's very *raison d'être*—the efficient collection, processing and delivery of the mail.

In his remarks at the beginning of second reading, the Hon. Minister of Labour (Mr. Cadieux) referred to comments contained in the report of the Review Committee on the Mandate and Productivity of Canada Post Corporation, otherwise known as the Marchment committee. I think it would be appropriate, in light of the proposed legislation before us, to reflect upon the main findings of the Marchment committee as they related to labour relations at Canada Post Corporation.

The Review Committee on the Mandate and Productivity of Canada Post Corporation was established on June 20, 1985, by the then Minister responsible for the Corporation, the Hon. Minister of National Defence (Mr. Beatty). The committee, whose membership was composed of business, labour and agricultural representatives, was charged with consulting extensively with all interested groups in assessing the corporation's legislative mandate, policies and practices, and to report to the Minister responsible for the corporation on the future requirements for a national postal system. In addition to a series of hearings held across Canada, the committee, chaired by Alan Marchment, visited postal facilities in Canada and consulted widely with officials in the Australian and United States postal services.

The initial observations of the Marchment review committee pertaining to labour relations at Canada Post Corporation are worthy of note. The report states:

> The members of the committee are unanimous in agreeing that they have never seen labour relations in any jurisdiction that are as acrimonious as those that exist between Canada Post Corporation management and the postal unions. They are poisonous to the point of the potential destruction of the enterprise. There is a clear lack of trust on the part of each side—management and labour. The relationship is more reminiscent of a class war than any kind of pursuit of mutual objectives.

This sounds all too familiar to me. It is as if time has stood still in relation to hoped for improvements in the relationships between Canada Post Corporation and its unions.

In its recommendations, the review committee suggested various initiatives to remedy the corporation's labour relations problems. These included joint involvement of the corporation and its unions in developing new methods of consultation and co-operation to permit the settlement of important issues outside of the grievance procedure; joint exploration of opportunities for improving the quality of working life in postal plants and possible incentives for improved productivity; co-operation in identifying and improving hazardous work areas and conditions in the workplace; and negotiations between the corporation and its unions to eliminate restrictive clauses impeding the achievement of efficiency in operations.

Other recommendations include joint co-operation in reducing absenteeism to normal industrial levels; that high priority be given to job training programs; and that action be initiated to consolidate the number of unions within Canada Post. The report also recommended that the corporation continue to contract the operation of sub post offices and explore the feasibility of contracting out more of its ancillary services.

Again, I feel it is worth-while to quote directly from the Marchment review committee report which, in its conclusion and summary of recommendations, states:

> Most fundamentally, if the Corporation is to survive into the next century, it must have real collaboration between management and labour and a complete change in the attitude of hostility and distrust which now prevails. Both management and labour must recognize that their futures are intertwined. If Canadians are not soon given, at fair cost, the level of service they need and want, they will increasingly continue to turn to alternate if not competitive modes of communication to the detriment and ultimate demise of the Corporation. Some people have already characterized the Canadian postal system as a dinosaur *en route* to extinction.

As Hon. Members are aware, the main concern in the current dispute revolves around the issue of preserving job security for its members while management is seeking to open additional sub post offices and award franchises, while gaining increased flexibility in laying off surplus employees. The conciliation commissioner, while acknowledging the right of management to open new sub post offices and award franchising in keeping with its corporate plan, also recognized the right of unionized employees to some sort of job security and recommended accordingly. Despite what has been viewed as a relatively balanced approach to the dispute, the Foisy report has not resulted in a resolution of the issues.

As has been indicated, the Bill before us today will bring about an immediate restoration of postal operations as well as providing for the settlement of all issues in dispute through the appointment of a mediator-arbitrator. This method of dispute resolution will provide the parties with one final opportunity to come to grips with the issues themselves and arrive at a mutually satisfactory agreement. Otherwise, the task will fall to the mediator-arbitrator appointed under the terms of the legislation.

The Government cannot and will not allow the economy and the citizens of this country to be subjected to a second prolonged postal strike within less than four months. Such disruptions impact adversely on those dependent on government transfer payments such as the elderly, the handicapped and the poor, as well as on the small business sector.

• (1540)

A work stoppage of major duration in the postal service could result in serious loss of business or even bankruptcy for many small firms that are dependent on Canada Post. Suspended postal operations could result in disruption of collection and cash flow, loss of employment, increased cost through the use of couriers, long-distance charges, increased bank charges and interest payments on receivables.

To summarize, Madam Speaker, Canadians have lost patience with both management and labour at Canada Post Corporation. What Canadians want and what they deserve is an efficient and reliable postal system that is not subjected to labour disruptions at every turn. I urge all Hon. Members to give swift passage to the Bill before us, and I urge the parties to the labour dispute to take full advantage of the opportunity provided by the legislation to determine their own destiny.

This Government continues to be a firm believer in the free collective bargaining process, but we will not hesitate to take decisive action in cases where the parties to a labour dispute abdicate their responsibilities and place the economic or physical well-being of Canadians in serious jeopardy.

The Acting Speaker (Mrs. Champagne): Are there any questions or comments? If not we shall resume debate. The Hon. Member for Nickel Belt (Mr. Rodriguez).

Mr. John R. Rodriguez (Nickel Belt): Madam Speaker, I was rather amazed to hear the previous speaker representing the government side saying that the Government believes in the collective bargaining process. What a bucket of horse manure.

Some Hon. Members: Oh, oh!

Mr. Rodriguez: I have to say to that Member, "You hold the lantern while I shovel". I have seen Governments bring back-to-work legislation to this House, previous Liberal Governments, the short six-months hiatus of the Clark regime, and now this Government. This is the War Measures Act of collective bargaining, Madam Speaker. I have never seen back-to-work legislation couched in clauses, language and specific directions as I have seen in Bill C-86.

Eight days into this strike by CUPW's inside workers against Canada Post we have a Bill to put the workers back to work.

Mr. Witer: Decisive action.

Mr. Rodriguez: The Hon. Member for Parkdale—High Park (Mr. Witer) says "decisive action".

Mr. Allmand: It was not even a full strike.

Mr. Rodriguez: CUPW members were on a rotating strike. The right to strike was given to the inside workers and it was given to the letter carriers. The letter carriers had a previous dispute with Canada Post and they exercised the right to strike. It was a rotating strike.

Mr. Fulton: Perfectly legal.

Mr. Rodriguez: Yes, perfectly legal in this country. The strike went on for 19 days and then they got a settlement. With CUPW we have had an eight day strike—and considering the fact that we do not deliver mail on Saturdays and Sundays, we are talking about five days.

Mr. Fulton: Four days.

Mr. Rodriguez: Four days.

The right to strike which these workers have has been taken away by this Government in Bill C-86. It has not only taken away that right, but it has done other things. The punishment sections may very well run counter to the whole nature of the Charter of Rights. When you start saying to stewards on the shop floor and to the membership that they will be told which president they can elect, and when you remove the right of the workers to select their executive, which is a basic democratic right of any collective, it is very serious. I can tell you that I have been here since 1972, with a little hiatus of four years—

Some Hon. Members: Oh, oh!

Mr. Rodriguez: —and how things have changed around here! In all that time I have never witnessed any legislation brought in this House to put capital back to work. We have consistently in this country seen capital going on strike. If they do not like the environment laws in a province, the way a municipality deals with them or the federal tax laws, they close their doors. That is capital on strike. I have never seen legislation brought to the floor of the House of Commons that forced capital back to work. But consistently we see legislation forcing workers back to work.

What we had was a dispute between CUPW and Canada Post. You can pass all the laws you want with your big majority, Mr. Minister. You can stomp on the rights of workers, but I say to you that you can take a horse to drink but you cannot make him water.

Some Hon. Members: oh, oh!

Mr. Rodriguez: What is the matter? Is that not the way it goes? Is it the other way?

Some Hon. Members: Yes.

Mr. Rodriguez: That is a fact, Madam Speaker. I have seen previous legislation brought to this House putting postal workers back to work. But legislation never deals with the underlying problems within the Post Office.

The last strike I recall very vividly was in 1978. We in the NDP and this side of the House said that if we created a Crown corporation for Canada Post separate from the Government—and there was support among CUPW members—it would provide opportunities for workers to negotiate directly with their employer, that they would be under the Canada Labour Code and not under the Public Service Staff Relations Act, which limits the ideas and areas for negotiation, such as classification, occupation, health and safety and the whole question of technologizing the Post Office. Everyone, including the postal workers, said, "Lets go for a Crown corporation and really establish an arm's length relationship with the Government". Let the workers have face to face dealings with their employer. That was done in 1981.

What I am seeing in 1987 is that we have not established the arm's length relationship. We have not allowed the inside workers, the letter carriers or any other group of workers within the Post Office to deal with their problems. We had a business plan for the Post Office laid down by the Minister who is responsible for Canada Post, the Minister of Consumer and Corporate Affairs (Mr. Andre). What was the first and foremost injunction to Canada Post? Cut the deficit in some six years. By next year Canada Post has to eliminate the deficit. When the United States Government set up its post office as a Crown corporation, the United States gave the post office 14 years to retire its deficit.

An Hon. Member: How long did it take them?

Mr. Binns: How are they doing?

Mr. Rodriguez: Today we look at our own Post Office and find that under the present structure it will retire its deficit by next year. There was a business plan implemented by the Minister of Consumer and Corporate Affairs, who is responsible for the Post Office, and given to Canada Post officials. We saw them, and Mr. Lander and his assistants briefed our caucus. They were great when talking about systems of moving the mail and all of those business systems. Not once did the discussion turn to people and the welfare of those who work in Canada Post to provide the service. The whole discussion was on the systems of management that have been put into place. We understand that, after all Mr. Lander came from the Delorean empire. We know what happened to that. He has now come to Canada Post and is talking about systems of management and efficiency, and not once did he talk about the workers. That leads to the next issue in this business plan, because that is how the Post Office sees its mandate to cut the deficit, and that is to franchise out the service.

• (1550)

The Marchment commission report was undertaken by the Government. There was a poll taken among Canadians for the Marchment commission report. It showed that Canadians are pleased with the service provided by the workers within the Post Office. Canadians are not saying that the people in the Post Office are not good and efficient workers. What does the Government say to the Post Office? "Cut the deficit by next year". What does the Post Office do? It comes up with a new management system of franchising out. Of course, the postal workers are concerned about the franchising out of services. They know it means that their jobs will go down the tubes. They started off implacably saying no to franchising out. The Government and the Minister of Labour (Mr. Cadieux) bring in Bill C-86 eight days into a rotating strike on the instruction of their colleague who is responsible for the Post Office. What do they really wish to do?

Mr. Fulton: It is like putting Dracula in charge of the blood bank.

Mr. Rodriguez: That is correct. They are suggesting to Canadians that we should agree to allow jobs that pay $12, $13, $14 an hour to be cut back and that we should give the jobs to people who are prepared to work for $4.50 an hour or $5 an hour. Five dollars an hour is $200 a week based on a 40-hour week. For 52 weeks that is approximately $10,000. All Canadians and all Members of Parliament should not be agreeing to wipe out full-time, well-paying jobs to create a series of low-paying positions. An individual who takes that job could not keep his or her family with dignity.

I wish to touch upon the fact that there are a number of women who work inside the Post Office. A considerable number of women, many of whom are single parents supporting a family, work inside the Post Office.

Mr. Fulton: Three-quarters.

Mr. Rodriguez: My colleague states that there are three-quarters, which is 75 per cent. Through their union they have achieved a good wage. The Government is saying, "No, we can get other people, mostly women, who can work for five bucks an hour". That is what we are being asked to do. We are being asked to bust CUPW and to subsidize poverty wages. We are asked to contribute to that. That is why there is no way that I could support this Bill.

Implacably, the union within the Post Office, CUPW, said no to franchising out. It has since compromised, and shown that it is willing to compromise on that issue. It has said it is prepared to go along with franchising in areas where there are no postal services.

Mr. McDermid: Oh, gee.

Mr. Rodriguez: Instead of snorting over there, you should read the reports that came out on the union's position.

Mr. McDermid: I have.

Mr. Rodriguez: It is prepared to back down on that question. But it is not prepared to back down on closing substations of the Post Office and opening up franchising outlets in the same location, or near the same location, for a quarter of the wages. That cannot be done.

The Post Office workers, the CUPW, has also said that they are prepared to go along with franchising except where there is a postal station, that it cannot be closed to open a franchising operation. They have backed down on the franchising issue and have counter proposed two exceptions. Where there are no postal services there can be a franchising operation, but it cannot be done where there is a postal station. A postal station cannot be closed to put in a franchising operation.

The Government thinks that it is riding on public sentiment. In my hands I have two editorials. I feel that they are representative. One is from the *Winnipeg Free Press*. No one could accuse the *Winnipeg Free Press* of ever supporting working-class people. I hardly think that it has ever positioned itself in that manner. The article states, "Why the Government decided to move so quickly and so harshly to end the strike is anybody's guess". I do not have to guess. I know why. The Minister got pressured by his colleague, the Minister of Consumer and Corporate Affairs, who is really calling the shots for the Post Office. That is why we have this Bill. The article goes on to state, "It certainly was not to benefit the postal service or the people who use it". The article closes by stating, "A negotiated settlement would have taken long and hard negotiations in which each side would have had to pay the price of intransigence—Canada Post through lost revenues; the postal workers through lost wages. The public would have suffered, too, but the suffering would have been limited by the rotating nature of the strikes and by the proven ability of Canada Post to get some mail at least past picket lines". That was stated in the *Winnipeg Free Press* which is not noted for its socialism. It is certainly not noted for support of working-class people.

I have another article from a "real left-wing" paper, *The Edmonton Journal*. The headline states, "Postal workers licked again". The article states, "Ottawa is using coercion where reason might have prevailed by legislating an end to rotating postal strikes. In the process, the federal Government spurns . . . " Not my word, Madam Speaker, but that of the editor of *The Edmonton Journal*. He states, "spurns the collective-bargaining process and erodes the right to strike. Is this an article in *The Edmonton Journal*? By golly it is, Madam Speaker. He further states, "It invites the Canadian Union of Postal Workers to retaliate in a manner that can hardly make the delivery of mail more efficient".

The editor goes on to state, "Last summer's letter carrier strike languished twice as long before a mediator stepped in; and a general strike by clerks and mail sorters in 1981 was settled—through mediation—after six weeks . . . The ability to strike is virtually the only leverage the workers have in negotiations. To short-circuit collective bargaining for the sake of expedience undermines the rights of all union workers—and brings into question the Government's commitment to productive labour relations".

That article was in the *Edmonton Journal*. That is not some left-wing paper like *The Tribune*, or *The Toronto Star*, although I do have *The Toronto Star*.

• (1600)

I see you signalling me, Madam Speaker—

The Acting Speaker (Mrs. Champagne): You have one minute remaining.

Mr. Rodriguez: I am glad you clarified that, Madam Speaker. That is the signal I have been trying to give to the Minister of Labour (Mr. Cadieux) about the Bill for a long time, that he has one minute in which to repent. It is not too late.

We have learned from all this that the Government jumped hastily because of its hidden agenda. It is all part of the free trade arrangement—

Some Hon. Members: Oh, oh!

Mr. Rodriguez: It is all part of it; it is all part of it. I know what the Hon. Member from Edmonton will say, but it is all part of it—privatization, deregulation, and free trade.

Our postal services compare very positively on an international basis. The Minister should let the process of collective bargaining take place. He should let the market-place of collective bargaining decide the settlement which workers get. He should not be in there ruining collective bargaining with legislation which is so Draconian that I suppose Hitler could vote for it, but not Members on this side of the House.

Mr. Allmand: Madam Speaker, we are told that during the strike of outside workers in the month of June, the Government and the people of Canada paid approximately $30 million for replacement workers.

During the labour dispute before us right now, the Post Office advertised for replacement workers long before the strike deadline arrived. While they spent $30 million for replacement workers in June, we do not know yet how much they are spending during this strike.

Would the Hon. Member like to comment upon the policy of spending millions of dollars on replacement workers, moneys which could have been used to settle the strike right away and get it over and done with?

Mr. Rodriguez: Madam Speaker, I thank my hon. colleague for his question. I sat in the House and I heard about the development of rural dignity. People in rural communities have been decrying the quality of service provided by Canada Post following the mandate which it received from the Government under the table, surreptitiously, and in a euphemism called the business plan of the Post Office, which was designed in the office of the Minister of Consumer and Corporate Affairs. They have to cut the deficit, so they have been cutting back on rural mail service.

In Capreol they do not get Saturday delivery any more. Some communities have great big supermailboxes with one key which fits them all. They are right across the street from

people who are receiving door-to-door delivery and paying the same taxes.

Referring to the $30 million for replacement workers—

Mr. Allmand: Scabs.

Mr. Rodriguez: Scabs. Let us call a spade a spade. They have $30 million for that, but they cannot provide service. Canadians want service.

What would happen if we applied the same principle to other services, the principle that the Post Office is no longer a service and people must pay extra for all these things? What would happen if we tried that on our local fire departments?

Marcus Crassus in Rome in 13 B.C. had the only fire department. Every time there was a fire, he would negotiate with the owner of the villa how much he wanted to pay for putting out the fire. They had privatized the service then. The Post Office is going back to 13 B.C., the time of Marcus Crassus.

I say to the Hon. Member that with $30 million we could provide service. When they put out advertisements for scab workers the situation in society is such that people want to work. Invariably they are young people with no particular skills in the market who are out of work. They are women who are probably on welfare and are being offered $13 an hour. They are new Canadians who do not understand our system of collective bargaining and the democratic process. They are the ones who are enticed by $13 an hour to cross the picket line to do scab labour. It is a crying shame. The Government should hang its head.

I know that the Government ran on the campaign of jobs, jobs, jobs. Surely it is not these kinds of jobs. Surely it is not replacing well paid jobs with low paid jobs in an effort to cut the deficit.

I suggest that Canadians want service. They do not mind seeing $30 million spent on improving service and paying for it, rather than seeing $30 million being put into scab labour.

Mr. McDermid: Madam Speaker, I have a brief comment and a question for my hon. friend.

The New Democratic Party is the champion of small business, at least that is what it tells us. Every day its Members rise in the House and say: "We are the champions of small business. Elect us and we will take care of small business".

It turns out that small business made it very clear, both independently and through the associations to which it belongs, that the mail must be delivered; strike or no strike. That is what small business wants and demands of the Post Office, and that is exactly what is happening. Temporary labour is going to keep the mail moving.

In my particular constituency I have a number of small businesses, and if there is an extended strike—and I am talking about a week—they will be in very deep financial trouble. They have come to me and said, "Keep the mail going, keep the mail coming to my particular industry and, more important, have it shipped out'. We get that message. We know that many small businesses will be hurt badly. It is obvious that the strike will go on for a very long period of time. I think the Post Office is carrying out its responsibility in ensuring that the mail is delivered.

The Hon. Member praised the American post office system and said how wonderful it was.

An Hon. Member: What did he say?

Mr. McDermid: He mentioned how well run it is and that they had 14 years to reduce the deficit and everything else. As he knows, the post office in the United States is an essential service and its employees are not allowed to strike. Is he suggesting that if we give the Post Office in Canada 14 years to reduce the deficit, the New Democratic Party would support legislation to make it an essential service?

Mr. Rodriguez: Madam Speaker, I do not mind the Hon. Parliamentary Secretary making up questions to put to me, but I wish he would not make up my speech.

If he were listening attentively, he would not have heard me praise the American postal service. I simply compared the fact that the American Government gave its post office department 13 years to wipe out its deficit.

Mr. McDermid: The last time you said 14 years, and now you are saying 13 years.

Mr. Rodriguez: It is 13 years, from 1971 to 1984.

The Hon. Member made a plea for small business. He said that small business wanted an end to the strike. I have a quote from Mr. Dale Botting of the Canadian Federation of Independent Business who said: "There's no need to pull the plug yet".

• (1610)

I too circulate in my riding, and I listen to small business. Small-business representatives have not been phoning me to say: "Look, John, we are into a problem here, the mail has to be delivered". In fact, some have been saying that this time, their suppliers who run small businesses as well have smartened up. Now they phone and say: "Do not put your cheque in the mail, we will come around to pick it up". They have organized themselves to pick up cheques and to deliver their orders personally.

It was a rotating strike. After eight days of the strike, bang, the Government brought in legislation. If this legislation held any hope of resolving the long-term problem, I would say yes, I would consider supporting it, but it has no hope of resolving the problems in the Post Office. On the contrary, it will only exacerbate relationships between those who have to go back

inside that plant once this legislation is passed and the management with whom they have to work.

I think that is always the Conservative response to everything. Use force and might, and might is right. When will they understand that we say "might for right" and not "might is right"? When will they learn that?

Mr. Don Boudria (Glengarry—Prescott—Russell): Madam Speaker, today we are called upon to speak on Bill C-86. Needless to say, the issue of a postal strike, particularly to those who intend to vote against the legislation, does not constitute a very popular issue with some Canadians. However, I think I would be remiss in my duties if I did not take this occasion to speak against this Bill, because it is wrong. When something is wrong, it is the duty of all Members of Parliament to say so. If we do not say so, when a bad Bill is presented to Parliament, many others may be abused in the same way as the people affected by this Bill.

It has been said before that extreme law is extreme injury. It is not justice but, rather, the denial of it. The Bill that is before us today would, in my view, be one of those that I would describe as extreme law and it will cause extreme injury.

Let us for a moment examine some of the provisions of this legislation. For union members, there will be unprecedented fines of between $500 and $1,000 a day. For union officers, there will be fines of $10,000 to $50,000 a day, and for the Canadian Union of Postal Workers, there will be fines of $20,000 to $100,000 a day. I ask, if this is the appropriate level for fines, assuming that this Bill is correct, something I do not assume, then why is it that we have never imposed fines like that in the past?

We have just experienced a labour disruption which in my view had a far greater potential for damage to the country, and I am referring to the rail strike of last summer. Did we hear of $20,000 to $100,000 fines in that legislation? No. Well then, if we did not, I can only assume that the Government was wrong in the way it administered that Bill or that it is wrong in the way it has presented Bill C-86 to the House of Commons. My view is that this Bill is wrong.

At the time the Minister first raised the issue of back-to-work legislation, we were three days into a rotating strike, not a full work stoppage but a rotating strike which had lasted only three days. That is when the Government let out utterances to the effect that back-to-work legislation would be necessary.

Some five days later, eight days after the beginning of the rotating strike—let us recall that this was not at that point a full stoppage of mail delivery—the Government imposed the harshest piece of labour legislation this country has ever seen. Why? Was it a full, all-out strike? Was there violence in the streets? No, that was not the case. Yet the Government decided that this kind of legislation was needed at this time.

Of course, a number of editorials have been published which do not support the position of the Government. There are also two opposition Parties in the House which do not support the position of the Government because the legislation that is before us is wrong.

[*Translation*]

It would have been a lot easier for the Government, Madam Speaker, to let negotiations proceed as usual. I am not one of those people who would stand up and say that, even if we do not get any more mail, even if the system is totally paralyzed, there is no situation that would justify bringing the workers back, because obviously such situations do exist, as we all know. I think Members on all sides of the House will agree that when a strike in an essential service lasts for any length of time, it is time to put an end to it. However, the question is: Have we reached that stage in this case? The answer is no. The answer is no, because, as I pointed out earlier, after only three days of rotating strikes the Government decided to send messages that, as some of my colleagues said earlier, poisoned the negotiations. Five days later, this draconian legislation was tabled in the House.

[*English*]

This law is unprecedented. It is not only unprecedented because of the magnitude of the fines for which it provides, it is also unprecedented in that it was presented so soon after what could hardly be considered a major disruption.

I do not approve, of course, of the violence that has occurred over the last few days, although it has not been considerable. Nevertheless, there has been some violence. I do not approve of violence, whether on the part of union members or on the part of so-called replacement or scab workers, and of course there have been reports of both. Usually and unfortunately, one group tends to get a little more of the spotlight when it decides it will undertake a violent act, but either way, I do not approve of that kind of behavior.

I regret to say it, but neither do I approve of the union strategy of picketing the homes of Conservative Members of Parliament. I am of the view that the home of any member of this House is one place, and perhaps the only place, where he has the right to be in privacy with his spouse and his children without having to face that kind of intimidation. Because I have supported the union, it is with regret that I make this statement. However, I do not support that particular activity, and I for one can say that if they want to continue to have my support, they will have to cut out immediately that part of their nonsense.

• (1620)

Having said that, I hope both parties get back to the negotiating table to find a peaceful and suitable end to the labour disruption. You might say that is a futile hope at this point given the Bill we have in front of us, a Bill which will inevitably be accepted and become the law of the land. Not that I will vote in favour of it, unless of course the situation

warrants it. However, at the time the Bill was introduced, back-to-work legislation was not warranted, least of all the Draconian law we now have before us.

[*Translation*]

Madam Speaker, the service Canadians have received from Canada Post during the past year has not greatly improved. I should point out that in ridings like the one I represent, and I would urge the Hon. Member opposite to pay special attention, because the same probably applies to his riding as well, it should be said that in my riding for instance, we have people who live in Orléans, in the National Capital Region, who, although they are in an urban area, do not have the privilege—and it should be considered a right, but at this time it is a privilege—of having home mail delivery.

[*English*]

We even have an unusual situation in one of our communities. People living in downtown Orleans in my riding, a community of 75,000 people, have as their postal address the Town of Navan, eight kilometres away. That is about the same as residents of Ottawa having Gatineau as an address. According to Canada Post the reason is so that they could have contractors instead of union employees deliver the mail to the supermailboxes. The Navan Post Office does not use union employees, and if Canada Post gives people a Navan address, even though they do not live there, then that justifies delivering the mail door-to-door by that means. That is the kind of service my constituents in the Orleans area are getting right now from Canada Post. It is a devious attempt to circumvent paying union labour in the community.

When Canadians listen to the news, they do not always get that side of the story. They of course hear that Canada Post is trying to deliver the mail and something bogged down here because of a labour disruption. Some people look at that and say, "It is the union's fault again. Someone in the union is too aggressive or something or other and has caused this situation." That is not always the case, and I have just described a situation where nothing short of a loophole has been used to deprive my constituents of the mail service they should be getting, with the side effect of giving them as an address the name of a community they do not live in.

Can you imagine living in that town and trying to get something delivered, say a furniture company to deliver the refrigerator? They end up in the wrong town.

Mr. McDermid: Oh, come on.

Mr. Boudria: The Hon. Member for Brampton—Georgetown (Mr. McDermid), who will soon be defeated, sits there amazed that this kind of thing is happening.

Mr. McDermid: You can come down to my riding any time. I would love to have you there.

Mr. Boudria: I do not blame him. I was speaking slowly so I know he understood everything. He should realize that these kinds of things are going on. He does not. If he would come to my constituency he would find out. Tories seldom come to my constituency because they are not welcome there.

Mr. McDermid: You are welcome in my riding any time.

Mr. Cooper: You had my picture in your householder.

Mr. Boudria: The Hon. Member for Peace River (Mr. Cooper), for whom I have great respect, says his picture was in my constituency mail-out. That is true.

Mr. Cooper: You just want to be seen with great people.

Mr. Boudria: I think very highly of the Hon. Member notwithstanding his shortcomings in being a Tory.

Mr. McDermid: It is not fair to refer to his stature.

Mr. Blaikie: He said "shortcoming" not "short standing".

Mr. Boudria: In closing, I cannot support this kind of legislation. I would not want to support any kind of back-to-work legislation at this time because I do not believe we have reached the stage where it is warranted. An Hon. Member referred to the fact that even the Canadian Federation of Small Business said there is no need to pull the plug yet.

Mr. McDermid: What Member?

Mr. Boudria: Even they did not think it was the appropriate time for back-to-work legislation.

Mr. McDermid: Take a look at what their membership says.

Mr. Boudria: Even if it were time, and inevitably there is a time for that, this is the wrong kind of legislation. It is harsh, Draconian and unfair. People will remember that the Tory Government is so desperate that it is willing to run roughshod over the rights of Canadians in order to enhance their tarnished image. That is the sorry state of the Progressive Conservative Party.

[*Translation*]

It is too bad the Conservative Party has reached the point, Madam Speaker, where they are so desperate they are ready to do just about anything to restore their tarnished image. That will not work, because Canadians are intelligent, and Canadians are informed consumers. As informed consumers, they purchased some merchandise in 1984. They are now disappointed in this Conservative merchandise, and they intend to drop this product at the first opportunity. This first opportunity will be the next election, and I say to Hon. Members opposite that Canadians are fed up with this kind of Government, and that the Government, instead of trying to restore its image and resorting to all kinds of publicity exercises, that this Government should spend some time and energy on doing its job, which is to govern Canada. That is what they were elected for, not for the kind of legislation and bills we have before us today.

[*English*]

Mr. Blaikie: Madam Speaker, the Hon. Member told a story which well illustrates the master plan behind a lot of the initiatives and legislation the Government has brought forward. The story he told was that of the community in his riding where people were given an address of a town other than the one they live in because of some Post Office machinations which would make it possible to use non-union labour.

• (1630)

Since 1984 there has been a move afoot to eliminate well-paid working people, to create a society with two levels of Canadians; an elite group of very well paid professionals and others, and a much larger group at the bottom which will be competing for the available jobs in this anti-union, free trade regulated environment. We will see the elimination of that portion of the middle class made up of well-paid working Canadians who constitute the vast majority of the riding which I represent. They are on the hit list. They will be eliminated in the evolving economic agenda of the Progressive Conservative Government.

We will see in this country a process which is much more accelerated in the United States, that is, the elimination of what we would call in a general and, I admit, inaccurate sort of way, the middle class. The Government must remember what Aristotle said about the middle class. He said that the larger the middle class the less likely there is to be a revolution.

Through this kind of legislation and other initiatives we are creating in Canada the potential for never-ending conflict, not only among working Canadians as they cut each other's throats for jobs which do not pay as well as they used to, but between the two groups of Canadians of which I have spoken, with this legislation as it interacts with all the other things the Government has done.

That is very regrettable because one of the things which characterizes Canada more than any other western nation is the group in the middle, whether they be well-paid postal clerks, teachers or whatever, who make up the support group for many of the things which are uniquely Canadian, our medicare and other social programs which we have managed to build since 1945. All of that will be at stake in the restructuring of our economy and the relationships between labour and management, government and its employees, and Canada and the United States which the Government is so set on doing.

Mr. Boudria: Madam Speaker, I want to thank the Hon. Member for the excellent points he raised in his intervention. I would like to correct the record by saying that from post office to post office in Navan and Orleans is eight miles rather than eight kilometres. It is even worse than I had indicated earlier.

There has been a tremendous inconvenience imposed on the people of that area. Imagine someone saying, "That letter I sent you the other day says that I live in Navan, but don't go there to find me because I actually live in Orleans. It is just that the Post Office has an unusual, convoluted way of addressing us. We live in Orleans but are supposed to pretend that we live elsewhere".

I wrote a letter to the Minister responsible for Canada Post (Mr. Andre) and he wrote back to me about a year and a half ago, after a four-month delay, and explained to me how the people who live in Orleans but are supposed to pretend they live in Navan, according to Canada Post, are supposed to address their envelopes. They are supposed to indicate their name and their street and then "Navan (Orleans)" and end with the postal code.

Would you, Madam Speaker, indicate your address as "Ottawa (Gatineau)"? Surely not. That is ridiculous. In fact, Ottawa and Gatineau are closer than are Navan and Orleans. That is an indication of the unusual and inappropriate activity which Canada Post is engaging in to try to save a few dollars. This is causing major disruption.

The Member who just spoke referred to the two levels of Canadians which the Conservative Government is creating by eroding the middle class. The Member is obviously right. We have seen Budget after Budget which has created major disruptions and imposed tremendous tax increases on many Canadians. In his first Budget Speech, I believe, the Minister of Finance (Mr. Wilson) said that Canada has a shortage of the rich. I am sure my hon. colleagues will remember those words. I disagree that Canada has a shortage of rich people. We have a surplus of poor people, and that is the problem. The Government is trying to increase that number in order to please its many wealthy friends.

Canadians want good, fair Government. They want a Government which will stop trying to use every devious method on earth to enhance its image which has been so badly damaged by all kinds of excesses, abuses of power, conflicts of interest and every other scandal that you can think of. Being the non-partisan person that you are, Madam Speaker, you will understand that the Tories have abused their power in the past. Canadians want good, honest, and sincere Government. They want the Tories to cut out the nonsense that they have been perpetrating on the Canadian people.

Mr. Duguay: Madam Speaker, I would like to address a comment to my hon. colleague with reference to his comment that this is the wrong kind of legislation. For most of my life I worked in a secondary school. I always believed that the appropriate way to deal with young people was to let them make their own decisions, always reserving the right to introduce some maturity when they carried on in a way unbecoming even to young people.

I judged rather quickly that many of the things which were said on each side in the debate last week were inappropriate. However, yesterday afternoon I saw with my own eyes a very

clear indication of why the Government should legislate these people back to work.

Without ever trying to contact me at my office or at home, 50 workers from CUPW showed up in front of my house to intimidate me and my family to the point that my children asked me whether it was safe to go outside. For that reason I believe that this is the correct kind of legislation. When mature adults do not know how to behave and resort to intimidation of people and their families, it is appropriate to put them back to work.

We are not only putting them back to work. We are prepared to appoint a mediator who will become an arbitrator. We are telling the Post Office and its workers that if they want to resolve this problem themselves they are quite welcome to do it with the help of a mediator, but if they want to resort to intimidation of the Canadians who are suffering the most as a result of this, those who lose their mail service, they should expect Parliament to put them back to work. I hope we do it right away.

* * *

• (1640)

PROCEEDINGS ON ADJOURNMENT MOTIONS

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mrs. Champagne): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for York East (Mr. Redway)—Administration of Justice—Recommended television coverage of criminal trials; the Hon. Member for St. John's East (Mr. Harris)—Regional Development—Government projects in St. John's East, Newfoundland/Request for speedy start to projects; and the Hon. Member for Hamilton Mountain (Ms. Dewar)—Public Service—Recognition of principle of wage parity/Adjustment mechanism.

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Cadieux that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and referred to a legislative committee.

Mr. Boudria: Madam Speaker—

The Acting Speaker (Mrs. Champagne): Resuming debate. The time for questions and comments has elapsed.

Mr. Boudria: A Tory asks me a question and does not allow me to answer. That is your sincerity.

Mr. Epp (Provencher): It is questions and comments.

Mr. Boudria: He asked me a question.

The Acting Speaker (Mrs. Champagne): Order, please. The Chair would be prepared to allow one minute for the Hon. Member to answer the question, but the Chair first wants the Hon. Member to withdraw that comment which the Hon. Member has made. It was a comment referring to the Chair and putting in doubt—

[*Translation*]

The Acting Speaker (Mrs. Champagne): —and by casting doubts on the impartiality of the Chair. If—

[*English*]

Mr. Boudria: It was not toward you, Madam Speaker.

The Acting Speaker (Mrs. Champagne): If somehow the Chair has misunderstood, I will certainly apologize to the hon. gentleman. However, if what I heard is correct, it should be withdrawn.

Mr. Boudria: Madam Speaker, I apologize if you believe that any comment I made was directed toward you. I was addressing myself to the Minister of National Health and Welfare (Mr. Epp) who refused me consent to answer the question.

Mr. Epp (Provencher): That does not help.

Mr. Boudria: It was not addressed to Madam Speaker. I am severe toward my opponents, but it is not my practice ever to criticize the Chair.

I just want to answer briefly the Hon. Member for St. Boniface (Mr. Duguay). I indicated in the House a few minutes ago that although I support the union in its position, I want to dissociate myself totally from the picketing of homes of Members of Parliament. In my view, M.P.s' homes are one location where Members of Parliament should have privacy. In my view, that is sacred for all of us. They did not picket my home, but the homes of Conservative Members. I said that I consider that kind of activity inappropriate and I want to dissociate myself from anything or anyone who does that to any Member of the House, regardless of their Party.

Notwithstanding that, the proposed law before us is still unjust. As I said in my opening remarks, extreme law is extreme injury. It is not justice, but the denial of it and I stand by that view.

The Acting Speaker (Mrs. Champagne): Resuming debate.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, the House has been debating this motion for two days now. The House was on notice since last Friday that this matter would be debated

today. Therefore, I think it is fair to assume that any Member who wishes to participate in this debate will be here today.

I am asking for the co-operation of the House to complete second reading so that we can get the parties back to the bargaining table, prevent further violence on the picket line and get the mail moving at peak efficiency. Therefore, I move, seconded by the Hon. Minister of Labour (Mr. Cadieux):

That, pursuant to Standing Order 9(4)(a), the House continue to sit beyond the ordinary hour of daily adjournment for the purpose of continuing consideration of second reading stage of Bill C-86, an Act to provide for the resumption and continuation of postal services.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion moved by the Deputy Government House Leader. Will those Members who object to the motion please rise in their places.

And more than 15 Members having risen:

The Acting Speaker (Mrs. Champagne): More than 15 Members having risen, pursuant to Standing Order 9(4)(b), the motion is deemed to have been withdrawn.

Mr. Lewis: Madam Speaker, there have been discussions among the Parties with a view to determining the amount of time necessary to complete debate at second reading of this Bill. I want to be fair to the opposition Parties and indicate that the Liberal Party thought it would be able to proceed to Committee of the Whole House this evening. The New Democratic Party was not prepared to give that assurance.

As I have indicated to the House, this legislation is important and we want to get the parties back to the bargaining table and avoid further violence on the picket-line. We wish to get the mail moving.

Therefore, I want to give notice pursuant to Standing Order 117 that at a future sitting of the House the Government will propose a motion allocating one sitting day for the completion of second reading stage of the Bill.

Mr. Steven W. Langdon (Essex—Windsor): Madam Speaker, I want to take this opportunity to talk about the incredible significance of the right to strike in our society. It is not my intention to speak with a sense of self-righteous sanctimony, but simply to point out to Members of the House and, hopefully, to people throughout the country that tremendous gains have been made by average Canadians thanks to the right to be able to withdraw their services freely.

I believe that we as a legislature should be extremely hesitant about trampling upon that right to strike. Only in the most difficult or dramatic set of circumstances, when the good of the country is clearly the dominant consideration, should we be prepared to override that right to strike. This is clearly not such a case. It is a case where a strike has been perpetuated by a Government that brought in back-to-work legislation at a time when it was not required, at a time when, frankly, it was designed to destroy the morale of workers and to make much more difficult the future progress of the Post Office.

• (1650)

I think it is important for people to keep in mind just three strikes that I choose at random. First, the Ford strike which took place in Windsor in 1945. It brought to my city and to the people who live there for the first time the recognition by that company that people had the right to form a union, to defend the union and to see to it that the union had a financial base for the future. It was out of that that the Rand formula eventually came which has contributed immeasurably to labour peace in Canada.

The second strike I want to mention is the General Motors strike in Oshawa in 1936. The strike led to the resignation of Liberal cabinet Ministers, including some from my part of the country, who said very clearly that when it came time to ride with General Motors or walk with workers, they would walk with workers. It is a sentiment which I think we should recall and recall with pride.

I think too, as we sit here in Ottawa, that we should consider the strike here by clerks which led for the first time in this city to a fair rate of pay for women clerks compared to their counterparts in the civil service. We have to recognize that strikes have been steps toward social equality and social fairness within our society.

There is a myth about CUPW, the Canadian Union of Postal Workers, that it is some kind of renegade union which understands no discipline and is prone to violence. Let me tell you, Madam Speaker, that as a Member of Parliament I visited the picket lines this past Friday in my City of Windsor. The people who work in the Post Office there also walk the picket lines. They were prepared to give up tremendous amounts of pay to do that. They are average Canadians, the sort of people you would meet next to you on the bus and walking down the street, but they were not people—and in this they were typical too—who were prepared to have their rights stepped on by a Government which brought in back-to-work legislation at a time when there was not even a full-scale strike in place in Canada.

I have to ask you, Mr. Speaker, and all the people in the House and across the country to consider what it does to the faith of men and women like ourselves, brought up to believe in democratic rights. There is no question that their strike is a legal one. Before that strike had even reached a stage where it existed as a full-scale strike, the full force of Parliament was brought down on their heads. What faith does it give them in the future? What faith does it give them in their government institutions?

There are a lot of issues in this strike. There is the issue of franchising which will have the effect of reducing the wages which are received by a lot of women, from the good wages received in the Post Office to the lousy wages received in many convenience stores. But what about forcing people in the Town of Lasalle in my constituency to travel seven miles before they can get their mail, whether it is registered or something like that, that has to be picked up at the Post Office? This is

inconvenient service and totally ridiculous. There is also the issue of strike-breaking and whether a Crown corporation representing Canadians should ever, ever strike-break. I, for one, do not think that it should. I think strike-breaking is something which should be totally outlawed. I think it is something which should never be carried forward by the people who represent, in some sense, all of the Government of Canada.

There is the question too of service. There is no question that the service offered by the Post Office of Canada has deteriorated badly, not because of the workers in the Post Office but because of the management which has messed the institution up and made it something completely different from the institution of which Canadians used to be proud in the days after World War II.

This legislation with its huge fines and harsh attempts to push union leaders out of the roles of leadership in the future, its refusal to go for a mediator first, is an approach which has terrible consequences for the future.

The Acting Speaker (Mr. Reid): I hate to interrupt the Hon. Member but it being 5 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

• (1700)

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

HAZARDOUS SUBSTANCES

ADVISABILITY OF REDUCING LEAD CONTENT IN PAINTS

Hon. Chas. L. Caccia (Davenport) moved:

That, in the opinion of this House, the government should consider the advisability of reducing the allowable lead content in all consumer paints, particularly those used on products for children, from the existing level of 0.5 per cent to 0.06 per cent.

He said: Mr. Speaker, this is a motion that has an environmental inspiration, and at the same time it has a health goal. It is intended to protect the health of Canadians from lead, and in a sense it is driven by a comparative study between the lead that we allow in Canada to be used in paints, and the lead that is allowed to be added to paints south of the border.

I will briefly explain the background leading to this resolution. In Canada under the Hazardous Products Act there are regulations which specify how much lead can be used in pigments and in paints that are utilized in the production of furniture and toys used by children and adults. In these regulations a specific limit is set, namely five parts per thousand, as stated in the motion. That is five parts per thousand of the total solids contained in the coating to be applied to the specific item that children play with, or the item used by adults.

The two main pigments that are used in Canada are red lead and lead chromate. By contrast, the permitted quantities in the United States are only six hundred parts per million, which is roughly one-tenth of what is permitted in Canada. In Canada the content of lead in paints that are used commercially and applied to toys and other wooden products that are put into circulation for the market-place is virtually 10 times greater than that permitted in the United States.

Through history and through time it has been well established that lead is far from being a healthy matter. On the contrary, it is a matter that endangers human health. If ingested in certain quantities, it can have some very serious consequences on the mental capacity of human beings.

Therefore, the reason for this motion is to bring to the attention of the House the necessity to change our regulations and make them more restrictive in order that in future the paints to be used in the production of children's equipment, toys, and the like, will contain one-tenth of the lead that is presently permitted.

Let me add that at the present time lead-based compounds are without restriction. I am referring not to paints but only to compounds which are widely used as paint additives. These lead-based compounds also ought to be examined from the point of view of human health, and be regulated to within the same scope and breadth in order to better protect the health of Canadians than we have so far.

Who is at risk in particular may interest you, Mr. Speaker. Particularly at risk are the consumers who are using articles that are covered or coated with such paints, but also consumers and individuals who may be sanding walls of old interiors or exteriors where lead paint has been used, and where large quantities of lead can be inhaled while sanding those old paints. Therefore, it is an operation that must be watched by anyone who is engaged in it and is unware of the consequences of lead on human health. Also at risk is the tiny consumer, the child in the crib who may be biting at items, toys, the bars of the crib itself which are painted with lead-containing paints, and who innocently and inadvertently may be ingesting some of this lead that is definitely rather dangerous to health.

I welcome the presence in the House today of the Minister of National Health and Welfare (Mr. Epp). I am sure that he will wish to examine this matter and make representations to the Minister of Consumer and Corporate Affairs (Mr. Andre) on the question of lead contained in paint.

For instance, the paint used on children's furniture and toys could be marked as a safe item. There is no doubt about that. But it is important that the Canadian consumer know that it is allowed to contain up to five parts per thousand of lead. Many experts in the field consider this level to be far too high, particularly in relation to children and because of the habit of children to chew on anything that they can get their hands on.

The second threat is one that could be related to the fact that paint does peel and flake off. As I mentioned a moment

ago, it can be removed by the process of sanding. In this manner, children can be contaminated, and also grown-ups, particularly those engaged in sanding operations.

There is an excellent book by Barbara Wallace and Kathy Cooper entitled *The Citizen's Guide to Lead*. This book has inspired this motion, and I am drawing most of the information related to this motion from it. In that book, Mr. Speaker, you will find advice to protect your constituents and the consumers in your Niagara area from lead in dust resulting from home renovations, and also from the potential danger of children getting in touch with the paint which coats toys.

Some people may wish to know how to identify paint that contains a high level of lead in their homes. There is a method to establish if lead is present in paint. When a 10 per cent solution of sodium sulfide is applied to paint that contains lead, the paint turns black. That would be an indication that the paint has a high content of lead. One may decide to remove it. In that case, it is recommended that one be very cautious and wear a mask, cover-alls, and other protective clothing while engaging in the operation of removing the paint.

• (1710)

It is important—and I would like to use the few minutes available to me—to indicate that lead is not only present in paint, which is the main thrust and purpose of my motion. The Royal Society of Canada conducted a study which was made public in September of last year. It analysed or broke down the sources of lead in the environment and attributed to lead in paint and lead solder on cans some 10 per cent of the total. It also attributed some 63 per cent of lead present in the environment to the burning of leaded gasoline in cars.

Lead in gasoline is now being gradually reduced in Canada to a level which will be comparable to the level that now exists in the United States, but only by January 1, 1993. In other words, between now and the end of 1992 we will still have levels of lead in gasoline which are particularly high and harmful to human health. Therefore, it is a process of lead reduction which leaves much to be desired and ought to be accelerated if we start from the premise that lead in the environment is not healthy.

I refer in my motion to lead in paints, but I cannot overlook the importance of reducing over the shortest possible time the presence of lead from the usage of that type of gasoline so as to improve the quality of the environment, particularly from the point of view of children. It has been established that the health of children is particularly affected by the presence of lead in the environment and in the pollution caused by automotive traffic.

One of the reasons given for the fact that children are particularly affected is their size and height which brings them much closer to the level of emission pipes of cars, trucks and the like. Therefore, they are closer to that level than adults and, because of the fact that they are also very young and their physical make-up is more sensitive, they are the ones who suffer in a more visible manner from the impact and consequences of lead in the environment.

This is one of the main reasons for hearing quite frequently urgings not to let cars which burn leaded gasoline idle for hours and hours in cold weather and not to leave, as a good health guideline, any engine running unless it is absolutely necessary. Even if an automobile is burning leaded gasoline which contains a reduced quantity of lead, it is still a type of combustion which affects human health.

I believe that the practice of misfueling ought to be raised in the minute or two still available. Certain car engines have been manufactured to use only unleaded gasoline, which unfortunately costs more than leaded, despite urgings from those of us in the Opposition for the Government to change the tax structure so as to bring the prices of the two gasolines in line and possibly have an eventual tax structure which would make unleaded gasoline less expensive than leaded. Unfortunately the fact remains that some consumers have tended to misfuel, namely, to use leaded gasoline in their cars instead of unleaded. In the process they have ruined the catalytic converters in their engines, which was rather foolish. However, in the process they have also misused the trust placed in them as consumers, namely, the trust that when one buys a car which runs on unleaded gasoline one is supposed to purchase unleaded gasoline, not leaded gasoline as some tend to do.

This is one of the reasons that we find that recent models of cars which run on unleaded gasoline can only be filled with a type of nozzle that is narrow enough to fit into the gas tank opening.

I have made reference, stretching the rules of relevance, however, to unleaded and leaded gasoline because the Royal Society of Canada pointed out that the consumption of leaded gasoline represented a very large percentage of the lead which affects the quality of the environment.

Returning to the purpose of my motion, I conclude by urging the Government, in particular the Minister of National Health and Welfare whose presence I welcome tonight, to address the question of the content of lead in paint and to urge and promote the adoption in regulations of a level which would be one-tenth the present level permitted and would bring the level of permitted lead to .06 per cent. This has been on stream, as a result of an EPA initiative adopted in the United States, since the late 1970s or early 1980s.

In the end it protects the health of infants and children. It improves the protection afforded to young consumers in their early stages when they use items which are available on the market that may at times even be marked as safe but are not as safe as they should be, because the content of lead used in the coating may be 10 times as high as that used in other jurisdictions.

Mrs. Lise Bourgault (Argenteuil—Papineau): Madam Speaker, I am pleased to respond to the motion presented by

the Hon. Member for Davenport (Mr. Caccia) regarding the permissible lead content for consumer paints.

The Department of Consumer and Corporate Affairs, among other Departments, has been concerned for many years about the risk posed to Canadians by lead. The Department is aware that humans are exposed to lead from many sources. For example, trace levels of lead are found in the air, in water, and food. The Department is also aware that children are more susceptible than adults to the toxic effects of this metal.

In the past, when the need for action was demonstrated, the Department took several measures under the Hazardous Products Act to limit the exposure of Canadians, particularly children, to this insidious toxic metal. These initiatives were taken either in response to a specific need, as with the 1971 regulations governing the release of lead from glazed ceramic dinnerware, or as part of the over-all federal government policy to reduce the use of lead in the environment.

• (1720)

One of the first initiatives under the Hazardous Products Act was the establishment of a limit for the quantity of lead in liquid coating materials such as paint used on children's furniture. The limit which came into effect on May 1, 1970, is 0.5 per cent by weight.

Following this, on November 4, 1970, children's toys and playthings, painted or decorated with a coating that contained lead in excess of 0.5 per cent, were banned. On August 21, 1973, similarly coated pencils and artists' brushes were banned. Effective January 1, 1976, paints sold to consumers for home use could not contain more than 0.5 per cent lead. These requirements remain in force today.

The Department of Consumer and Corporate Affairs has demonstrated unfailing concern for the safety of Canadians. On numerous occasions, actions under the Hazardous Products Act have been taken to remove hazardous products from the market-place and to protect Canadians. In addition, the Department devotes considerable effort to ensuring that existing regulations continue to provide adequate protection for Canadians. Recent examples are the revisions to the regulations for cribs and children's sleepwear.

The motion of the Hon. Member is that the Government should consider the advisability of reducing the allowable lead content in all consumer paints, particularly those used on products for children, from the existing level of 0.5 per cent to 0.06 per cent. Prior to 1950, lead pigments and other lead compounds were used extensively in paints, but new technology and materials have virtually eliminated lead from household paints. Lead pigments are no longer used and, although small quantities of lead dryers are apparently necessary for some formulations, they too are being replaced.

In 1974, as the Hon. Member was saying, the U.S. Consumer Products Safety Commission concluded that a level of 0.5 per cent lead in paint was safe. In 1976, the U.S. Congress directed that the commission determine if a lead level in excess of 0.06 per cent but less than 0.5 per cent was safe. Although there was a little new information, powerful consumer advocacy groups supported by Senator Edward Kennedy intervened in the hearings held by the commission in support of the 0.06 per cent limit.

Subsequently, the commission decided that the available scientific information was insufficient to determine if the lead levels between 0.5 per cent and 0.06 per cent were either safe of unsafe. Therefore, the legislative process in the United States dictated that the new lower limit of 0.06 per cent be established.

Canada has not experienced the outbreaks of severe lead poisoning from paint ingestion observed in the United States. I think it is important to note that in most instances, lead poisoning in the United States occurred with children who suffered from an affliction called "pica", an abnormal tendency to compulsively chew on things, and who also had access to old paint heavily laced with lead. As I stated earlier, such paints were manufactured long ago, decades before the Hazardous Products Act was proclaimed.

In recent years, information obtained from a sampling of hospitals across Canada indicated that there are no confirmed reports of lead poisoning from paints. The experience of other information sources such as medical associations, consumer complaints and representations from consumer advocacy groups is similar. Consequently, there is no reason to believe that Canadians are not adequately protected by the regulations for paints under the Hazardous Products Act.

In addition, it is my understanding that the scientists at Health and Welfare Canada maintain that the 0.5 per cent limit for lead is adequate. Officials in the Department of Consumer and Corporate Affairs will continue to monitor this situation to ensure that Canadians are well protected from lead in consumer products subject to the Hazardous Products Act.

Ms. Lynn McDonald (Broadview—Greenwood): Madam Speaker, I would like to begin by congratulating the Hon. Member for Davenport (Mr. Caccia) for bringing in an excellent resolution today which will be one important measure toward improving the health of Canadian children. Of course, we need many more measures to attack the problem of lead poisoning.

Of course, we are becoming more and more aware that even very samll quantities of lead in the air, in the soil, in paint, in water and from other sources will have a developmental effect on children. There are effects on their ability to grow, on their mental development and on their hearing. Of course, in larger quantities, lead can cause blindness and even death. These are the acute effects of lead poisoning.

The evidence we are beginning to get now as to what amounts of lead are commonly found in the blood of children is shocking. These levels are very dangerous indeed. I take a

particular interest in this subject because in my own riding of Broadview—Greenwood, in South Riverdale, there has been an enormous amount of exposure to lead from a company in the area. Indeed, right now, soil that has been lead contaminated is being removed.

The children in that area, of course, are exposed not only to the lead in the soil and the lead which comes into their homes by way of dust, but they can be getting it through lead in water pipes and through food. Of course, many of the older homes used lead paint. Children do touch things and put their hands in their mouths, and it is a cumulative effect.

We just cannot be reassured by this very complacent Government that everything is being done correctly or that, because lead in gasoline is gradually being reduced, the problem is being taken care of. It is not being taken care of because children are exposed in so very many different ways.

It may be that there is no safe level for exposure to lead, and children, of course, are particularly vulnerable. The supposedly safe level for lead of 25 micrograms per decilitre of blood was set in 1985. It is probably too high. I might note that in my riding, a very large number of children have been shown to be at risk at this very, very high level of exposure. Now we are beginning to get information which suggests that at levels typical for Canadian children of 10, 12 or 15 micrograms per decilitre of blood, there can be effects on learning, on stature, on birth weight and on hearing.

I note that in the southern part of my own riding, the average level for children is 15 micrograms. The average in urban Canada is 12 micrograms, and the average in Ontario, when considering rural and urban areas together, is 10 micrograms. We are not talking about just odd instances or children with abnormalities who have some tendency to put things in their mouths. We are talking about thousands of children who may be developmentally handicapped. They may go into adult life handicapped by exposure to lead in a variety of ways.

• (1730)

We know that the best way to attack this problem is to reduce and eliminate lead in gasoline and paint. Those are two convenient ways to begin to reduce the problem. Obviously it will be harder to get rid of lead in other forms, and we need a comprehensive approach. However, the proposal before us is certainly a most reasonable one. It is to reduce:

> —the allowable lead content in all consumer paints, particularly those used on products for children, from the existing level of 0.5 per cent to 0.6 per cent.

Where did these numbers come from? Interestingly enough his lower limit is the allowable limit in the U.S. right now. Here we have the irony of a country which has not been very good on environmental health matters with a better model than we have. The Government ought to be ashamed that we have Members of Parliament urging that an American standard be adopted in order to give Canadians better protection than they already have from their own Government. I hope it is ashamed and will consider doing just that.

Lead is still allowed in paint in Canada. The words "lead free" mean up to 5,000 parts per million, whereas in the U.S. it is down to 600. Yet Environment Canada has been very complacent about this. They take the view that, with respect to the reduction of lead in gasoline, the problem has been resolved. We have done enough and do not have to worry any more. That is certainly not the case at all.

The Hon. Member referred to the lead and gasoline problem and I want to refer to it as well because we need a comprehensive approach. We want to see progress in particular areas but we need to reduce lead emissions from gasoline as well. Studies show that 30 per cent to 40 per cent of lead in children's blood is directly attributable to lead in gasoline. The figure is probably higher on an indirect basis. Yet our standard of .2 grams per litre, which we went to this year, was adopted in the U.S. in 1982. We are behind the U.S., and yet the Government adopted an advertising approach reminding people of their duty as citizens to buy unleaded gasoline, this instead of appealing to their pocket-books in a very practical way by hiking taxes on leaded gasoline in order to encourage use of unleaded.

I note as well that the Department of National Defence uses leaded gasoline routinely. It is a major government Department with an enormous number of motor vehicles and it is contaminating the environment in which children have to grow up. The Department is causing a serious health hazard, and that is most reprehensible. The federal Government ought to change its policies. The taxpayers' money is being used in a way which is causing ill health and possible mental retardation among very young children.

Children are much more vulnerable than adults. They are shorter, more exposed to exhaust fumes, and in certain cities, and my own is a prime example with an enormous amount of traffic, they are particularly exposed. They have more soft tissue and the toxins concentrate in those tissues. We therefore have a responsibility to see that they have the protection they need so they will be able to develop properly and not be harmed by lead. Some 30 per cent of lead absorbed ends up in the brain or soft tissue where it interferes with the production of key proteins. That has an effect on nerve cells.

I simply want to conclude by pointing out that this is a problem of massive dimensions. Pollution Probe estimates that half of Canada's pre-school children are at risk as a result of these low levels of lead to which they are exposed. This is not good enough. We need tougher standards. We need comprehensive coverage including paints, toys, exterior and interior paints, and gasoline. This is a serious problem and I strongly endorse the resolution before us today. I urge the Government to take much speedier and stronger action to give health protection to our young children.

Mr. Jim Caldwell (Essex—Kent): Madam Speaker, I am very pleased to join in this debate this afternoon. I first want to say to the Hon. Member for Davenport (Mr. Caccia) that his ongoing concern in particular areas of the environment is always interesting. Then we have the new NDP critic, the Hon. Member for Broadview—Greenwood (Ms. McDonald). She left the committee which we feel is the most important, namely, the Standing Committee on Communications and Culture. Certainly we will miss her input. However, I am sure her interest will continue in the committee dealing with the environment. She has already created a reputation in that area. However, we miss her in the committee dealing with communications. Some of us still have some bad habits which the Hon. Member may have to come back to correct.

I also want to say that we are very pleased that the Minister of National Health and Welfare (Mr. Epp) was present for most of the debate this afternoon. It is rather uncommon for a Minister to hear speeches during Private Members' hour, and we are certainly pleased he was here to listen to most of them.

I want to comment on the motion presented by the Hon. Member which refers to the permissible lead content in consumer paints. This is of great interest to all Members who have concerns about the environment, certainly those with young children who are most susceptible.

For many years the Department of Health and Welfare shared the concerns of the Member about undue exposure to lead by inhalation or ingestion. Certainly there are a number of sources which contribute to the total body burden of lead. They do not all come from paint alone. Daily exposures most commonly result from naturally occurring levels in food, airborne lead, especially in urban and industrialized areas, inhaled dust, and, to a lesser extent, from consumer products and even our drinking water. The Hon. Member's motion states that:

> —the government should consider the advisability of reducing the allowable lead content in all consumer paints, particularly those used on products for children, from the existing level of 0.5 per cent to 0.06 per cent.

The level proposed is, as was pointed out, the regulated lead content of paint in the U.S. It was enacted into law by the U.S. Consumer Products Safety Commission on February 28, 1978. This content level was based on consideration of the extensive number of lead poisoning cases occurring in children from core areas of cities with deteriorating buildings. These old buildings contained painted woodwork and walls that contributed significantly to total lead intake in children who chewed upon painted wood or ingested chips of paint flaked from the walls. The 1978 rule of the U.S. commission superseded early legislation requiring paint to contain less than 0.5 per cent lead in 1976 and 1 per cent in 1971.

Canada has carefully considered the health effects of lead and acted promptly to reduce daily lead exposure in all segments of the population. Starting in 1969 the Government of Canada took action under the Hazardous Products Act to prohibit the sale of certain products containing lead above specific ceilings. For example, all pencils and paint brushes as well as furniture and toys to be used by children may not be coated in paints containing more than 0.5 per cent total lead content; glazed ceramic cookware must not release lead in excess of seven parts per million when subjected to standard testing; paints sold to consumers for use inside or outside homes or on any furniture or product are regulated if they contain more than 0.5 per cent lead.

A number of food commodities have maximum tolerable limits prescribed under the Food and Drugs Act. The Department of the Environment acted to require lead levels in gasoline to be drastically reduced and eventually eliminated. Exposures to lead in the workplace have decreased dramatically over the decade.

• (1740)

The Department is currently reviewing all lead regulations under the Hazardous Products Act and the Food and Drug Act to ensure that Canadians are adequately protected. In order to decide upon the need to further reduce the lead concentration in paint it is necessary to consider the health effects data that indicates the extent of lead intoxication in Canada, the most significant sources of human exposure to lead, and current uses of lead in paint.

From information obtained from Statistics Canada and contacts within Canadian hospitals, diagnosed cases of lead poisoning that can be attributed to ingestion of paints are rarely seen in Canada. In addition, the total number of cases of lead poisoning from all environmental sources has decreased since the early 1970s.

Canada never experienced the health problems associated with lead absorption from ingestion of lead paints to the same extent as seen in the United States. From 1950 to 1970 in that country it became clinically evident that children were being unduly exposed to high concentrations of lead through ingestion of paint chips, plaster, or old wallpaper saturated with paint found in houses constructed before 1940. Before 1940 lead compounds were more liberally used by the paint industry.

In 1978 the legislation in the United States establishing a ceiling on the lead content of household paint at 0.06 per cent was enacted in response to the crisis experienced at that time. The 0.06 per cent value was chosen because it represented the background concentration in paints to which lead had not been intentionally added. In addition to this legislation, large public health programs were initiated to remove the layers of paint from older urban housing. These two American initiatives as well as the greater public awareness of the problems associated with undue exposure to lead led to a reduction of blood-lead levels in children in the United States. Blood-levels in children in the United States are beginning to approach those found in Canadian children. Therefore, it is working.

It is often not clearly understood or explained that frequent reports of lead poisoning in children who had ingested paint

peelings or chips involve a type of white lead paint that has not been made in North America for over 40 years. Modern white paints contain titanium dioxide rather than white lead as the pigment. Such paints present little hazard. Until a few years ago small quantities of coloured lead pigments were frequently used in yellow, orange, blue and green paint. Voluntary action on the part of paint manufacturers led to the use of alternative, non-lead pigments. Today only very small amounts of lead-containing compounds are occasionally used as drying and binding agents in consumer paints.

The Hazardous Products Act regulates the sale of interior architectural paints containing more than 0.5 per cent lead in the dried film. The Department of Consumer and Corporate Affairs routinely analyses interior paints to ensure compliance. In recent years most consumer paints have been found to contain lead at levels considerably below the 0.5 per cent limit.

Exposure to lead is experiences primarily via naturally occurring levels in food and inhaled particles. There is little evidence that consumer paints contribute significantly to human exposure to lead in Canada, even in children. A number of recent studies have been conducted on blood-lead levels in children both in Canada and in the United States. In general, urban children living in high-density areas tend to have higher blood-lead levels than children in less dense areas. This has been attributed to greater exposure to lead arising from automobile emissions. Clusters of high blood-lead levels and even overt clinical symptoms may be seen in communities where deliberate inhalation abuse of gasoline is prevalent.

Scientists within the Department of National Health and Welfare have carefully examined recent research results on the effects of low levels of lead in the body. They have concluded that there is a need to reduce the existing intervention level of 40 micrograms per decilitre of blood to 20 to 25 micrograms per decilitre of blood.

This conclusion was based upon new and old scientific evidence of effects in the most sensitive portion of our population, that being children. An intervention level is used to trigger an active program to identify the sources of an individual's exposure to lead and a strategy to reduce the body's lead levels before health may be affected. In addition, the World Health Organization has proposed, and the Department has supported, a revised maximum allowable weekly intake for lead in children of 25 micrograms per kilogram of body weight.

The need to reduce intervention levels should not be confused with a need to reduce lead levels in paint. Most consumer paints presently available in Canada have lead contents below that prescribed by legislation, and lead intake via ingested paint is considered by officials in the Department to represent a minor route of exposure in Canadian children.

Nevertheless, I should impress upon the House the need for us to be prudent and to reduce potential Canadian exposure to toxic substances, when feasible, to levels considered to pose no significant risk. I can tell the House that officials of the Department of National Health and Welfare are currently discussing the feasibility of the mandatory elimination of all lead-containing additives in paint products to which children are exposed.

Scientists within the Department will continue to monitor this situation to ensure that Canadians are well protected from exposure to lead and other toxic chemicals in consumer products, food, and the environment.

Mr. Rob Nicholson (Niagara Falls): Madam Speaker, I am pleased to have this opportunity to speak on Motion M-54 put forward by the Hon. Member for Davenport (Mr. Caccia). At the outset I would like to say how pleased and interested I was to hear the comments of the Member for Essex—Kent (Mr. Caldwell). As you know, that Member has a reputation for being sensitive to environmental issues as well as a whole range of other issues. It is a credit to the people of his riding that they had the foresight to send him to Parliament. He has been a tremendous addition to this place, and I and other Members have been very pleased to have been associated with him these past three years.

The motion which we are debating today states:

> That, in the opinion of this House, the government should consider the advisability of reducing the allowable lead content in all consumer paints, particularly those used on products for children, from the existing level of 0.5 % to 0.06 per cent.

The proposal makes a certain amount of sense in the same way as a motion supporting motherhood would make a lot of sense. Lead is a well-known environmental poison and is highly toxic to humans. That is undebatable. Once released into the environment it does not move through natural pathways to more remote locations. Compared to other heavy metals it has a very long environmental persistence and, therefore, is a product which we should be very concerned about and aware of. If there is widespread exposure to lead now, future generations will also be exposed to the lead which is already in the environment or is being added to it every day.

There is no doubt that releases of lead into the environment and human exposure to it constitute, therefore, major environmental and health problems. Having said that, I must, nevertheless, point out that the motion of the Hon. Member for Davenport is redundant. The motion asks the Government to consider the advisability of reducing the allowable lead content. I maintain that the Government, through its highly trained and extremely competent specialists in the Departments of National Health and Welfare, Consumer and Corporate Affairs, and the Environment have already considered the advisability of such a reduction and found that it is not warranted.

Canada has already carefully considered the negative health effects of lead and has implemented a variety of effective measures which strictly control the use of lead, curtail the release of lead into the environment, and keep the exposure of Canadian citizens to lead well within safe limits.

There are two primary causes of human exposure to lead. The first is the naturally occurring levels in food, and the second is through atmospheric particles which are inhaled. Lead is a normal constituent of the earth's crust and trace amounts of it are found naturally in water, soil and food. The Hon. Member's motion is directed specifically toward paint. However, there is little evidence to indicate that paint of itself is a significant contributor to human exposure to lead in Canada, even among children.

• (1750)

It is true that the public tends to associate lead poisoning with the ingestion of paint by children. Certainly, this issue received a great deal of attention particularly in the United States several decades ago. In fact, in the years before 1940 lead was commonly used in paint in concentrations a great deal higher than we find today. From 1950 to 1970 it became clinically evident in the United States that children were becoming unduly exposed to high concentrations of lead. These came through the ingestion of paint chips, plaster and old wallpaper that had been saturated with leaded paints. These sources of lead were found primarily in houses that had been constructed prior to 1940.

In response to this crisis, the United States passed legislation in 1978 that established a ceiling on the lead content of household paints. This ceiling was set at 0.06 per cent.

In addition, wide-scaled public health programs were set up to strip old paint from older urban housing. In brief, this was the source of public concern over lead in paints.

I believe it should be pointed out that, thankfully, Canada has never experienced the health problems associated with lead absorption from the ingestion of lead paints to the degree that has been found in the United States. According to information from Statistics Canada, formerly the Dominion Bureau of Statistics, and compiled from data provided by Canadian hospitals, diagnosed cases of lead poisoning that can be attributed to the ingestion of paint are extremely rare in this country.

This experience is paralleled by information provided from other sources, such as medical associations, representations from consumer advocacy groups and the monitoring of consumer complaints. Therefore, there is every reason to believe that Canadians are already adequately protected from lead in paint through regulations for paint contained in the Hazardous Products Act.

Canada has an effective package of safety measures designed to limit the exposure of Canadians, particularly children, to lead, regardless of source. They are part of the over-all policy of the federal Government regarding lead, which is to control and reduce releases of lead into the environment.

The Hazardous Products Act to which I referred earlier limits the quantities of lead present in liquid coating materials. Therefore, paints sold to consumers for use inside or outside the home, or for use on any furniture or household products are regulated if they contain more than 0.5 per cent lead. I should add that exposures to lead in Canadian workplaces have declined dramatically over the past decade.

Most important, Environment Canada has moved to drastically reduce lead levels in gasoline and will eventually eliminate lead from gasoline entirely. This is extremely significant because motor vehicles are the greatest single source of lead in the environment.

The Government is already taking effective action to protect Canadians from the deadly effects of lead, whatever the source. In the specific area of paint, which the Hon. Member's motion addresses, levels of lead in most paints produced today are already well below the present safeguard level of 0.5 per cent.

When accounts appear of lead poisoning in children who have ingested lead-containing paints, they are invariably linked to paints of type that have not been manufactured in North America for over 30 years. Modern technology, in combination with voluntary restraint on the part of paint manufacturers, has done away with the need for further restrictions such as those contained in the Hon. Member's motion.

For example, modern white paints contain titanium dioxide rather than lead as a pigment. Voluntary actions by paint manufacturers as well have lead to the use of alternative non-lead pigments. At present, lead is only used in paint compounds where its technical properties make its replacement difficult. According to analyses routinely carried by Consumer and Corporate Affairs Canada, most paints have been found to contain lead only at levels considerably below the 0.5 per cent limit.

I suggest that Canadians are already well protected from lead in paints. Therefore, the Private Members' Motion of the Hon. Member for Davenport is unnecessary and I suggest that the energies of the House could better be directed toward more genuine and pressing environmental and health concerns that confront Canadians, such as the clean-up of the Great Lakes and the Niagara River.

Mrs. Barbara Sparrow (Calgary South): Madam Speaker, I want to address Private Members' Motion M-54 which was introduced by the Hon. Member for Davenport (Mr. Caccia).

This motion was ostensibly drafted to address one aspect of the problem of lead in the environment. There is no doubt that lead is an element highly toxic to both humans and the environment. Exposure to high levels of lead can cause serious and acute symptoms. Fortunately, advances in industrial hygiene have virtually eliminated acute lead poisoning.

However, chronic exposure to low levels of lead in the environment is also a serious health concern. Low levels of lead are known to interfere with haemoglobin synthesis. They are suspected of causing neuro-physiological and behavioural

effects, as well as teratogenic effects. That is, they are suspected of being able to cause injury to a foetus without affecting the mother. They are also suspected of inducing growth inhibition and hypertension.

The Hon. Member's motion focuses on lead in paint. It states:

> That in the opinion of this House, the Government should consider the advisability of reducing the allowable lead content in all consumer paints, particularly those used on products for children, from the existing level of 0.5 per cent to 0.06 per cent.

I believe it can be demonstrated that consumer safeguards already on the books give Canadians more than adequate protection from chronic exposure to low levels of lead.

Health and Welfare Canada expressed its concerns about the potential effects of lead pollution on human health in the early 1970s, and it identified those human sources of it that contributed to an increased body-burden of lead.

Consequently, action was taken on many fronts. Baby foods were put into lead-free containers. The lead content of paint was regulated. Lead emissions from secondary smelters were controlled. The maximum lead content of gasoline was initially set at 0.77 grams per litre and has since been lowered even further, as I will explain later.

Let us examine the use of lead in paint since that is the area singled out by the Hon. Member's motion. The use of lead in paint in Canada is subject to the requirements under the Hazardous Products Act. I thank you for giving me the opportunity to speak to this motion, Madam Speaker.

The Acting Speaker (Mrs. Champagne): I regret that I must interrupt the Hon. Member.

[*Translation*]

The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

ADMINISTRATION OF JUSTICE—RECOMMENDED TELEVISION COVERAGE OF CRIMINAL TRIALS

Mr. Alan Redway (York East): Madam Speaker, as you know the Canadian Charter of Rights and Freedoms has in it a provision, Section 11(d), which sets out that any person charged with an offence has the right to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal. Every single word in that particular section of the Charter of Rights and Freedoms is significant and important. Perhaps it is impossible to pick out one phrase or one word that is more important than another but there is particular significance in the two words in that section "public hearing". Those are very important words and they are in the section for a reason. That reason is that all hearings and trials held over the years in our courts were not always held in public. In fact, traditionally many of them were held in private and the public had no access whatever to those courts or hearings.

It was as a result of that that some very unfortunate and frightening things went on behind closed doors of courts and hearing rooms which were not open to the public. One thing that comes to my mind is the history of intimidation, even the torture, of some witnesses to confess or to tell a story which perhaps was not true. In many cases it was not true at all. In the courts years ago there was behind closed doors this effort to fabricate evidence by torture and by other means that would not be exposed to the light of day because the public could not see what was happening.

Years ago in England those courts were known as the Courts of Star Chamber. It was because of the Courts of Star Chamber and the horrible reputation which they had, a reputation which I suggest would approach the courts of the Spanish Inquisition, which made the public and the legal system realize how significant and important it was to have open and public hearings. As a result that has become part of our civil liberties and it has become enshrined in the Canadian Charter of Rights and Freedoms.

Until recently when we thought of public hearings and public court trials, we thought in terms of a court room which the public could come in and out of at will, subject to not disrupting proceedings. The door was open and members of the public could come into a court room, sit down, watch and listen and leave when they wanted to. That is what we have traditionally thought of as a public hearing.

Very recently as you are aware, Madam Speaker, there has been a change in the concept of a public hearing. With the new electronic media it is quite possible to have television in a court room or a hearing room so that not only a few members of the public, limited by the size of the seating capacity, but virtually every person in the world would have access and could be part of that public hearing process. That is a new concept, something which we have not come to as yet in this country.

We have seen in the United States on American cable television the broadcasting and televising of some rather interesting and perhaps lurid trials, some of them murder and some of them divorce trials. Some have caught a great deal of public attention. Through that publicity and through the fact that Americans have had the advantage of television in public hearings and in court rooms, we in Canada have started to become interested in this concept. Approximately six different royal commission hearings in Canada have been televised. The public has been able to watch and see on a daily basis,

sometimes for many months, the proceedings of those royal commission hearings.

• (1805)

The result is that we in Canada now have a growing interest in the televising of court proceedings as part of this public hearing process that is guaranteed by our Charter of Rights. In June of this year the Law Reform Commission of Canada recommended that there be televised trials held in Canada on a two-year experimental basis. That was followed in July by recommendations by the Ontario Royal Commission, headed by Mr. Justice Thomas Zuber of the Ontario Supreme Court, who also recommended that, on an experimental basis for the public interest, there be televised proceedings of criminal justice trials. In August the Canadian Bar Association followed with a similar recommendation. A great deal of interest has been indicated. A great many recommendations have been made by at least three different investigating bodies.

It seems to me it is time for the Minister of Justice (Mr. Hnatyshyn) to take a stand on this issue. I know that perhaps he is concerned about grandstanding in the courts. Perhaps he is concerned about what goes on in the House of Commons with television here. But, bearing in mind his own comments that the public has to know and find out about the criminal justice system, this is a method of doing it.

I hope that tonight the Parliamentary Secretary will tell us that the Minister of Justice will be taking a leadership role and recommending the institution in federal courts of television for trials, and also taking a leadership role in urging provincial Ministers of Justice and provincial Attorneys General to do the very same thing in provincial courts.

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Madam Speaker, I am pleased to have the opportunity to respond on behalf of the Minister of Justice and Attorney General of Canada (Mr. Hnatyshyn) to the Hon. Member for York East (Mr. Redway). The Hon. Member has raised many points with regard to the advantages of television coverage of criminal trials.

The question of electronic media access to the courts is a complex one. There are at least three elements that make it so. First is the degree and purpose of access; the question of which equipment is used; and the question of which courts should have this access. The complexity of the matter, as the Hon. Member has suggested, has been reflected and studied and yet remains to be studied.

In June of this year, the Law Reform Commission of Canada recommended that a national experiment be conducted to examine what effect, if any, the presence of the electronic media would have on participants in the criminal process, such as witnesses, lawyers, judges, and jurors. As an interim measure, the Law Reform Commission recommended that electronic media coverage be permitted immediately in criminal appeals, and that the use of audio recorders be allowed in criminal proceedings as a means of ensuring accuracy in the transmission of statements made in open court, but not for broadcast purposes.

The Ontario Courts Inquiry conducted by Mr. Justice Thomas Zuber of the Ontario Court of Appeal recommended, as the Hon. Member has suggested, amending the necessary Ontario legislation to permit the use of tape recorders in the court room as a method of taking notes. The Zuber inquiry called for electronic media access to the court rooms of Ontario for an experimental period of two years.

• (1810)

This past August a special committee, established by the Canadian Bar Association to examine the issue of cameras in the courts, released its recommendations which called for full media access to all appellate courts, including the Supreme Court of Canada. This recommendation was adopted by a wide margin by the National Council of the Canadian Bar Association. However, a further recommendation calling for a two-year trial program to give access to the electronic and photographic media to cover proceedings in Canadian trial courts was adopted by only a very slim margin.

The Minister believes that these are all very serious and even fundamental concerns which have been raised. Certainly he must consider the public's right to know, the freedom of the press, the educational value of broadcasting court proceedings, and even the opposition to the suggestion of this kind of television coverage.

Opponents often refer to the prejudice of the right of an accused to a fair trial, invasion of the privacy of defendants and victims, intimidation of witnesses, grandstanding and even advertising by counsel, the physical disruption caused by cameras in a court room, the sensationalization and distortion of proceedings.

Constitutional responsibility over the whole question of electronic media access to superior, district, and provincial courts lies with the respective provincial Governments. Nevertheless, the Minister of Justice and Attorney General of Canada is following the public debate on the matter, including the remarks of the Hon. Member tonight, in part because the question arises in relation to federally constituted courts as well. He awaits with great interest the outcome of the study by Chief Justice Clarke's committee which has been undertaken on behalf of the Canadian Judicial Council to look into the same matter.

REGIONAL DEVELOPMENT—GOVERNMENT PROJECTS IN ST. JOHN'S EAST, NFLD./REQUEST FOR SPEEDY START TO PROJECTS

Mr. Jack Harris (St. John's East): Madam Speaker, I rise to elaborate further on the question which I put to the Prime Minister (Mr. Mulroney) on August 13, 1987. It dealt with projects announced by the Government during the one-month period leading up to the by-election in St. John's East on July 20. We had some $33 million worth of projects which the Minister of Transport (Mr. Crosbie) took great pains to try to

convince the public were done in the ordinary course of government business.

If that were the case, I would expect that in the almost three months which have passed since that time we would have had $33 million per month or another $100 million worth of announcements of projects in St. John's East. We have not heard anything further on those announcements, and constituents in my riding are quite concerned about when those projects will in fact be started.

I understand that some work has been started on some of them. However, on August 13, I essentially asked for a report on when work would be available for the unemployed in Newfoundland, particularly on the projects to which I referred—a wharf restoration project in Long Pond, a project in Foxtrap for harbour improvements, the Bauline breakwater which was announced at a cost of $1.5 million, and the breakwater at Flat Rock which will cost $1.2 million.

I understand that there is some problem with these projects and fisheries improvements for $6 million in St. John's. I would like to have a firm commitment from the Government on when these projects will actually be undertaken.

I understand that these announcements were made in the ordinary course of government business, so one would anticipate that all studies had been done, that all preliminary work had been done, and that they were ready to start spending the money and commencing construction on these projects.

I would like the Parliamentary Secretary, in answer to my question, to outline the scheduling of these projects, particularly the ones referred to in my question on August 13—the breakwater in Bauline, the breakwater in Flat Rock, the Foxtrap harbour improvement program, and the wharf restoration in Long Pond at a cost of $6 million.

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Madam Speaker, I am pleased to have an opportunity to respond to the Hon. Member for St. John's East (Mr. Harris) on behalf of the Minister of Fisheries and Oceans (Mr. Siddon).

No one in the House is more concerned about small craft harbours than myself because indeed I have many of them in my riding. The Government has now undertaken a massive harbour revitalization program to bring my harbours in Prince Edward Island, his in Newfoundland, and others across the country into a good state of repair.

• (1815)

I am pleased that the Hon. Member for St. John's East recognizes that in addition to the Department of Fisheries and Oceans providing essential harbours and services to the commercial fishermen of Newfoundland, there are also substantial employment benefits to fishing communities derived from the construction and annual maintenance of these harbours. Our Harbour Revitalization Program, which was announced by the Minister of Fisheries and Oceans last June, has already committed over $3 million to projects at Flat Rock, Foxtrap, Outer Cove and Bauline in the riding of St. John's East. These projects are now in the engineering stage and will go to public tender and then proceed to construction.

In the Province of Newfoundland, there have now been 25 projects approved under the special program of a total value of over $20 million. While most of the projects are in the engineering stage, tenders have already been called on several projects and construction has started at Lower Island Cove and St. Bride's. Contracts for most of the remaining projects will be awarded prior to the 1988 construction season.

I might add that in addition to the Harbour Revitalization Program projects that have been announced for Newfoundland fishing harbours, the Minister has also approved some $11 million of repairs and construction at 120 Newfoundland fishing harbours from the Small Craft Harbours regular 1987-88 maintenance budget. Virtually all of that work is already under way. To date this brings the total of approved harbour work in the Province of Newfoundland to $31 million. I would conclude by saying that probably not since John Diefenbaker's Government has there been so much effort and money committed to revitalizing small craft harbours in Canada.

The Acting Speaker (Mrs. Champagne): Before giving the floor to the Hon. Member for Hamilton Mountain (Ms. Dewar), I must say, looking at the gallery of the House of Commons, I have never felt so well protected. Should I become sick, I know I will be in good hands.

PUBLIC SERVICE—RECOGNITION OF PRINCIPLE OF WAGE PARITY/ADJUSTMENT MECHANISM

Ms. Marion Dewar (Hamilton Mountain): Madam Speaker, it gives me a certain amount of concern but also some pleasure to rise to speak on this issue because I think it is a very important one. As you have said, we may feel well protected but I think a profession that has been often neglected has been the nursing profession, not just in our country but in society in general.

Of course we have a very serious problem before us at the moment. I have asked the President of the Treasury Board (Mr. Mazankowski Cotret) if he would take action quickly because the Human Rights Commission made a decision in July which provided that registered nursing assistants should receive equal pay for work of equal value. Of course, that skewed the balance that had existed traditionally in the nursing profession. There had been a historical differential of 25 per cent in the pay rates of registered nurses and registered nursing assistants.

In 1985, the President of the Treasury Board suggested that there be joint bargaining negotiations. The registered nurses working for the federal Government at the time entered into those negotiations with good faith. They were quite happy to be a part of that joint negotiating team and to look at equal pay for work of equal value. However, since then, the Human

Rights Commission decision has certainly put that out of balance, and I must say that the decision is retroactive to 1980.

We now have the situation of federal hospitals staffed and supervised by nurses who are in some cases actually getting paid less than the people they are supervising. I am quite sure that the Government would recognize the fact that this is a totally unacceptable and unjust situation. I think it requires immediate action.

The answer that has often been given is that the Government does not want to interrupt the process of collective bargaining. This is not the process of collective bargaining. We are talking about something that is totally out of whack at the moment. It must be corrected quickly.

Nurses are not a militant group. The fact that the nurses are present in the gallery of the House of Commons this afternoon tells us how deeply upset they have become about this whole situation and how they feel that they are being greatly mistreated. What we want is some way of looking at equalizing the pay differential.

• (1820)

In 1977 we had an arbitration decision involving the Wellesley Hospital. I recognize that is an Ontario decision but it established the right to the differential, and that it had in fact existed over the years. That decision is enough of a precedent that I would like the President of the Treasury Board to look at it and establish some kind of mechanism outside of the joint bargaining table in order to achieve equalization.

I cannot think of any other profession which would have tolerated this situation as long as this one has. We are talking about people responsible for the delivery of medication, implementation of doctor's orders, channelling patients into the proper rehabilitation areas, and looking after liaison with the families and friends of patients so that they understand the situation. They are doing all of that and at the same time supervising other people to make sure the work is being done, yet this is not recognized in their pay. Over the last week we have talked a lot about the rights of working people and their need for an equal voice. This situation is upsetting the whole health care delivery system. We know that if the nurses wanted to bring everything to a halt, they could do it. They do not want to do it. They want some justice in the decision-making process.

It took a great deal of thought on their part before they decided to go to work in jeans and T-shirts and so on instead of their professional garb. They have come to the House of Commons tonight to say: "This is what we are as professionals". They are saying that all they want is equal treatment. I urge the President of the Treasury Board to quickly put some kind of mechanism in place to bring this to a quick resolution.

I know the Government has said it will put the entire labour relations system out of wack. It seems to me that for many, many years other professions have managed to do that to get equal treatment. The time has come to look at our nurses and recognize their profession and the fact they are giving us quality care. It is fine to give them compliments but it is much more important to give them a reasonable pay cheque so that they can have a decent standard of living and respect the people they work for as well as the patients they are delivering care to.

I ask if the Government has come up with some kind of mechanism which will bring pay equalization to these nurses who work in institutions under the administration of the federal Government.

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Madam Speaker, I wish to thank the Hon. Member for her interventions on this very important question. On September 29 the Hon. Member raised this question with the Deputy Prime Minister (Mr. Mazankowski). He indicated that he not only appreciated her question but that it was a very important matter, one that he was very concerned and sincere about. He said:

> Hopefully we can come up with a solution to this problem because, as the Hon. Member recognizes, this would impact right across the country on various other areas as well.

A joint union-management initiative to study the implementation of equal pay for work of equal value service-wide within the federal Public Service was launched in March of 1985. This Government's initiative is not only the first voluntary proactive initiative taken by the employer under the Canadian Human Rights Act, but also the largest proactive equal pay study to be undertaken. I should say as well that the Government and the President of the Treasury Board are pleased that the public service unions are participating jointly in this activity.

• (1825)

The initiative is well under way. Currently 4,419 public service employees are completing questionnaires on the job functions each one of them performs. The data gathered through this process will be evaluated under the job evaluation factors of skill, effort, responsibility and working conditions to determine the working conditions and to determine the relative value of each job. The evaluation results will then be analysed in relation to the wages which have been negotiated or set out for each of the occupational groups within the Public Service.

The female-dominated hospital services group comprises a principal focus of the ongoing study. I would like to note that as a result of a complaint under the Canadian Human Rights Act this group recently received a wage adjustment to equalize their wages with the male-dominated general services group. Registered nursing assistants are members of this group and benefited from this wage settlement. The resulting wage

increases to the registered nursing assistants has narrowed the salary relativity between registered nurses and RNAs.

The employer is sensitive to employees concerns about traditional reporting relationships and this particular matter is currently being examined. At the same time, we must recognize that traditional wage relativities may reflect the undervaluation of work performed predominantly by women, the issue which the Government is addressing through its equal pay initiatives. Upon the conclusion of the equal pay study targeted for the fall of 1988 the President of the Treasury Board will consider its recommendations and I am sure he will respond in an adequate manner.

The joint union-management initiative on equal pay for work of equal value will not solve all the labour issues we have within the public service, but it will address the very important issue of gender-based pay discrimination.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.27 p.m.

HOUSE OF COMMONS

Wednesday, October 14, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

WOMEN

WAGE INEQUALITIES—IMPORTANCE OF EMPLOYMENT POLICY

Mrs. Lucie Pépin (Outremont): Mr. Speaker, according to a report from Labour Canada, the income gap between men and women became even wider in 1985. The number of women entering the labour market increased by 46.3 per cent between 1975 and 1985, compared with 15.3 per cent for their male colleagues.

Women working full and part time are paid only 59.6 per cent of what men are paid. It is also true that among women, 35 per cent are enrolled in professional degree and post-graduate courses, compared with 6.8 per cent of men. Only 16 per cent earn more than $25,000 annually, compared with 48 per cent of their male colleagues. The gap, measured in dollars, shows a difference in salary of $11,613 per year.

This report, Mr. Speaker, demonstrates the importance of employment equity programs and the need for an employment policy for women. When is the Government going to take action on this issue? Bill C-62, which has no teeth and no substance, is not going to give women their rightful place on the labour market and in our society.

* * *

• (1405)

[*English*]

MEDICAL CARE

AMBULANCE ATTENDANTS—EMERGENCY MEDICAL ATTENTION

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, when an ambulance arrives for a loved one who has suffered a massive heart attack one normally believes that the attendants on board can perform techniques to save him or her. Unfortunately, this is not so.

According to the Advanced Coronary Treatment Foundation of Canada, nearly half of the estimated 50,000 Canadians who have heart attacks each year die *en route* to hospital. Thousands of deaths, including those resulting from car accidents and other emergencies, could be avoided if paramedic care were available at the scene.

Ontario has expanded its emergency medical services so that a number of cities, including Ottawa, will have attendants this fall trained in one advanced life support skill.

Today and tomorrow the ACT Foundation will be holding a national competition in Toronto where emergency medical attendants from across Canada will perform life-saving procedures on victims of simulated heart attacks and accident-related emergencies. Their goal is to stimulate maximum public awareness of this critical and largely neglected area of emergency care. I wish them all very good luck.

* * *

CO-OPERATIVE DEVELOPMENT WEEK

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF CO-OP ATLANTIC

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, the week following Thanksgiving is well established as Co-operative Development Week. It serves as an annual opportunity to appreciate the role of co-operative organizations and credit unions in community-based economic development. This year the week also provides an opportunity to assess the trade deal with the United States.

Members of Parliament recently received a letter from Co-op Atlantic in which we were told:

> Even if Canada could easily obtain the advantages which the negotiating team (sought), there would be solid ground for co-operators to oppose a Canada-U.S.A. free trade deal. In a unified continental market the odds favour large, vertically integrated, national and multinational corporations.
>
> It is in the nature of such organizations to aim for maximum profits and minimum social accountability. This places them in direct opposition to the democratic principles which co-operatives espouse. They operate through centralized, hierarchical control; co-ops operate through broadly-based community participation. They exploit resources to maximize present profits; co-ops stand for careful stewardship of resources in the future.

The members of Co-op Atlantic, Mr. Speaker, believe in a much larger Canada than does the Government. They favour beneficial fair trade with many partners rather than a bilateral deal which could limit other economic and trade options while

concentrating corporate power at the expense of local ownership and control.

I urge the Parliament of Canada to listen to these words of wisdom from co-operatives in Atlantic Canada.

* * *

[*Translation*]

ORDER OF GREY NUNS—250TH ANNIVERSARY

TRIBUTE, THANKS, AND WISH FOR LONG LIFE

Mr. Gabriel Fontaine (Lévis): This year we are celebrating the 250th anniversary of the Grey Nuns. We pay tribute to *Marguerite d'Youville*, the founder of the Order of the Grey Nuns. Her work, continued for two and a half centuries by a group of exceptionally dedicated women, quietly involved in meeting the daily needs of the community, has given us hospitals, schools, orphanages, and shelters for the needy.

Is there a family in Quebec that does not have at least one relative with the Grey Nuns? We have all known the excellent services they provide, and many of us still enjoy those services provided by the Grey Nuns. They are not dead. They will never die. Their material achievements may perish, but the education and philosophy of life these women have inculcated in our mothers, aunts, cousins, sisters and brothers that, Mr. Speaker, will not die. It is a lasting intellectual and social contribution that will continue to grow. I wish to pay tribute to our Grey Nuns and say a heartfelt thank you and long may they live!

* * *

TECHNOLOGY

OUTMODED PAY PROCESSING IN CERTAIN CANADA EMPLOYMENT CENTRES—NEED TO SPEED UP ISSUANCE OF PAY CHEQUES FOR WORKERS

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, we live in an age where modern technology is serving us in many ways. Thanks to advanced technology, repetitive tasks can be done at very high speed, and considering the state of our technology today, it is hard to believe that in 1987, some Canada Employment Centres continue to use a practically obsolete system for issuing pay cheques.

Mr. Speaker, our employment centres use a manual system for processing cards used to issue pay cheques to participants in the Manpower Adjustment Program. This extremely primitive system is responsible for delays of from 15 days to three weeks in issuing pay cheques. It is very inconvenient for the workers concerned, who, in many cases, cannot afford to wait that long for their pay cheque.

The CECs say they are snowed under, and they realize that the system penalizes the workers. An efficient way must be found as soon as possible to accelerate the processing of these pay cheques. Our solution might be to computerize the card processing system. In any case, this intolerable situation should not be allowed to go on. When will the responsible Minister take action and put an end to the delays in issuing Manpower Adjustment Program cheques?

* * *

• (1410)

[*English*]

TRADE

SUPPORT FOR CANADA-UNITED STATES TRADE AGREEMENT

Mr. Jim Jepson (London East): Mr. Speaker, the recent signing of a free trade agreement is being positively received by most Canadians. As can be expected, it is being criticized by the "Old Democratic Party" and the Liberals.

I quote from *The Globe and Mail* of October 7, 1987:

> Canada's free trade deal with the United States looks stronger as we get to know it.
>
> It does not threaten Canada's social programs, including regional development schemes.
>
> It does not affect Canada's cultural industries and policies. It does not threaten the automobile industry. In fact, the essential feature of the auto pact—duty-free access to the United States—will be more secure in a comprehensive deal that also stiffens North American content requirements. It does not threaten agricultural marketing boards or the supply management system.
>
> These are things free trade does not do that its critics demanded that it should not do.

I commend *The Globe and Mail* for its objectivity.

* * *

MARINE SAFETY

OPPOSITION TO DESTAFFING WEST COAST LIGHT STATIONS

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, opposition continues to grow to the Tory Government's plan to automate and destaff West Coast light stations.

The Coast Guard and the Minister of Transport (Mr. Crosbie) seemed oblivious to the fact that no one, aside from them, wants this change.

Even the members of the B.C. Conservative caucus have joined municipal and regional leaders, fishermen, recreational boaters and lightkeepers in opposing this action. Last week the Minister of Transport rejected his B.C. colleagues' intervention, suggesting that they are even more irrational than the bureaucrats.

Last week the Coast Guard indicated that it will be terminating a lightkeeper position at Saturna Island, three months before its proposed elimination. Even more outrageous is the fact that this action was to take place 11 days before the first public meeting on the Leblond Commission report. Fortunately, they recognized their error and rescinded that action.

I hope it is not too late to drive home to the Minister of Transport one more time that opposition to his change is virtually unanimous. Therefore, I invite the Minister to come to Campbell River on October 29, to hear what the community feels about lighthouse automation and destaffing.

The Minister of Transport has hidden too long on this issue. Let him come to B.C. to hear firsthand what the people there feel.

* * *

[*Translation*]

FREE TRADE

TRIBUTE TO PRIME MINISTER

Mr. Marcel R. Tremblay (Québec Est): Mr. Speaker, let me express my pride with the initiators of the successful agreement in principle on free trade with the United States. We have gone through a first stage that is both meaningful and important. The Prime Minister, the Right Hon. Brian Mulroney, has written a new page in our history. He proved that in matters of trade no borderline can hold out against the will of nations striving to open up their horizons and seek new opportunities. By signing a free trade agreement with the world's largest trading partner, we are getting closer to first place.

The link that is being established with Mexico and also the 600 million Latin-Americans south of the United States will in my view enable us, in a matter of years, to negotiate and forge special links with that huge market in America.

Conservatives in Ottawa have realized, Mr. Speaker, that a government's role is to manage, legislate, lead, prevent and foresee. Thank you, Mr. Mulroney, for that courageous, audacious, well-thought, strategic step.

* * *

[*English*]

CANADA POST CORPORATION

DOMINION, N.S.—THREATENED CLOSURE OF POST OFFICE

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, last night I attended a meeting with the Mayor of Dominion and the town council to discuss the future of the post office in this small rural town in Cape Breton. It is clear that Canada Post wants to change the system of mail delivery in this town and rid itself of a full-time staff of postal employees.

The zeal of Canada Post to close this small rural post office is only surpassed by its apparent bungling of consulting and communicating with the residents of the Town of Dominion. The people of this community want to meet immediately with senior officials of Canada Post to determine the criteria being used to close this post office. They want to know what alternatives Canada Post has under active consideration. They also want to know the date the notification period officially begins and will there be continued home mail service? In essence, the people, as well as the representatives of the Town of Dominion, want to keep their post office open and open all year round. They do not appreciate the shabby and arrogant behaviour with which Canada Post and the Minister's office have been treating them in this regard.

* * *

• (1415)

EXTERNAL AID

POSSIBLE EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, one of the overlooked benefits of free trade is what it can do for the Third World. A Canada with a strong economy is a Canada strong enough to help develop under-developed countries. A Canada with only enough resources to maintain itself is not a Canada that can share with the Third World.

Only a Canada with enough trade to generate wealth over and above what 25 million people need for their own living can be a Canada able to help others.

Let us also see that free trade will not be confined to the Canada-U.S. trade agreement. Free trade is the greatest help that all developed countries can give to the Third World. What incentive is there for a country to develop if it does not find markets for what it produces?

If Canada and the developed world open our trading doors to countries still developing, we will do more to help the Third World than all the giveaways have ever done.

* * *

ROAD SAFETY

DE-ICING COSTS—USE OF ALTERNATIVES TO SALT ADVOCATED

Mr. Jim Fulton (Skeena): Mr. Speaker, yesterday the Supreme Court of Canada ruled that Governments can be held liable for the millions of dollars of property damage resulting

from salt on the roads. The costly corrosive effects of salt on our cars, farmlands, streets and buildings, as well as its harmful effects on our soil, fish and wildlife, are now legally recognized. Even the Minister of the Environment (Mr. McMillan) admits: "Salt is known to have certain adverse environmental effects".

The federal Government should now launch a national campaign to convert away from salt to methanol or calcium magnesium acetate, known as CMA. A recent scientific report by Dunn and Schenk notes that using either substance would cut our winter de-icing costs in half. Both CMA and methanol improve traction, act as corrosion inhibitors, with no adverse effects to soil or water. What is more, both can be made from natural waste cellulose.

I made an offer as late as this past August for the Minister to begin test trials of these two road de-icers in my own riding of Skeena. The road linking Smithers, Terrace, Kitimat and Prince Rupert offers a variety of winter highway conditions. Existing vehicles can be used to apply CMA. Wood waste is readily available and Kitimat is home to the ocelot methanol plant.

In light of yesterday's Supreme Court decision and the fact that winter is fast approaching, I would urge the Government to undertake immediately a Canadian test program for CMA and methanol. They are cheaper, more efficient and a more environmentally sound method of ensuring safety on our winter roads for all Canadians.

* * *

COMMITTEES OF THE HOUSE

PROCEEDINGS IN STANDING COMMITTEE ON LABOUR, EMPLOYMENT AND IMMIGRATION

Mr. Sergio Marchi (York West): Mr. Speaker, it is sad to witness the continued government manipulation of the Standing Committee on Labour, Employment and Immigration. First it blocked the Georges Grossmann and John Quigley investigations, then it eliminated the former chairman. Yesterday the Government turned again to its bullpen of parachute replacements who descended upon the committee and poisoned the atmosphere by demanding the immediate firing of the research director.

No legitimate reasons or evidence were offered. Instead, their reasons were rooted in innuendo, unsubstantiated allegations and blatant partisan motivations. Government members also moved a motion to bar any Member from utilizing our researchers until a thorough evaluation of our research needs is completed. It is a motion which, in my opinion, is irresponsible, undemocratic and an affront to our rights and privileges as Members of Parliament.

This is a committee that offered leadership and vision. Now, thanks to the Government, it has become a sad and depressing sight, showing what happens when a Government moves in to kill free speech and independence of thought in our committees. Our system and all Canadians are the losers because of it.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—VIEW OF UNITED STATES PRESIDENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Deputy Prime Minister. Yesterday, in Somerset, New Jersey, the President of the United States, referring to the trade agreement between Canada and the United States, said, and I quote from the transcript:

> If past is prologue, we know what the results will be. Almost 200 years ago, trade barriers vanished in the United States part of this continent after the new Constitution took effect. Almost immediately, a stagnant national economy began to boom. The U.S.-Canada Free Trade Agreement is a new economic constitution for North America.

The President is really saying that the Canadian economy is becoming part of a North American economy under American direction. Why did the Government of Canada sign a trade agreement that represents a new economic constitution for North America, a trade agreement that is a sell-out of our independent economic identity on the northern half of this continent?

• (1420)

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Right Hon. Leader of the Opposition continues to make outlandish statements and sow the seeds of fear and apprehension in the minds of Canadians. I think he recognizes— and he is a bit of a salesman himself—that this is an arrangement that has to be sold on both sides of the border.

Clearly, the United States administration, indeed, members of Congress, who believe in the liberalization of trade, will be out selling the package. I think the President of the United States was engaged in that particular effort during the process of the debate in Canada. I would hope that we might engage in an enlightened debate without the use of fear and without the use of exaggeration, but really sticking to the facts.

I invite the Right Hon. Leader of the Opposition to reread the document and to stick to the facts. Quite frankly, I think that Canadians are prepared to engage in an enlightened debate. I invite him to join in that process.

Some Hon. Members: Hear, hear!

CONTINENTAL RESOURCE POLICY QUERY

Right Hon. John N. Turner (Leader of the Opposition): The outlandish statement, to use the words of the Deputy Prime Minister, that I cited was not the words of an anonymous American official. They were not even the words of Clayton Yeutter. They were not even the words of the Secretary of the Treasury, that intimate friend of the Minister of Finance. They were the words of the President of the United States.

You know, Mr. Speaker, in 1844 our American friends used the phrase "54/40 or fight". They wanted the border somewhere up around Prince Rupert. A year later, in 1845, our American friends coined the phrase "manifest destiny", which really meant that they wanted to run the whole continent. As late as 1952, under the Paley Commission, the United States coined a new vocabulary "resources for freedom". They wanted a continental energy policy. Now they have got it.

I want to ask the Deputy Prime Minister why it is that after the Americans for 140 years have been trying to get a continental hegemony, a continental resource policy the Government yielded to a continental resource policy rather than giving us a Canadian national resource and energy policy in order to build our economy on those resources.

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the conclusions of the Right Hon. Leader of the Opposition are dead wrong. The fact of the matter is we have had an Auto Pact agreement in this country for 22 years, which is really a free trade arrangement.

Mr. Broadbent: No, it is not.

Mr. Mazankowski: Is he suggesting we are less Canadian by virtue of the fact that we have had a free trade arrangement in automobiles which has seen exports grow from $1.2 billion to $64 billion; which has seen jobs increase from 80,000 to 130,000; which has seen investment increased by about $10 billion in the last 10 years? Are we less Canadian as a result of that, Mr. Speaker? Is that the position of the Hon. Leader of the Opposition?

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Mr. Speaker, the Deputy Prime Minister is wrong if he cites the Auto Pact as an example of free trade. It is a sectoral agreement guaranteeing Canadian participation, Canadian jobs, Canadian employment, and a Canadian share of the auto market.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): What this Government has permitted is a breaking of the East-West connection of this country in terms of energy. Now the energy of this country is directed south. That is exactly what has happened under this policy.

Some Hon. Members: Hear, hear!

[*Translation*]

CULTURAL SOVEREIGNTY—METHODS OF APPLYING AGREEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, according to documents that are still being revised and made available by the U.S. Trade Representative, the Free-Trade Agreement gives the United States the right to claim compensation. If future steps taken by Canada in the cultural area harm their interests—I am directing that question to the Deputy Prime Minister—why did the Government sign an agreement that enables the Americans to retaliate against us if we take steps to protect our culture? How did we get ourselves in that situation, in view of the fact that the Prime Minister stated on several occasions that culture was not being negotiated with the United States?

• (1425)

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Government of Canada signed no such document to which the Hon. Member refers, and he is putting a misinterpretation on it.

While we are in the process of quoting, I would draw attention to the Right Hon. Leader of the Opposition and his book, *Politics of Purpose*, in which he talks about where people stand. It was a rather expedient conversion on his part. This is what he was prepared to do *vis-à-vis* the United States. Perhaps he would like to explain this to the House and to the Canadian people. On page 183 it states:

> We might wish to export water not for money (as we sold power under the Columbia River Treaty), but in return for access to your markets.

Is that still the position of the Leader of the Opposition?

Some Hon. Members: Oh, oh!

Some Hon. Members: Shame, shame!

An Hon. Member: Turn-about Turner.

CULTURAL POLICIES—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mrs. Sheila Finestone (Mount Royal): The Prime Minister, the Minister for International Trade, and the Minister of Communications have stated that our cultural industries would be protected in any trade negotiations. With good reason Canadians have been hesitant to trust the Government. We now know that the Government has made changes in the postal subsidies, it has removed tariffs on our sound recordings and printed material, and now there is a revised October 8 document which the Deputy Prime Minister would like us to believe is not a real document. Nonetheless, that document does state, "However, the U.S. retains the right to redress any

adverse commercial effects of any future cultural measures enacted by Canada".

In the absence of the Minister of Communications, my question is directed to the Deputy Prime Minister. Why did the Minister agree to have our cultural policies frozen? Why did the Minister and the Government agree to a U.S. veto over any new Canadian cultural initiatives?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, this is another instance of the misinterpretation of a particular section of the agreement. That is not what was agreed to. That is not what that section states. What it does state is exactly what is in place now. Whether this country has a Liberal Government, an NDP Government, or a Conservative Government now, and if it takes action in providing a subsidy in any cultural area, that is distorting trade between the two countries. The other country can take action on that. But there are two safeguards that are introduced in the agreement which are not presently in place.

One is that any disagreement would be referred to a dispute settlement body. The second point is that under the current U.S. law they would take an action under Section 301 which has no monetary limitation to it. This particular provision sets a specific monetary limitation to any action that could be taken.

FILM DISTRIBUTION INDUSTRY

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I would suggest that Mr. Jack Valenti got to Mr. Reagan again. The Minister answers in the same manner in which he tried to destroy, through capital cost allowance, the film distribution industry in this country.

Some Hon. Members: Hear, hear!

Mrs. Finestone: I would like to know how can Canadians trust you and the Government?

My question is directed to the Minister of Finance. Is it not true that any new Canadian film distribution policy to improve our meagre 3 per cent share of the market will now be subject to retaliation under this new deal? If this is not the case, will you allow your Minister of Communications to table her new Bill—

Mr. Speaker: Naturally, the Chair is hesitant to interrupt the Hon. Member. But I do wish to remind Hon. Members that, in this Chamber, unlike some others, it has been the tradition, and one that Hon. Members wish to maintain, that we do not refer to other Members in a personal way. I would ask that the Hon. Member be careful.

• (1430)

Mrs. Finestone: I will rephrase the question, Mr. Speaker, to make it clear.

Mr. Speaker: I think the question is clear enough.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me respond if I could to the Hon. Member's question. First, I want to make it absolutely clear that we have strengthened our protection against U.S. action under the free trade agreement from what it is today, under the existing law today. That is a fact which is indisputable.

I would like to make a second point to the Hon. Member. She casts some allegations on our attitudes toward the film industry and other cultural industries. I ask her to go back two Budgets and see, I think it was, something somewhere between $50 million and $100 million that we provided to support the growth and development of that industry in Canada.

An Hon. Member: Answer the question.

Mr. Wilson (Etobicoke Centre): The Hon. Member does not like to hear the truth, but the fact is that that money has been expended in support of that industry.

Mrs. Finestone: Oh, oh! Bring in the film Bill.

Mr. Wilson (Etobicoke Centre): I am sorry, Mr. Speaker, but I cannot hear what the Hon. Member is saying.

GOVERNMENT POLICY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Deputy Prime Minister. President Reagan clearly understood the direction of this new agreement when he said that it was heading toward "a new economic constitution for North America". I also add immediately that spokespersons for the Mexican Government also described it that way. They said that the Mexicans would "never enter into such an agreement with the United States".

Does the Government of Canada not understand that when it proposes such major changes in energy, in services, and in investment it is giving up fundamental aspects of our sovereignty, that is to say, our own national right to control our national destiny? Will it come to its senses and put an end to this deal now?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, rather than the Hon. Leader of the NDP listening to Mexicans, perhaps he might start listening to Canadians.

For example, the Automotive Industry Association of Canada summed up its result as follows: "This is a tremendous opportunity for the automotive industry". The chairman of the Manitoba Hog Marketing Board is pleased with the Government, and says: "We have a major market in the U.S. and I am very glad that we are able to expand it". David Fulton, President of the Manitoba Cattle Producers Association, said: "The agreement would mean the end of current beef tariffs between the two countries".

Re fishing, Mr. Cummings said: "The most important aspect to us is a dispute resolving mechanism that we got. It is a hell of a gain for Canada". I could go on.

He should listen to the Premier of the Province of Quebec. He should listen to the energy sector and the textile sector. These people, speaking on behalf of their particular industries, believe that the free trade arrangement that was negotiated by the Government is good for Canada and good for their industries.

Mr. Broadbent: I say to the Minister that the people of Canada expect Ministers of the Crown to answer the questions they are asked.

If the Deputy Prime Minister does not understand this agreement, I can tell him that President Reagan understands, the Mexicans understand, many provincial Premiers understand, and we understand. We are not going to yield our sovereignty in this country to the likes of that Government over there.

ROLE OF PROVINCES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, since the Deputy Prime Minister will not deal with that question, there is another important aspect of the agreement for which his own Government has provided. He will find it on page 35, and it says the following:

> The parties to this Agreement shall ensure that all necessary measures are taken in order to give effect to its provisions, including their observance,—

And it goes on to say:

> —by state, provincial and local governments.

Since the clause I have just quoted says that the Government of Canada and the Government of the United States are required to get the appropriate agreements by state and provincial Governments, and since there are major changes in services and energy, which are clearly within the constitutional domain of the provinces, is the federal Government now going to live up to its obligation to get agreement from the provinces for such fundamental changes? That is the issue.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, if the Hon. Leader of the New Democratic Party is talking about energy, I would refer him to the Premiers of the three energy producing provinces, namely, Mr. Getty, Mr. Vander Zalm, and Mr. Devine. They all agree with the thrust of the free trade proposal because it is good for the energy sector and it is good for Canada. Why doesn't the Hon. Leader of the NDP start paying a little attention to what is good for western Canada?

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. Mazankowski: He knows what is good for Oshawa, and we support him on that. Why doesn't he support westerners for a change?

Mr. Broadbent: Mr. Speaker, I say to the Deputy Prime Minister that as a former car dealer he knows the Auto Pact was not a free trade pact. Any day of the year they would put that in place in western Canada, we would support it 100 per cent. We want its investment protection safeguards.

[*Translation*]

PROVINCIAL CONSULTATION—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): One last question, Mr. Speaker. The Minister has decided to ignore the provinces altogether. According to the Agreement with the United States, the federal Government has an obligation to consult directly to obtain the support of the provinces.

Does the federal Government intend to act according to the principles of the Agreement, yes or no? That is the question.

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, during the course of the negotiation I think that the federal Government set a tremendous precedent in terms of consultation, in keeping the provinces and in keeping the sectors informed, and even offering to keep the opposition Parties informed on progress involving the talks. That will certainly continue.

It is very interesting that the Hon. Leader of the New Democratic Party talks about how great the Auto Pact is. Maybe he would like to explain to the Canadian people why his Party opposed it in 1965.

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry.

Mr. Broadbent: Get your act straight. Have an election on it, Don; go ahead.

Mr. Mazankowski: Tell the truth for a change.

Some Hon. Members: Oh, oh!

Mr. Nystrom: Don't forget Hatfield is more popular than Mulroney.

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry.

CANADIAN CULTURAL POLICY

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a supplementary question for the Minister of Finance. I was about to comment that there have been two Tory Leaders who put their faith in free trade to the electoral test in the last two months, and we know what has happened to them; they don't even have a seat to stand on.

The Minister of Finance was talking about misinformation. I want to quote directly from the statement released by the United States Government, which is a partner in this particular trade deal. It says: "The U.S. retains the right to redress any adverse commercial effects of any future cultural measures enacted by Canada".

My question is very simple. Does that not clearly demonstrate that as far as the Americans are concerned they now have the right to retaliate against any future Canadian cultural policy? Does that stand not fly in the face of every assertion made by the Prime Minister, by the Minister for International Trade, and by the Minister responsible for culture?

In other words, we have given the Americans the right to hold a veto over any future cultural policy enacted by the Government.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is absolutely wrong. We have the right as the Government to do whatever we want to further our culture in this country.

It says very clearly in the agreement that culture is exempted from the agreement in terms of investment. It is exempted in the agreement under the specific chapter on culture.

The United States are saying that they reserve the right under the GATT which they have today. If the Hon. Member thinks back to Bill C-58, they took some actions in retaliation on that as well.

Nothing has changed. Culture is not a subject of this agreement.

• (1440)

Mr. Axworthy: Mr. Speaker, so much for the claim of the Government that it has secured access for Canadian goods and services. The Government has obviously gained nothing if the Government says the situation has stayed the same. The Minister says we cannot have the *status quo*. You have entrenched the *status quo* in this agreement.

Mr. Epp (Provencher): Which way do you want to go?

EFFECT OF AGREEMENT ON JOBS IN ONTARIO

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I want to ask another question about misinformation from the Minister. The Ontario Government tabled yesterday a study undertaken with the private sector that shows over 400,000 jobs in Ontario alone will be affected by the free trade deal. That far exceeds the 300,000 some odd jobs which the Economic Council predicts might be gained. My question is for the Minister of Finance.

When will the Government provide this House with a clear and proper evaluation of where the new jobs will be and where the job losses will be? When are you going to start telling the truth to the Canadian people as to who will win or lose under this deal?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, if I might go back to the Hon. Member's preamble on culture, which way does the Member want it? First, he says that he wants us to have full access and make culture part of the agreement. Then he says "No, I don't want to have culture as part of the agreement."

Mr. Axworthy: No.

Mr. Wilson (Etobicoke Centre): I do not know which way he wants to go.

Mr. Axworthy: That is your problem.

Mr. Wilson (Etobicoke Centre): Sometimes when you are riding the fence it is dangerous.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): As to the Member's question, I have the same article from which he was reading. If he reads down further in the article it says "It will be wrong to say that all of these 400,000 people will be affected".

Mr. Axworthy: How many will be affected? Tell us.

Mr. Wilson (Etobicoke Centre): In other words, people are saying there will be some industries that will be subject to greater competition.

Mr. Axworthy: Tell us about it.

Mr. Wilson (Etobicoke Centre): But a lot of those industries will improve their competitiveness. They will not see jobs lost. We will see that, as a result over-all, jobs will be created. The Economic Council knows that. We will have updated studies on this so that the Hon. Member can make some judgments. I hope that he will come to some honest judgments on the conclusions reached by others.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF NEWFOUNDLAND AND LABRADOR COMMITTEE ON STANDING ORDERS

Mr. Speaker: I want to bring to the attention of Members the presence in the Gallery of the Newfoundland and Labrador Committee on Standing Orders, lead by the Hon. James Russell.

Some Hon. Members: Hear, hear!

TRADE

ENERGY—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT—PROVINCIAL RIGHTS

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is for the Deputy Prime Minister. Section 92(a) of the Constitution clearly gives the provinces ownership rights over natural resources including energy. That includes the right to determine the rate of development, production and sale of a resource. What the trade deal states is that Canada will not impose any quantitative trade or cost restrictions on energy exports. At page 35 it states that Canada will take all necessary measures to provide permanent and full U.S. access.

Will the Deputy Prime Minister confirm that this deal attempts to remove provincial resource rights and that their consent as provinces must be obtained for this deal to have any validity whatever in law?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): The answer is a categorical no, Mr. Speaker.

Mr. Fulton: That is very interesting, Mr. Speaker.

ACCESS TO GASOLINE SUPPLIES

Mr. Jim Fulton (Skeena): Mr. Speaker, my supplementary question is also for the Deputy Prime Minister.

How can the federal Government promise in this agreement to give proportional access to the U.S. in cases of shortages of supply? Let me make it abundantly clear what that means. When the next oil crisis comes, which will come as surely as the sun rises, a driver, a car owner, in Prince Rupert or Montreal, being told that there are restrictions on his or her access to gasoline will not be able to fill up, but will know that at the same time U.S. drivers south of the border can fill up on Canadian gasoline. You tell me what the hell kind of a deal that is.

Mr. Speaker: I hope Hon. Members could constrain their enthusiasm. I might say to the Hon. Deputy Prime Minister that in his reply perhaps he could restrain any temptation to reply in kind.

Mr. Broadbent: That is the kind of deal Mexico wouldn't sign.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, before the Hon. Member starts swearing at me, perhaps he might learn a little bit about the energy business. I know he is just a new critic.

An Hon. Member: They dumped the old one.

Some Hon. Members: Oh, oh!

Mr. Mazankowski: I can best answer the Member's question by quoting a Senator from western Canada, Senator Olson who, I think, put the energy provisions of the free trade arrangement into perspective. If the House will allow me, I will quote because I think it should bring some objectivity to the debate. The Hon. Senator said: "We were committed to share with the United States before. We have been committed to sharing our energy resources, particularly oil with the United States since 1974. If there was a shortage, there is nothing new in that. I also know very well, as does the Leader of the Government, that if we got into a very serious situation where there was a shortage that required us to share our natural gas flow with the consumers in the United States, we would do that. In any event, there is no question about that. So what is so great about that? I have read the agreement and there is nothing in it that advances us from where we are today".

CONSULTATION WITH PROVINCES

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is for the Deputy Prime Minister. With all due respect to the Deputy Prime Minister and the Hon. Senator, they are both wrong.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. MacLellan: Ontario, Manitoba, Prince Edward Island and Newfoundland have all said that prior to the signing of the free trade agreement there was no substantive discussion on energy with the provinces.

Why did the Government on such important issues as non-discriminatory access to our energy supplies support a proportional sharing of our resources? Why did the federal Government not discuss these items with the provinces or at least even mention to the provinces that these were on the table?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I thought I answered that question yesterday. Further to my response yesterday, the Deputy Trade Commissioner was quoted on CBC news last night as saying that he, in fact, did provide the energy briefings himself. Premier Devine said: "Energy has always been on the table because it is a big trading item. For someone to say that we didn't have oil and gas on the table or it wasn't in the negotiations is simply not accurate".

Mr. MacLellan: Mr. Speaker, there is a big difference on items such as this that are in the first free trade agreement with the United States and changing the carburetor on your car. I am talking about substantive issues. It is obvious that the Americans wanted this in the free trade agreement.

GOVERNMENT POSITION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Why, Mr. Speaker, did the Government have a hidden agenda on energy with the United States when signing this free trade agreement, completely oblivious to everybody else outside the

Government and without any consultation with any other party whatever?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I know the Hon. Member was an ardent proponent of the National Energy Program. There was only one problem with that program, it didn't work.

All that is being done here—and I am glad to see a smile on the Hon. Member's face because I think he acknowledges that fact—is enshrining the policy that was enunciated by this Government in 1985.

* * *

BANKRUPTCY ACT

PROTECTION FOR WAGE EARNERS, SUPPLIERS, AND CONSUMERS

Mr. Jim Jepson (London East): Mr. Speaker, my question is for the Minister of Consumer and Corporate Affairs. As the Minister knows, the bankruptcy laws in this country are hopelessly outdated and leave little or no protection for wage earners, suppliers, and consumers.

In the new legislation which the Minister is presently contemplating, will he put protection in for wage earners, suppliers, and consumers?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, that is certainly the intent. We hope to bring forward legislation in the near future which will provide wage earner protection. We will have better consumer bankruptcy legislation, making it simpler and cheaper. We are exploring ways in which suppliers can be protected from what are close to fraudulent practices that occur all too often under the laws that exist today.

* * *

TRADE

SERVICE INDUSTRY—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, my question is for the Deputy Prime Minister. The United States scored a great triumph over Canada in negotiating a free trade agreement in services. The U.S. is a service exporting country and Canada is not. The service industry accounts for two-thirds of our economy and generates 70 per cent of our employment. Did the Minister secure provincial agreement to free trade in services which are under provincial jurisdiction?

• (1450)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, as the Deputy Prime Minister and the Prime Minister have said, there has been extensive discussion on all aspects of this agreement with the provinces, both at the First Ministers' level as well as at the officials' level. The Hon. Member should reverse her statistics and try to put a positive view on it. Yes, a large part of our economy and of our employment is dependent on services. However, could she not look at it a little positively and say in this open market with the U.S. maybe we could export some of those services?

The people I have spoken to since the agreement was signed, many of whom are in the service industry, are quite excited about the opportunities now afforded them because they can export services and follow up on some of their products with their service people to ensure they get the follow-up service required to make that market work for them.

PROVINCIAL JURISDICTION OVER SERVICE JOBS

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, as I said, the U.S. exports services and we do not. Some 83 per cent of all service jobs are held by women. Did you negotiate—

Mr. Speaker: I know the Hon. Member has an important question and I ask her, as I have asked others, to refrain from using the personal pronoun "you".

Ms. Dewar: Mr. Speaker, what provisions did the Government make to protect those jobs which are under provincial jurisdiction, 83 per cent of which are held by women?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I refer the Hon. Member to the Economic Council Review which discussed a number of aspects of the outcome of a free trade agreement. One of the conclusions they drew was that women would benefit more—

Mr. Rodriguez: They did not study the service sector.

Mr. Wilson (Etobicoke Centre): Maybe I better address this entirely to you, Mr. Speaker.

Mr. Speaker: I want to assure the Hon. Minister I would certainly listen, as will other Hon. Members, please.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, this is from a background paper from the Canadian Advisory Council on the Status of Women: "A free trade arrangement with the United States would improve economic prospects for Canadian women". The Economic Council of Canada agreed with that conclusion and said women would benefit more from a free trade agreement than would men.

Some Hon. Members: Hear, hear!

WATER RESOURCES

Mr. Speaker: The Right Hon. Leader of the Opposition.

Some Hon. Members: Author!

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Deputy Prime Minister.

Mr. McDermid: Is that an autographed copy, John?

Mr. Turner (Vancouver Quadra): He quoted from my 1968 best seller—

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): —*Politics of Purpose.*

Mr. McDermid: You can get it for 39 cents.

Mr. Turner (Vancouver Quadra): Mr. Speaker, we have been trying to move this book for 20 years.

Mr. de Cotret: We understand why.

Mr. Turner (Vancouver Quadra): The speech from which the Deputy Prime Minister quoted, using a technique which unfortunately the Prime Minister uses from time to time and which does not reflect its full import when it was made before the U.S. Chamber of Commerce on water policy, had as its thesis—

Some Hon. Members: Question!

Mr. Turner (Vancouver Quadra): I will get to the question. At page 176 the thesis was: "Hold on a minute!", I said to those Americans down in Washington.

Some Hon. Members: Oh, oh!

Mr. Hnatyshyn: On your knees!

Mr. Speaker: I might say to Hon. Members that I know it was a long time ago but I shall bend the rules of relevancy. The Right Hon. Leader of the Opposition.

Mr. Turner (Vancouver Quadra): Mr. Speaker, I will do you a similar courtesy when you write your book.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): I said:

> Hold on a minute! We say there is *Canadian* water, and there is *American* water. (And there is *Mexican* water), but we do not like the new vocabulary which calls our water continental water.

That was the thesis of that speech before the U.S. Chamber of Commerce.

Mr. Wilson (Etobicoke Centre): But then you would sell it.

Mr. Turner (Vancouver Quadra): It was supplemented by a speech to the Marine Club in Toronto entitled "A Canadian Water Policy", found in the same book. I commend it to the hon. gentleman and ask him if his reference to water today is an indication that water is part of the continental energy policy agreed to by the Government?

Mr. McDermid: You like the colour of the book, too: red, white and blue.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I know the right hon. gentleman wants to shoot straight from the heart on this particular issue. The answer to his question is absolutely no.

However, there was another very interesting quote which—

Some Hon. Members: Oh, oh!

Mr. Mazankowski: —is very closely associated with this point. He said, in connection with the quote I used earlier, at page 183:

> I don't want to sound tough. I hope I am merely being realistic.

Mr. Turner (Vancouver Quadra): Now that is a far better quote. I commend it to the House.

CANADIAN RESOURCES POLICY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, would the hon. gentleman, who comes from Alberta, not admit that a better resource policy for Canada, and by implication he has included water in this policy, is a policy that allows us to build up our manufacturing base, particularly for new industry, around our resources—

Mr. McDermid: That is exactly what we are doing.

Mr. Turner (Vancouver Quadra): —rather than allow those resources to be swept into a continental market? Would that not be a better policy?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, what is important and what this Government has tried to do is create a climate conducive to the development of our energy resources. That is good for western Canada, indeed for the whole nation. It is good for the west and it is good for Ontario.

Why does the Hon. Member continue to insist upon going back to the relics of the past? I know when he was out of politics he was not a very fond admirer of the National Energy Program. What he is advocating today is obviously another flip-flop. He wants to go back to the old days of regulation, central control—

Mr. Frith: Not a policy made in Washington.

Mr. Mazankowski: —and an invasion of the rights of the provinces.

SOFTWOOD LUMBER EXPORT TAX

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, my question is directed to the Deputy Prime Minister. He will know that page 34 of the preliminary transcript of the free trade agreement specifically continues an egregious American protectionist measure, namely, the 15 per cent softwood lumber export tax. The Deputy Prime Minister knows that his Government promised Canadians that tax would be lifted as part of a free trade deal. Therefore, can he assure Canadians that his Government has formally proposed and the American Government has formally acknowledged Canada's desire to negotiate the end of this tax?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I would like the Hon. Member to point out where this Government said that with the negotiations would come the end of the 15 per cent tax on exports of softwood lumber to the U.S. What is taking place at the present time is negotiations between the federal Government and the provinces towards establishing replacement measures in the provinces to get rid of that tax. That is what is going on right now. The agreement ensures that it will not happen again, that is for sure.

• (1500)

CLOSURE OF SAWMILLS

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, the Government knows that the 15 per cent duty has already cost the operations of several sawmills in northern Ontario. Indeed, another one is closing today which will mean the loss of some 300 jobs because it is going on indefinite lay-off status.

The Prime Minister announced a program of adjustment for areas which are negatively affected by free trade. Will those mills which closed as a result of the preparatory concessions made by the Government be compensated and receive assistance under that program?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, if the Hon. Member were fair and looked into the mill closings, of which I have a record here, he would learn that the mills which have closed down had been operating for quite a period of time at a loss. They were inefficient mills. Softwood lumber production is clipping along at a record rate this year. These mills did not close down because of the 15 per cent sales tax.

When that 15 per cent tax is returned to the province it is permissible for the province to use that money to help the workers who are displaced when mills close down.

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

IMPACT OF FEDERAL GRANTS TO MATANE PAPERMILL ON OTHER PAPERMILLS—OPPORTUNITY TO ESTABLISH NEW PAPERMILL

Mr. Jean-Pierre Blackburn (Jonquière): Mr. Speaker, my question is directed to the Minister responsible for regional development. Since Abitibi Price's Kénogami factory at Jonquière is investing $150 million in equipment to produce supercalendered fine paper, the same grade that would be produced at Matane but in this instance, without federal subsidy, could the Minister inform the House whether market studies now being analyzed by our senior officials have shown there is room for a new paper mill producing the same product, and is the Government considering the impact federal subsidies to the paper mill in Matane might have on other, existing paper mills, including the one at Kénogami with its 1,200 employees?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I can inform the Hon. Member that all the necessary sectorial studies that are customarily carried out for projects submitted to DRIE, to ensure there is a market and a demand that can accommodate the business that is to be subsidized in some way or another, either through existing programs or through special subsidies.

These studies have been completed and are, of course, part of the dossier on which an announcement will be made very shortly.

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ENERGY

FREE TRADE—REQUEST FOR DETAILS ON HYDRO-ELECTRIC POWER

Hon. Jean Lapierre (Shefford): Mr. Speaker, since the beginning of Oral Question Period, the Deputy Prime Minister has been referring to the energy question like a self-styled expert. I would therefore like to ask him for some clarification with respect to hydro power.

I would like to ask the Deputy Prime Minister—on page 17 of the Agreement, Canada has agreed to eliminate a discriminatory price test on electricity exports. Will this section allow the Goverment of Quebec and more specifically, Hydro Quebec, to go on charging the Americans three times as much as it charges Quebec consumers? Will it also allow Hydro Quebec to cut rates for the benefit of regional development? Could the Deputy Prime Minister or the Minister of Finance perhaps explain?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Premier of the Province of Quebec has made it very clear—

Mr. Lapierre: He wasn't there. You were there.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I will continue my answer if the Hon. Member will permit me. The Premier of the Province of Quebec has made it very clear that he supports this agreement in every way. He thinks it is going to be very good for both Quebec and Canada.

With regard to the specific question, there is nothing which will prohibit Hydro Quebec or any other hydro company from offering rates in their province which are conducive to development in that particular province. They can sell at whatever the market will bear in the United States. If they are short-term sales, they may sell at low prices or high prices.

Mr. Axworthy: You had better reread the agreement.

[*Translation*]

FREE TRADE ACCORD—ENERGY—CUSTOMS BARRIERS—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Yesterday, Mr. Speaker, the Minister of Finance stated that this agreement would change nothing to the regulatory practices in the energy area. I just do not understand how he could have said that yesterday, after having signed an agreement which in part reads: "Both sides have agreed to prohibit restrictions on imports or exports, including quantitative restrictions, taxes, minimum import or export price requirements or any other equivalent measure". Could the Minister repeat what he said yesterday, that is, that the agreement would only mean a removal of the trade barriers? Does he not feel that regulatory practices will be affected?

[*English*]

Hon. Michael Wilson (Minister of Finance): No, Mr. Speaker, I do not agree with that. Hydro Quebec, which is the subject of the Hon. Member's question, can set rates for the Province of Quebec. If it wants to enter into a contract with New Hampshire or New York State it can enter into a long-term contract with electric power commissions in—

Mr. Ouellet: At what price?

Mr. Wilson (Etobicoke Centre): At whatever price they can negotiate with the purchaser on the other side.

Mr. Axworthy: But it can't be discriminatory.

Mr. Speaker: I must advise that the time for Question Period has ended. I notice that the Hon. Member for Broadview—Greenwood (Ms. McDonald) is rising. I will try to ensure that she is heard tomorrow.

The Hon. Member for Renfrew—Nipissing—Pembroke (Mr. Hopkins) on a question of privilege.

QUESTION OF PRIVILEGE

STATEMENT BY MINISTER—FREE TRADE BRIEFING

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, I rise on a question of privilege arising out of remarks made today by the Deputy Prime Minister. He has led the House and the people of Canada to believe that the Government has done its best to offer briefings to inform the Opposition about the details of the free trade agreement.

It was my job to line up some briefers for the Ontario Liberal caucus last night. We approached two officials who were involved in the trade talks to brief the Ontario Liberal caucus on the details. Late yesterday afternoon we received word that they were unable to do so because they did not have Privy Council permission to do so.

Some Hon. Members: Shame, shame!

Mr. Hopkins: The Cabinet did not want officials to appear before the Ontario Liberal caucus to brief Liberal opposition Members.

Therefore, the Deputy Prime Minister (Mr. Mazankowski) misled the House this afternoon when he said that the Government is trying to keep the Opposition informed. He knows full well that the briefing he offered to the Leader of the Opposition previous to the agreement was on the condition that it be confidential to the Leader of the Opposition. That does nothing for the public view. It does nothing for the members of the caucus of the Official Opposition. The Cabinet is refusing to give information to members of the Opposition and the Parliament of Canada about the free trade agreement and the Deputy Prime Minister should not be standing in his place misleading the people of Canada.

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I do not think that is a point of order. It is a rather unusual outburst from a gentleman for whom I have a great deal of regard. I hope he would want to reconsider the statements he has made.

Ms. Copps: It's true.

Mr. Mazankowski: Mr. Speaker, if there is a point of order raised by the Hon. Member for Hamilton East (Ms. Copps), then let us hear it too and I will deal with it at the same time.

Mr. Gray (Windsor West): Are you the Speaker?

Mr. Speaker: Perhaps I can assist Hon. Members. This is not a point of order. It comes to the Chair and the House as a question of privilege. I am having some difficulty finding a question of privilege. It is a complaint; it is an argument. There may very well be other places to which the Hon. Member could take the argument. I will hear the Hon. Deputy

Prime Minister (Mr. Mazankowski), but I do not think we need to spend a prolonged period of time on this, at least at this time under a question of privilege.

Mr. Rossi: Let's get the truth.

Mr. Mazankowski: Mr. Speaker, it would not be my intention to prolong this discussion. However, the Hon. Member knows that we did offer, during the course of the negotiations, confidential briefings to the Leaders of the New Democratic Party and the Official Opposition. That was turned down and that is fair ball.

I have been in Opposition as well as in Government. I think the Hon. Member recognizes that it is not proper to offer briefings to one Party and not the other. That is a long-established rule which the Government employs. However, I can assure the Hon. Member that under the aegis of a standing committee where there would be members of all Parties in attendance, we would certainly arrange to have briefings at any time. I think that can be arranged.

• (1510)

We hope to convene the Standing Committee on External Affairs and International Trade very soon so that it can be seized with this issue and all the details can be examined in full. However, I say to the Hon. Member that if he is a member of a standing committee that wants to be enlightened on certain aspects, I am certain that under the aegis of an all-party agreement that can be arranged.

* * *

POINT OF ORDER

STATEMENT BY MEMBER

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, we are one of the strongest trading nations in the world. One of our largest untapped markets today is mainland China. China is our second largest customer for Canadian grain producers and is one of our oldest and most important customers. Not only are the Chinese good customers, they have become good friends over the years. We have established a respectful relationship which is friendly and cordial.

I submit that nothing but real harm to our relations with mainland China could result if we allow disparaging remarks in the House that show disrespect to that country while at the same time showing a real lack of sensitivity—

Mr. Speaker: The Hon. Parliamentary Secretary is rising on a point of order. He may very well have a valid point, but I must remind him that it is not a point of order, but a point of argument.

Someone may or may not have said something in the Chamber to which the Hon. Member takes exception but, unless the Hon. Member can quickly give some direction to the Chair as to where his comments are proceeding, I do not see it as a point of order, at least so far.

Mr. Shields: Mr. Speaker, it happened twice in the House. The first time I overlooked it.

I refer you to page 9912 of *Hansard* where the Leader of the New Democratic Party said:

> The Minister, in addition to his colleague last week, must be tuned into Radio Peking—

I suggest that that is not only disparaging to Mainland China, it is very ignorant and disparaging to ethnic Chinese Canadians. I think it is bigoted and should be withdrawn. That is my point of order.

Mr. Speaker: The Hon. Parliamentary Secretary's point is specifically that, according to the Hon. Parliamentary Secretary, a comment by the Leader of the New Democratic Party amounts to a bigoted comment and ought to be withdrawn.

In view of that position taken by the Hon. Parliamentary Secretary, I would of course hear from someone from the New Democratic Party. The Hon. Member for Yorkton—Melville (Mr. Nystrom) is seeking the floor.

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, there is nothing offensive about referring to Radio Peking. There is nothing whatsoever offensive about that particular remark.

We know that China is a tremendous customer for Canadian grain and potash. Any advertising of that radio station might be a positive feature.

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I rise on the same point of order. I submit to the House that the Parliamentary Secretary's statement is absolutely mischievous and provocative, and is designed to cause harm to the Leader who meant no harm at all. The Hon. Member should withdraw his nonsense.

Mr. Speaker: This is not the first time or perhaps the last when Hon. Members on both sides feel they wish to air, through a point of order or a question of privilege, what they believe is a grievance.

While the Chair certainly accepts a certain amount of latitude in these matters, I must indicate to the House that this is not a point of order. It may well be a complaint and I would ask the Hon. Parliamentary Secretary to perhaps have some discussion with other Hon. Members.

I think the Hon. Member for Yorkton—Melville (Mr. Nystrom) clearly indicated that all Hon. Members agree that whatever language is used in this place, it certainly ought not be intentionally used to slight any of Canada's friends or any Canadians of whatever ethnic background in this country. With that, I think we can leave the subject.

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNEMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Pursuant to Standing Order 106(8), Mr. Speaker, I have the honor to table, in both official languages, the Government's response to Petitions Nos. 332-2973, 332-2977, and 332-3096.

[*English*]

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have a petition from 250 petitioners drawn from all parts of the constituency, particularly from Amherstburg, La Salle, Malden, Harrow and southern parts of Essex—Windsor. They are deeply concerned with respect to the Fermi II nuclear plant which has a terrible safety record. They suggest that it poses a clear and present danger to their lives and their property. Due to the abysmal record of accidents at the plant, they petition the Government to take active measures to ensure that a joint procedure is established to review this, involving both Canadians and Americans, before Fermi II is permitted to go to full operation.

REQUEST FOR TOUGH LEGISLATION DEALING WITH PORNOGRAPHY

Mr. John Reimer (Kitchener): Mr. Speaker, it is a pleasure for me to present a petition signed by 306 residents of Kitchener and the Waterloo region. These 306 signatures added to the 1,325 which I presented on August 19, brings the total number of signatures to 1,631 petitioning the Government to bring forward its tough legislation against pornography.

OPPOSITION TO THE ACQUISITION OF NUCLEAR POWERED SUBMARINES

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I have a duly certified petition from a number of residents, mostly from Ganges, British Columbia, who are very concerned about the danger posed by the presence of nuclear powered or nuclear armed vessels in Canadian ports. Considering the danger to the environment and Canadian citizens, they call upon the Government not to purchase nuclear-powered submarines for Canada.

OPPOSITION TO DESTAFFING WEST COAST LIGHTHOUSES

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I have the honour and duty to present a petition to the House from residents of the central coast of British Columbia. They petition the Government to stop its wrong-headed policy of automating and destaffing lighthouses in British Columbia. The petitioners point out that they depend for safety on those lighthouses and are absolutely opposed to their destaffing and automation and the reduction of safety services on the coast of British Columbia.

• (1520)

The petitioners are thoroughly in favour of the Minister of Transport (Mr. Crosbie) getting himself out to Campbell River, British Columbia, on October 21 to hear the concerns of those citizens firsthand.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board): Mr. Speaker, I would ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

WAYS AND MEANS

CUSTOMS TARIFF

Hon. Doug Lewis (for Minister of State (Finance)) moved that a Ways and Means motion respecting the imposition of duties of customs and other charges, to give effect to the International Convention on the Harmonized Commodity Description and Coding System, to provide relief against the imposition of certain duties of customs or other charges, to provide for other related matters and to amend or repeal certain Acts in consequence thereof, laid upon the table on Friday, October 2, be concurred in.

Motion agreed to.

Time Allocation

POSTAL SERVICES CONTINUATION ACT, 1987

ALLOCATION OF TIME TO CONSIDER SECOND READING STAGE OF BILL C-86

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, under Government orders, you will note that we have on the Order Paper a motion for time allocation. Immediately prior to moving that time allocation motion, I would like to inquire once more if there is any disposition on the part of the opposition Parties to expedite debate. The Government is prepared to complete second reading, to move into Committee of the Whole House and to complete third reading this evening in an effort to pass this very important Bill. We are concerned and we want to get the parties back to the bargaining table. We want to prevent any further violence on the picket lines and we want to keep the mail moving. I would like to ask once more of the opposition Parties, if I may, prior to moving this motion, if there is any disposition to expedite debate so that we can complete third reading of this Bill tonight?

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, as much as we are not happy with the contents of Bill C-86, we believe we have reached a stage where we could probably better put our points across by moving amendments. To do this, we would welcome moving to committee stage.

Because of the language of the Minister, I do not know if he is still swinging the sword of Damocles of time allocation over our heads. I would urge him not to do that because this would necessitate a two-hour debate on procedure which, in my view, is meaningless. I would rather discuss the substance of the Bill. It would probably take longer if we go through time allocation. That is where we are in the Liberal Party.

Mr. Rod Murphy (Churchill): Mr. Speaker, we will not be co-operating with the Government. We believe this legislation is not balanced. It is not fair. The Government has the ability to move time allocation, and if that is the action it wishes to take it can take it.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I appreciate the remarks of my colleague from the Liberal Party. Regretfully, I move:

> That, in relation to Bill C-86, an Act to provide for the resumption and continuation of postal services, one further sitting day be allotted to the second reading stage of the Bill; and
>
> That fifteen minutes before the expiry of the time provided for Government business on the day allotted to the consideration of the second reading stage of the said Bill, any proceedings before the House shall be interrupted, if required, for the purpose of this Order and, in turn, every question necessary in order to dispose of the stage of the Bill then under consideration shall be put forthwith and successively, without further debate or amendment.

Mr. Rod Murphy (Churchill): Mr. Speaker, as I indicated just a few moments ago, we do not believe this is fair legislation. I think there is an attempt by the Government to railroad this legislation through the House of Commons. It is unfortunate that that is the case. Our Party has indicated in our speeches in the House the areas on which we believe there should be amendments to make this legislation more fair and equal in its treatment of both management and the workers. To date we have not received a response from the Government to indicate which amendments it is likely to accept and which amendments it is going to reject.

We would hope that in the two-hour time period we have now that the Ministers of the Government will rise in the House of Commons and give us some indication of whether or not they will be open to amendments to this legislation. I have already spoken to the Minister of Labour (Mr. Cadieux) and told him what areas of the legislation we believe should be amended in order to make it more fair and compatible and more acceptable to both sides in the dispute.

Having said that, we do believe that as long as postal workers have the right to strike, as they have under the law of this country, the Government should allow the dispute to continue or, even more constructively, should allow Canada Post to negotiate. As I said in my opening speech on this debate, it is the Government that is causing the strike. It is the Government's refusal to allow Canada Post to discuss at the bargaining table the issue of franchising that is causing this strike. We in the New Democratic Party caucus believe that the workers, through their union, have the right to take that very important matter to the bargaining table and that they should expect that Canada Post will discuss this matter. It is this item that is causing the strike. It is the major item in dispute. As long as the Government, for its own political agenda, refuses to allow this item to be negotiated, we are going to have a labour dispute in this country.

It is the Government's refusal to negotiate in good faith, and I want to make that very clear, on the matter of job security that is causing the strike at the present time, just as it was the Government's move to introduce the legislation in the House of Commons that provoked a national strike. We did not have a national strike until this legislation was introduced into the House of Commons, it was only after this unfair one-sided legislation was introduced that a national strike right across this country was provoked.

I have difficulty understanding why the Government will not allow this item to be discussed and negotiated. After all the speeches made by the Prime Minister (Mr. Mulroney), and the Minister responsible for the status of women about the need for affirmative action and the need to ensure that women have jobs with adequate salaries, it seems completely contradictory to have a Government policy which is going to take these jobs, with fairly decent salaries, which are basically held by women, and franchise them out to a number of locations right across this country. Again, women will be hired, but on a part-time basis. They will receive basic minimum wages—no benefits and no likelihood of a decent pension plan. The Government has to be responsible for what it is doing. It knows full well that the net result of this franchising-out policy is that jobs at the wickets in Canada Post right across the country will disappear. Yet the people who will be picking up the new jobs

will be women, and those women will be receiving, in most cases, salaries at the minimum wage level.

• (1530)

It is interesting to note that in this debate in the House of Commons we have not heard from the Minister responsible for the status of women. We have not heard from any government Member defending the franchising-out position and what it will do to women workers across this land. Not one Conservative of the over 200 who are in this House has got up to defend what will happen to the salaries of women who will be doing the work that is presently being done by Canada Post.

We have had the Minister responsible for Canada Post in his usual unbiased way talk about the costs being too much in the Post Office and that things are terrible. One would almost think that he is not the Minister responsible for Canada Post because he says things are so terrible there. He must be doing a terrible job as the Minister responsible. But things will get worse if we take away those wicket jobs, the preferred jobs, the jobs that people work for years and years in order to get, in order to have day-time jobs, fairly clean jobs, from them. They will then obviously not find those compatible, acceptable, and rewarding jobs.

To do that simply because the Government wants to privatize part of the postal service is completely ridiculous. It is unnecessary. It is, as I said, causing the national strike that we have taking place at the present time. I would ask the Government again, because it does have the opportunity to debate today, why it is so essential to take those jobs from women and make them minimum wage jobs? Why is that so essential to this Government? That is what will happen. The Government knows that is what will happen.

The Minister responsible for Canada Post got up and said that no one will lose jobs as a result of this measure. He said, "We will make sure that Canada Post will do something to ensure that those people who are presently at the wickets can go and sort mail. They can do other jobs in the Post Office". But that is not necessarily a good option.

First, the jobs that people have worked for years and years to get will be taken away. Second, it is not always the casein some of the smaller post offices across the land that four more mail sorters are needed, because there are already four mail sorters. They are there doing that work at that time. Eight mail sorters will not be needed. What will happen? Will people be forced to leave the communities they work in, or will they have to quit working at the Post Office?

This is a matter of job security. Because it is a matter of job security it belongs at the bargaining table. Yet you have heard from the Minister responsible for Canada Post, Madam Speaker, say, "No, it is management rights. We will not negotiate that". That is not management rights. It is the security of those families across the land. They have a right to take that to the negotiating table. It is the pigheadedness of this Government and its refusal to allow negotiations to take place at the negotiating table that have caused a national strike.

If the Government was willing to move, if the Government was willing to allow the issue of franchising-out to be negotiated, where it will take place, when it will take place, how it will take place, then I think this issue could be resolved. But the negotiations have to be allowed to take place. If the Government is saying that it will not discuss the item, then, obviously, it will not be resolved. A mediator may come in and there may be an arbitration award handed down in two or three months. That may make people think that the labour dispute has been resolved because the arbitrator has acted and made recommendations. But if the issue is not satisfactorily resolved for both sides, both management and the workers, then we will have more years of disputes within the Post Office. I am not saying violence. I am not saying provocation, but it will obviously set a very bumpy relationship between management and the workers, because they could not discuss at the negotiating table the item that is of concern to both parties.

So, Madam Speaker, we have to oppose this measure. We continue to oppose it. What we want to see from the Government is an indication not only that it will accept some of the amendments we have suggested but also that it will allow negotiations to take place at the bargaining table. The only way that that can happen is if the hands of Canada Post are freed and it is allowed to negotiate this item at the bargaining table.

[*Translation*]

Mr. Jacques Guilbault (Saint-Jacques): Madam Speaker, I would like to start by saying that we on the side of the House regret that the Government has decided to use time allocation, a procedure that amounts to gagging Members in order to speed up the debate on Bill C-86. Ironically, using this procedure will probably make the debate go on longer than it should, because when the Minister introduces the motion for time allocation, it is followed, as you know, by a two-hour debate for the sole purpose of finding out whether the motion will be adopted. This means we spend two hours talking about procedure instead of discussing some of the amendments that could be made to this Bill. While the amendments would not make it perfect or even acceptable—depending what the Government wants to do with its majority—they would at least have the effect of making us to stick to the substance of the Bill.

It is regrettable that, once again, the Government, supported by its vast majority, is using a Standing Order of the House to impose its will and to try and get approval for a Bill that has some very dangerous aspects.

First of all, I may say that as far as we are concerned, it was not the right time to introduce this Bill.

[*English*]

I want to say that in our opinion the timing with respect to bringing Bill C-86 before the House was wrong. First, I think

that we have to agree, all of us, that there was no national emergency. We were not facing a strike that had the effect of crippling the Canadian economy. This is not a rail strike where commodities such as grain, coal, and other essentials are not moving throughout the country, something which we had to endure a few months ago. In this case, we have a situation in which we have a strike which was comparatively more calm than the letter carriers' strike. Certainly, the violence was kept to a minimum up until the time the Government chose to bring this ill-fated Bill forward. According to the Government, the mail was largely moving. According to a statement this morning in *Le Journal de Montreal*, which I will read in French—

[*Translation*]

"The Canada Post Corporation claims it received nearly 32 million letters and parcels during the weekend and that it delivered them on Tuesday".

Canada Post admitted that despite the fact there was a strike and probably because of the fact the Corporation decided to us strike breakers, the mail was being delivered, which adds credibility to my argument that the Government was ill-advised to introduce its Bill at this time.

Furthermore, negotiations were still going on between Canada Post and the Canadian Union of Postal Workers. We think the Government should have done the right thing, which was to act ont the request we made to the Minister on the floor of the House about two weeks ago, to appoint a mediator who could then work unhampered, without this sword of Damocles, without the threat of this legislation we have before us today. The mediator would have been able to consider the conciliation report tabled earlier, and perhaps by today the strike would have been settled. However, by introducing back-to-work legislation which is always cordially detested by the workers concerned, whether they happen to work for Canada Post or in any other sector, the Government is taking the risk of having a prolonged strike and of increased violence, and that is what is happening.

I think the Government is largely to blame for the fact that the strike is continuing and that the atmosphere on the picket line is getting worse, as postal workers are becoming increasingly irritated at what is happening, at being faced with back-to-work legislation and seeing people, otherwise well intentioned and who only want to earn a few bucks, being forced by the Government to face Canada Post's regular workers, which necessarily will lead to violent confrontation.

Furthermore, the Bill contains measures that are all wrong. I had a chance to discuss them with some of my colleagues. Clause 7 of the Bill appears to force the hand of the mediator-arbitrator by enjoining him seriously to consider the conciliation report. Whoever has read this report knows perfectly well that in some parts, it supports Canada Post's plan to franchise postal services. And that is one of the most controversial issue at stake between Canada Post and the Canadian Union of Postal Workers.

• (1540)

[*English*]

I say that it was a mistake for the Government to phrase Clause 7 of the Bill in such a manner as to give the impression that the Government is giving instructions to the mediator-arbitrator to consider favourably the conciliation report. Those who have read the report know that it is slanted in favour of franchising out postal services. This is one of the hottest points that is dividing Canada Post and the union.

I have to agree that the wording is worse in French than in English. In English it states that the mediator-arbitrator should "give due cognizance to the report of the conciliation commissioner". This may be interpreted by some as considering it very seriously, whereas to others it may be read as giving simple consideration. On the other hand, in French using the words—

[*Translation*]

—"prendra sérieusement connaissance" does not leave any room for interpretation. This strictly means that the mediator-arbitrator should rely on the conciliation report and in that sense, for a Government which has been bragging since the beginning that it has allowed Canada Post to manage its own affairs and that it has tried to intervene as little as possible in that conflict, we see a clause where the Government gives clear instructions to the mediator-arbitrator. However, I must admit, because I already have had several discussions with the Minister of Labour (Mr. Cadieux), that he seems to be open-minded and that he would be ready to accept amendments to that clause, and this augurs well, and in due course I intend to introduce an amendment to curb the effect of that clause.

However this will not solve the problem in Clause 11 which I feel provides for excessively severe penalties and also additional ones, because there are fines much greater than in the past to punish those who would go against the legislation.

However, I must admit that in that case I was less successful in my negotiations with the Minister and I will have to propose an amendment to shorten the five-year period during which a union leader or a Canada Post official could be prevented from holding office. I will have to fight against that clause, since the Government does not seem to be ready to admit that it is most dangerous and could infringe human rights.

This being said, Madam Speaker, I have to add before concluding that I object to the time allocation motion or to the guillotine set by the Government and, in any case, I will rise again to state my views about the contents of the Bill which I find inequitable.

[*English*]

Mr. Arnold Malone (Crowfoot): Madam Speaker, the Post Office is an institution that is close to the hearts and souls of Canadians virtually everywhere. It is a place where, in every village and hamlet of Canada, if the federal Government is to have a presence, it has it there. It is a place where fishermen

and farmers gather and exchange views and ideas. It is a place where people exchange friendly letters. It is a place where bills are paid and cheques are received. Having said all of that as to how it touches us emotionally, let me say that Canadians clearly and dearly are looking forward to a settlement of this present dispute.

I submit, Madam Speaker, that there are only four alternatives which the Government has to enable it to approach this particular subject. First, it could shut down the Post Office. It could be shut down simply by allowing a strike to proceed; the two parties to come into dispute and to allow the Post Office to be closed and not serve Canadians. Of course, that approach was tried by the Liberals in 1975, and with some support from the New Democratic Party. It was tried in that there was a 42-day postal strike. During that period of time the small business community everywhere expressed the view that this was crippling the country, destroying business, and putting other innocent Canadians out of work. In response to a question by a media personality, the leader of the inside postal workers union stated that he could not care less that there was some significant damage being done to others.

• (1550)

Apart from shutting down the Post Office by allowing a protracted strike, a third option would be to give in to the demands of the postal union. Again, that approach has been tried. It was tried by the Hon. Member for Papineau (Mr. Ouellet) when he was Postmaster General of Canada. It was also tried when the Hon. Bryce Mackasey was Postmaster General of Canada.

Much of the present view of Canadians regarding to how they look upon the present conditions and salaries of the Post Office is tied to the fact that we gave in to postal demands which seemed to be excessive at the time. We could order them back to work and put an arbitrator in place as a fourth option. We could use replacement workers and have the Post Office continue to operate. I believe it is clear that Canadians everywhere want to have the postal system operating.

I want to take a look at the present situation which I think is bringing about conditions that are of concern to and perhaps very close to and in some instances already dangerous for picket line workers. I submit that it is inappropriate for members of the Opposition to prolong the debate, especially when members of the Liberal Party are in a position to bring forward in committee of the whole the amendments they seek. They have had discussions with the Minister and they recognize that there is a willingness to co-operate. I believe that approach to be a responsible one. However, the longer we hold up the back-to-work legislation, the more we risk some dangerous situations taking place on the picket lines.

Those situations have already been enumerated in the House, but I think it is appropriate for me to repeat them. In Victoria, a picket struck a supervisor, and CUPW members interfered with mail collection from street letter boxes by harassing the drivers. In Vancouver, 16 replacement workers were assaulted as they were entering a marshalling site. In Regina, a picket kicked the door of a pizza delivery vehicle, and another picket threw himself on its hood. In Saskatoon, a number of replacement workers' car tires were slashed, and a picket smashed a window in a bus carrying replacement workers into the MPP. The man was arrested by police. In Edmonton, a picket was arrested for mischief after throwing bricks at a bus carrying replacement workers. In Winnipeg, the mail room in a high rise apartment building was broken into. In Cornwall, Ontario, a hockey stick smashed through van windows. A female replacement worker was hit. She was taken to hospital. While she was okay, the President of the CUPW local was arrested and charged with mischief. In London, a picket was charged with assault. Also in London, the lobby mailboxes of 15 apartment buildings were vandalized with glue in the locking mechanisms.

Turning to Atlantic Canada, in St. John's, a CUPW member was charged with common assault, and 15 vehicles received punctured tires while waiting entry into plant grounds. In Saint John, two vehicles received slashed tires, and two quarts of paint were spread on a tractor. In Moncton, a bus carrying replacement workers was hit with eggs and blue paint bombs. In Gagetown, charges of mischief are being laid against CUPW members for smashing eggs on a vehicle. In Fredericton, a picket was charged after striking a man with a picket sign, and two other pickets were charged after throwing eggs. The tires of a bus used to carry replacement workers were slashed, and potatoes were put in the exhaust of the bus.

We must bear in mind, as the Hon. Member for Saint-Jacques (Mr. Guilbault) indicated, that there is a willingness to look at some of the amendments and accept the reasonable ones. However, for members of the New Democratic Party to take the view that somehow it is inappropriate to move forward with this important piece of national legislation until all of their unreasonable demands are met, places risk and onus upon them in respect of the dangerous potential in the picket line situation.

Let us look at the question of franchising-out. Let me say, probably as sincerely as anyone can in that I come from a constituency which has 113 individual communities, that franchising out more than anything else will ensure postal service for those communities long into the future. In some villages and hamlets where the Post Office presently exists, the only other facility is a local store. When a postmaster or postmistress retires, there is virtually no one in the community willing or ready to take up the service. Franchising out means that the local grocery store next door will be able to take up the service and continue to offer it to the community. As the Government of Canada, we project that some 6,000 new rural services will open across Canada in the next 10 years, yet members of the New Democratic Party would like to hold out that somehow that is inappropriate.

Since many of them represent communities much larger than those in my riding, I want to tell them that the Post

Office is an institution which handles one of the largest volumes of money of any business in Canada. It is close to that of the automotive industry. Despite that fact, it is open from 9 a.m. to 5 p.m. five days per week, which does not meet the needs of modern day society.

The situation today is that many families are single parent families or both spouses are working. We need a postal service that is open early and open late, that gives service during noon hours, and that is located in convenient locations. In many medium-sized cities with present postal services, people must make trips to the post office between 9 a.m. and 5 p.m., and the post offices are located in inconvenient places.

In conclusion, let me say that what the other Parties are saying is that the nub of the issue for them is the real reason the legislation ought to go forward, so that the country can get on with serving its public as it wants and needs to be served.

Ms. Marion Dewar (Hamilton Mountain): Madam Speaker, I rise to participate in the debate because I think it is important that we do not stop debating the issue. What we have before us is a Draconian Bill. It is difficult to believe that this kind of law can be proposed in Canada in 1987.

What really upsets me is that the mail was moving, with rotating strikes and negotiations were ongoing. However, as soon as the Government started to suggest that we might have this kind of legislation before the House, the employer ceased to agree to any of the clauses on which they had come to agreement. I wish government Members would recognize that they are discouraging collective bargaining.

It is nice to hear about the hearts and flowers, that there will be people in the communities who will be able to take these jobs. However, over the years women have worked hard to obtain decent paying jobs. Through the efforts of CUPW they were able to obtain those kinds of jobs.

Government Members should not play games. The hidden agenda is union breaking. When have we ever had a Government endorsing the hiring of scabs? We would not see that happening with Chrysler, Stelco, General Motors, or Ford, because the private sector has learned to respect collective bargaining. This Government is actually putting its stamp of approval on its hiring of scabs. What does that do, Madam Speaker? It pits Canadian worker against Canadian worker.

• (1600)

I notice with some interest that the previous speaker alluded to the kind of violence that has gone on during the strike. The violence started to take place after this legislation was introduced. What kind of violence was taking place? The Member named a number of CUPE people who have been arrested, but he forgot that there was a CUPE Member who was seen on national news with a broken pelvis. She was run over by a truck driven by one of the people taking in scabs. The Member did not have any shame about that. It seems to me that we should all be hanging our heads in shame.

We are talking about reducing the wages of women who will be working in the post offices that are franchised out. The union said it would look at franchising. The union has given, compromised and done all sorts of things in new developments so service would be there for the people. The union was looking for compromise because it was looking for resolution. What happened? The employer said no, because the Government said that it was going to hire replacement workers and introduce back-to-work legislation.

Collective bargaining does not mean a tinker's damn. We have to understand that this whole tactic of the Government is a military one, pitting Canadian worker against Canadian worker, saying that things are being done to save money. But we do not save money with this kind of tactic.

When you reduce wages being brought into a family, what you are doing is hitting at small business everywhere in a community. What about a child coming home asking, "Mommy, can I just go to the store for a treat this week?" Mommy has to say, "Sorry, you can't. I no longer have the kind of job to afford those kinds of things. Now we have to scrape for mere existence". The Government is bragging about the fact that it will be able to hire women at $5 an hour. Surely when you are talking about the heart of a community, you cannot be bragging about that kind of thing.

It distresses me that in 1987 we have not recognized what is the dignity of work. That is part of what this debate is all about. That is perhaps why the Government wants to start to restrict the amount of time in this debate. It cannot stand looking into its own heart, recognizing what it is doing to the soul of the country.

I appreciate that the small post office is the meeting place. People see their friends there, exchange greetings, get their letters, bills and often receive cheques. It has also become the centre of many of our smaller communities. The Government is saying that this that is the end of a Canadian tradition, that it will no longer stand for that, that the market will control things and when it can pay people the least amount of money, that is what it is going to do. The Government's aim is to keep the people poor and exploit them. It is doing a good job. It says that it will create jobs across the country. Of course the Government will create jobs, but it will put people out of work. Other people will be in those jobs getting half the wages of those who have been working for a good standard of living in a quality kind of job.

We are not talking about people who have been ripping off the system, we are talking about women who have worked many years on the night shift. They have worked hard, in many cases to supplement income, and often have been the sole wage earners. When they finished after many years they got promoted to wicket jobs where they could at last work days. But we hear that that is a luxury, and that they are being paid far too much. I would like every Member in this House to attempt to keep his or her family on $12 an hour and think they are living in luxury. Figure out what that is and then tell

me that this Bill the Government has introduced is a just and fair. The Government is stopping negotiations, saying that it is okay for women to work for less. That will be put into law, making sure that is how they work. That is what the Government is really doing. But it is not just women that which the Government is getting at. It is getting at families, reducing standards of living and hurting people.

This kind of legislation before us is Draconian. This is the kind of legislation of which we should be ashamed. Surely we should spend every minute of our lives delaying this legislation, making sure that we will not have to hang our heads in shame, having become a party to it. We in the New Democratic Party have no intention of facilitating the Government by passing this kind of legislation. Do not say that we feel badly about it. We are proud of it. We are very proud to support the principle that dignity and quality of life is something people deserve.

We also recognize that it was the Government which brought on the strike. It was not CUPW. The Government said very early that what it was going to do was hire replacement workers and franchise out, that it could save a whole lot of money and there was no need for high paying jobs, and by "high paying" it meant $12 and $13 an hour. Maybe the Government thinks it could get the minimum wages changed to $2 or $3 an hour; then it would be very happy because it could exploit that many more people, and then say that that many more jobs had been created. Canadians no longer want that kind of thing to happen. I think the next election will show that people do not want that to happen. These people were willing to go to the negotiating table, they were willing to go on rotating strikes and come to some compromises. They were willing to have true and good bargaining take place; the people wanted to arrive at things that are fair. That type of thing has been stopped and suffocated by the Government. The Government instead has hired scabs and pitted people against each other.

Of course there is violence on the picket line. If you knew that your family would be hungry, that your future was gone and that your job was no longer secure you would feel violent. This country went to war for freedom in 1939 because we felt that those rights existed. I never thought that war was a solution to anything, but lots of people thought that war would protect freedom. The Government is supporting and encouraging violence because it is driving people to frustration, to fight for the survival for their own quality of life and the ability to feed their families.

The kind of Bill we have before us says that we no longer respect that. With this kind of legislation we are stepping back into the 1920s and the dirty thirties. That is what the Government is trying to do to the country. It will not get away with it because there are too many people who know that the quality of life and dignity of the human being and the family is far too precious for us to accede to the Government saying, "exploitation, exploitation, exploitation".

It is urgent that this debate continue. I think it needs to continue by any manner or means so that we will be able to stop this legislation from passing.

[*Translation*]

Mr. Jean-Pierre Blackburn (Jonquière): Madam Speaker, I am pleased to take part today in this debate to put an end to the conflict between the Canada Post Corporation and its various employees. This is rather a difficult situation and I suggest that, as the Governement, we just cannot allow it to continue.

I certainly realize that the best thing would be for both parties, namely the Union and the Canada Post Corporation, to reach a negotiated settlement. But considering that both parties are so very far apart, as the Government, we cannot wait until acts of violence occur or allow employees to go without their salaries, not getting their pay cheques at the end of the week, or delay for weeks making a decision or adopting a legislation as we are doing now.

Madam Speaker, I may have a few points . . . I suggest that Canadians would want to know what is going on in these negotiations. As far as the conflict between Canada Post and its employees is concerned, the Minister of Labour (Mr. Cadieux) has provided a detailed chronology of events and described the efforts made to settle this conflict through conciliation, and here are a few points which were mentioned by conciliation commissionner Claude Foisy in his report.

The conciliation commissioner's report points to a number of very serious omissions on the part of the parties to these negotiations. It was obvious there was no desire to reach a compromise, and they consequently failed their duty to negotiate a collective agreement. Despite all the rhetoric and attemps to have the public see the other party as responsible for the deadlock, what has been reported by the media during the last few weeks, Madam Speaker, is sufficient evidence of the parties' unfortunate performance at the bargaining table and their refusal to take seriously their duty to their members and to the Canadian people.

Here are some comments that appear on page 2 of the conciliation commissioner's report. When he met with the parties for the first time, there were 120 items on the table, that is, fifty-two management demands and sixty-eight union demands. That is a considerable number of items at this stage in the negotiations. Madam Speaker, listen to this. The commissioner then pointed out an amazing fact: the number of items was the same as at the very beginning of the negotiations. In other words, before the conciliation commissioner became involved, the parties had not agreed on any of the 120 items at issue. They only managed to sign a few clauses they had agreed not to change in the previous agreement.

In his report, the commissioner gives his evaluation of the negotiations, and anyone who reads this part of the report will be readily convinced that the talks reflected a total absence of constructive collective bargaining. The commissioner indicated

that the parties spent a lot of time translating their demands into clauses for the agreement. And this is what he added: Except for the last day of the talks, which was August 12 this year, exchanges between the parties did not go beyond matters of principle and their justification. Consequently, as far as specific recommendations on the wording were concerned, the commissioner was not in a position to assess all the practical implications. In most cases, he accepted the wording as proposed by the parties. And if this approach leads to practical problems for the parties, they will have only themselves to blame, said the conciliation commissioner, since they had more than five months to send me their comments.

Madam Speaker, this paragraph alone should be enough to make us realize the obvious lack of constructive attempts to reach an agreement, as well as the frustration the commissioner must have felt in his attempt to bring the parties closer together on these issues.

Madam Speaker, what the Government is proposing is that for ninety days, a mediator-arbitrator will try to reconcile the parties. After ninety days of talks, the items still at issue . . . at that time, an arbitrator will be appointed and will settle the items still pending. Madam Speaker, I assume that meanwhile, postal employees will go back to work and will continue to be paid, and the rule or the principle followed customarily in collective bargaining when there is no agreement will be to use the services of an arbitrator, who will then settle the dispute. So why should we wait indefinitely and run the risk of having violent incidents? I also think it is important that Opposition Members should let this legislation be passed as soon as possible, to avoid financial loss for the parties concerned and so that Canadians can receive their mail and these people can go back to work.

Madam Speaker, I would like to mention that yesterday, representatives of union members in the Saguenay—Lac-Saint-Jean area were at my riding office in Jonquière, to tell me about their concerns about the current dispute.

What surprised me was how those people were "demotivated" by what they were experiencing in the work place. I have a feeling the higher echelons or instructions coming from the top are simply ignoring the needs of union members—there is a lack of work motivation, and what I perceived upon listening to those employees is not normal. I wonder if their union leaders are aware of the needs of people, at the grassroots, people in the different post offices, what they experience, their concerns and expectations. My feeling is they only care about major issues and fail to look below at what is going on in the field.

It is my hope their leaders will also go and find out about the real needs and expectations of their members in the field, because a corporation that has 72,000 employees—Canada Post Corporation—is a big corporation in terms of jobs. They should make sure that working conditions are improved at Canada Post Corporation. Right now this seems to be a *must*. Something has to be done in that area.

I will therefore concur with the Government so that the Bill be passed, even though actually I would have preferred that being done through the normal negotiation process and an agreement being reached.

But in view of the circumstances, because of the deadlock, we must assume our responsibilities and make sure those people do not unduly lose money because of a protracted strike.

• (1610)

[*English*]

Mr. Jack Harris (St. John's East): Madam Speaker, I want to speak to this motion because in introducing it the Government is doing the same thing it is doing with the Bill itself; that is, it is trying to force its plan on the Post Office workers and force its will on this Parliament. In enacting this legislation the Government is showing the highest form of hypocrisy. It creates a crisis and then attempts to resolve it by Draconian means. The hypocrisy of the Government is very clear even in the title of the Bill itself.

The Minister of Consumer and Corporate Affairs (Mr. Andre) told the House over the last couple of days that the mail was going through and the Post Office was operating efficiently. Yet his Government puts before the House a Bill entitled "An Act to provide for the resumption and continuation of postal services." If the postal service is operating and the mail is getting through, why do we need a Bill to continue postal services?

Pressure was being put on Post Office management through this collective action in an attempt to negotiate a decent collective agreement. What did the Government do? Instead of letting that process continue, it advised the House and its Post Office managers that it would not let a strike go on for very long. What was the result? Its Post Office managers refused from that point on to engage in any meaningful negotiations with the workers. The Government, by its actions, set the stage for the end of negotiations, because of a lack of good faith bargaining by Post Office management.

During the period of rotating strikes there was no major disruption of postal service, and this despite the fact that the Government allowed a Crown corporation to engage in active strike-breaking through the hiring of scabs. To permit a Crown agency to engage in that kind of union-busting activity was a shameful act on the part of the Government. That outrageous behaviour brought about this situation which has caused massive problems throughout the country.

The Hon. Member for Crowfoot (Mr. Malone) gave a litany of reasons why this strike ought to be ended. However, he did not tell the House that all of the incidents which he listed occurred after the Government introduced this Draconian back-to-work legislation which takes away the rights of workers. These instances occurred because the Government introduced this legislation. That is an example of the hypocrisy we hear in this House.

The Government says it wants to stop violence and confrontation and get people back to the bargaining table, but it provoked the confrontation in the first place through a set-up, and then by telling the workers that they would be forced back to work with perhaps the most Draconian labour legislation that we have seen in recent years in this country.

There was further evidence of the hypocrisy of the Government in the words of the Member for Crowfoot. He talked about how important the postal service is to rural Canada. As a Member from a rural area he is no doubt very aware of how important the postal service is to rural people, not merely for the delivery of letters but as a source of information about the federal government and as a gathering place.

• (1620)

That is why when the Government threatened the postal service in rural Canada there arose a grass roots movement called Rural Dignity, of which I am sure the Hon. Member is aware. That organization set out to fight the closing of rural post offices, to prevent the Government from taking away their postal service, their link with the federal Government, and the decent jobs and status which postmasters and postmistresses had in rural communities.

Everyone who comes from a rural area or is familiar with rural Canada knows that the postmistress is a very important and highly regarded member of the community. She is quite often a commissioner of oaths or justice of the peace as well and has looked after the needs of the rural community in official matters. That is not a job which can be done by a clerk earning a minimum wage, who has other jobs to do as well. A person operating a grocery store cannot provide postal service at the same time.

I have a letter written by the Prime Minister (Mr. Mulroney) on August 14, 1984 when he was the Leader of the Opposition. The letter is to the national president of the Canadian Postmasters and Assistants Association. It reads:

> The Progressive Conservative Party feels that Canada Post's current program of rapid debt reduction is unrealistic, and is the underlying cause of problems with regard to both declining postal service and ventures into ill-conceived schemes to generate greater revenue.

The Prime Minister said:

> It is not possible for me to promise at this time that a Conservative government will re-instate full rural postal service within a year, or that all laid-off postal workers will be immediately re-hired. I can assure you, however, that restoring the quality of service will be our top priority with Canada Post.

The Prime Minister has not done that. Instead, his Government has allowed Canada Post to downgrade the services of the Post Office and is now participating in an unholy alliance with the managers of Canada Post to introduce Draconian legislation into the House to force their plans upon the workers of Canada. Contained in that legislation are some of the worst provisions I have ever seen with regard to labour.

The legislation provides that if an employee of Canada Post who holds a union position violates this law he will not be allowed to work for the union for a period of five years. This kind of Draconian legislation is comparable to banishment, or the outlawry of the middle ages. That is what the South Africans do when they do not like what journalists write. They ban them and they are no longer allowed to work in South Africa.

The Government does not want this legislation to be debated because it is afraid that the people of Canada will learn what is really contained in that Bill and what is really going on. We should never see such legislation in this House. It should never be passed as quickly as the Government wants it to be passed. It must be fully debated. All Members must have an opportunity to speak and tell the people of Canada what the Government is doing.

This legislation is detrimental to the workers, the postal service, and the people of Canada.

The Government has allowed postal service to deteriorate under the plans of Canada Post. It is doing nothing to improve the quality of service. This legislation will make things worse in the Post Office and worse for the workers and the people of Canada.

Mr. Felix Holtmann (Selkirk—Interlake): Madam Speaker, I am pleased to enter into this debate today on the imposition of time allocation on Bill C-86. We have just heard from the new authorities of the New Democratic Party. I congratulate them on entering this House but, having listened to what the Hon. Member for St. John's East (Mr. Harris) and the Hon. Member for Hamilton Mountain (Ms. Dewar) had to say, it is obvious that they need a history lesson.

The words came out in full colour this afternoon. The Member for St. John's East must have used the word "Draconian" 30 times. I am not sure he knows the meaning of the word. He heard it from one of his colleagues earlier today and suddenly everything is Draconian. We have heard that expression before from the Member from Nickel Belt who, when speaking on this motion, spoke to the Members behind him. He did not even have the courtesy to speak to the rest of the House of Commons.

The Member for Hamilton Mountain talked about women. She is the great protector of women. Does she know how many people, including women, were put out of business because of the last postal strike? Nine thousand people lost jobs due to the last major postal strike and many of them were women.

Mr. Rodriguez: What's your source?

Mr. Holtmann: My source is the Federation of Independent Business. Madam Speaker, one must wonder who the New Democratic Party supports. Those Members support the union. They support the union because it finances their Party. They do not represent management or the users of the Post Office. They do not really care about women or the users of the Post Office. Let us review the history of the negotiations. The negotiations have been going on for the last 15 months, yet the

NDP does not want to legislate them back to work. The NDP will be the negotiators for the union and make the negotiations fly. I suggest to the House that a union leader would have serious reservations about hiring any one of those New Democrats to negotiate.

• (1630)

One must question where the NDP stands. They expressed concern for a woman who may be losing a job. No woman is losing her job at the Post Office. They know that the new system of franchising would be established only upon retirement. How does that put a woman out of work?

My hon. colleague noted that in fact the new franchising system may create even more jobs. What is wrong with that? What have you got against more jobs?

Mr. Rodriguez: Four dollars an hour.

Mr. Holtmann: The fee has never been mentioned or negotiated. The parties were unable to come to a conclusion after 15 months of negotiation, yet the NDP wants to extend these negotiations and the strike. It wants to create more damage and injury to the economy of Canada.

Mr. Rodriguez: Like free trade.

Mr. Holtmann: How do they expect that to be creative?

Mr. Rodriguez: You do not believe in collective bargaining.

Mr. Holtmann: Certainly we believe in collective bargaining, but obviously in 15 months it has not produced a collective answer.

Mr. Rodriguez: The right to strike is part of collective bargaining.

Mr. Holtmann: The NDP takes the attitude that it will only support the strikers and let the process continue for another 15 months. Alternatively, it would support the view of the Member for Hamilton Mountain (Ms. Dewar), which is to let the strike continue and ruin big and small industries in this country. It does not care.

While members of the NDP will say they support the average small-business person during the next election campaign, where were they when they were needed?

New Democrats suggest that this legislation is Draconian and hypocritical.

Mr. Rodriguez: You are a big hypocrite!

Mr. Reimer: Madam Speaker, I rise on a point of order. The Hon. Member for Selkirk—Interlake (Mr. Holtmann) is trying to present his point of view to the House. Perhaps you could ask members of the new democratic party at least to give him the courtesy of allowing him to say what he wants. They may not like what he is saying, but surely he has the right to say what he wants.

Mr. Nystrom: I have not said a word.

Mr. Keeper: Madam Speaker, I rise on the same point of order. The Hon. Member said that our friend to the right—

Mr. Rodriguez: Far right.

Mr. Keeper: —was attempting to express himself and get his message across. But clearly he was trying to provoke a reaction from this side of the House. Otherwise, why would he be saying such nonsense? I think the Hon. Member is achieving his objective. Let the debate continue.

The Acting Speaker (Mrs. Champagne): While listening very carefully to the exchange that was taking place in the House, the Chair had the feeling that both the Hon. Member for Selkirk—Interlake (Mr. Holtmann) and some members of the New Democratic Party were enjoying that part of the exchange. I am sure that Hon. Members will want to take the opportunity to answer the Hon. Member, but he should be given the time and the opportunity to have his say.

Mr. Holtmann: Thank you, Madam Speaker. I hope you will tack that extra time that was literally stolen from me this afternoon on to my time for debate.

Let us review what the strike was about and why we would, in fact, legislate the inside postal workers back to work. They were not striking in order to improve the high level of absenteeism, which is 17 days for inside postal workers, compared to an average of seven days of absenteeism among other workers in Canada. I heard nothing from the NDP about that situation which is very prevalent among inside postal workers.

While that is not something about which those workers can be proud, the NDP will find a way to say that it is great.

The reason they are on strike is to scuttle management's objectives to bring good, clean, efficient postal service to Canadians. When the NDP supports that type of action, one really wonders how 36 of them were elected as Members of Parliament.

The federal Government must return some sense to the situation. The workers are not even arguing over wages, which are good compared to those in the private sector.

History has proven that we cannot afford a lengthy postal strike because of its damaging effects on the country. Certainly, no one in the House should condone the violence which has been alluded to, although members of the new democratic party have said that violence can be condoned sometimes when it comes to international affairs. That Party, which claims to be the protector of the people, even condones violence. I believe that the Leader of the New Democratic Party even talked about gun-boat diplomacy, referring to some fishing off the coast of Newfoundland. That Party wanted violence. We do not want violence, and I think that is very evident in the actions taken by the Government.

The reason we are moving time allocation is that anything further to be said by the Opposition will simply be repetition. I already indicated that one Hon. Member repeated the word "Draconian" 40 times in his speech.

We want to avoid violence. Clearly that is the objective of the Government and the reason for supporting the back-to-work legislation. Furthermore, the majority of Canadians want back-to-work legislation. Why does the Opposition not agree for once that we are doing what Canadians want? Canadians want their mail to move.

Mr. Rodriguez: They do not want free trade.

Mr. Holtmann: He wants to get into the free trade debate. He will have his opportunity to do so. I suggest that Canadians might even want free trade, but they certainly want free access to the mail without controversy, fights or abuse on the picket lines.

Mr. Cyril Keeper (Winnipeg North Centre): Madam Speaker, I must say at the outset that it is a tragedy that the Government found it necessary to limit this debate rather than examine this legislation in a thorough and comprehensive way. Rather than taking the time to consider our suggestions for amendment, or seeking to change or even withdraw the legislation, it is limiting the debate and trying to bulldoze ahead. However, knowing the Government well, we are not surprised by its action.

I want to explain what the Government is trying to sell Canadians with regard to Canada Post. These days, politics is largely a matter of image. The Government treats the Post Office like a business. It is trying to sell the Post Office to the Canadian public as a business. Why has the Government chosen to do that? It is because, for many Canadians, that has connotations of efficiency, of being cost-effective and of providing a good service. So this is the image the Government is trying to sell. However, the reality is that when it comes to service, the Government has watered down the standards of service. Rather than working out how it could make sure the letters arrive in time, meeting the standards that are already in place, the Government has watered down the standards.

• (1640)

It still takes eight days in many cases for a letter to get across town. Therefore, the reality does not fit the image the Government is trying to sell. It tries to get across to the Canadian public that if we treat the Post Office as a business, it will be cost effective and the best thing for the pocketbook. The reality tears apart that image because when the Government franchises post offices it gives away post offices that bring in the best revenue. A business person who is interested in a franchise from the Post Office is not going to take one of those post offices that are losing money. It will be the one that makes a revenue. So the Post Office and the Government are giving away revenue which will create more deficit for the Post Office. This is completely contrary to the image the Government is trying to project when it calls the Post Office a business.

The point I want to make is simply that the Government is trying to sell a pig in a poke. It is trying to sell an image, because that is the nature of modern politics.

The reason the Government brought in a motion to limit debate is that it is trying to sell another image, which is one of the Government being tough, in control and capable of governing this country. Well, every Canadian knows that the reality of this Government is that it is completely incompetent and lacks the capacity to set a direction and maintain it. It certainly lacks the compassion to set a direction which is in line with Canadian values.

There are other ways of looking at the Post Office rather than simply looking at it as a business. One of the ways I would like to suggest is fairly commonplace but still important. Why do we not look at the Post Office as a public utility? Why can it not be like the Manitoba Telephone System, which is owned by the people of Manitoba, delivers good service, and is what it is, which is a public utility? It is under the democratic control of the community in which it is located, and this is very important when it comes to rural communities.

When this Government treats the Post Office as a business, what happens is that when that business is in a rural community, if it cannot make enough dollars to balance the books, it is closed down and the service is cut off, tearing away one of the pillars of our rural communities. So rural Canada is up in arms against the Government. Rather than treating the Post Office as a business, why not look at it as a public utility and recognize that the post office in a rural community is an investment? It is part of our willingness to preserve rural life.

It is not our ideal to have everyone living in a city. Canadians ought to have the option of living in a rural environment. The economics of having to centralize everything in the large urban centre does not make any sense in the modern context in which we are trying to improve the quality of life. This is the time when we should be investing in rural community life so that people who want to live in that kind of environment have the option to do so, rather than tearing out the roots of our rural Canadian communities.

Another aspect of looking at the Post Office as a public utility rather than as a business is that we can cross-subsidize services. In other words, we can be involved in those services that make a profit and use those profits to support the services that lose money. Not only that, if it is a public utility, if it follows public policies, then it can set national standards, which brings us to the whole question of women's equality. Why treat the Post Office as a business if it means that we will have to cut women's wages? Why is it that when 80 per cent of the people who run rural post offices are women already receiving low wages, the Government moves to cut back their wages drastically? In Wilno, Ontario, the Government is offering the Postmistress one-fifth of what she earned before.

It is not a freeze in her salary, it is not a cut, but a complete slashing of her salary. she was offered one-fifth of what she was offered before. this is what the government is doing when it treats the post office as a business, trying to create a great image when the reality is a horror story.

There is another way to do it. We want the Government to wake up. Rather than introducing motions in this House to cut off debate because it does not want to hear about alternatives, it ought to listen to what people on this side of the House are saying. The Government ought to listen to what rural Canadians and women are saying and should learn from it so it can develop a policy for the Post Office that makes sense.

Over the last 20 years the Post Office has been going downhill because it has been bounced from one Minister's desk to another. It has been ignored for 20 years. Twenty years ago Canadians were satisfied with their postal service. They had confidence in it, and the people who worked for the Post Office had pride in their work. But the Post Office has gone downhill through neglect. It is time for the Government to rethink the Post Office and it is time for Canadians to rethink the Post Office and time to have a real national debate. Why do we have a Post Office? The debate should not just be a process of grandstanding by a Government that is sinking in the quicksand of its own unpopularity. Why do we not have a real debate on the Post Office? How can it be run efficiently? What is its purpose? We can then design a Post Office that can work and function and pay decent wages so that people do not have to live in poverty in order to work there. People should have the option to work in an environment that is healthy, and the Post Office should be able to support rural Canadian life so we do not contribute to the abandonment of rural communities.

I am very disappointed in what the Government is doing in moving this motion to limit debate. What it is in fact doing is seeking to sell a pig in a poke to the Canadian public. It is trying to say it is tough. It is saying: "We have taken on Jean-Claude Parrot and we have made him say "uncle". Why is it trying to do that? Because its own public image is in the garbage pail, and the Government has earned the right to be there. Its image is like junk mail. It has given junk mail to the Canadian people and the Canadian people have said that this is a junk Government.

It is time for the Government to wake up and realize that grandstanding is not enough. When push comes to shove, when it comes to the bottom line, the question is whether the Government is governing in a way that is competent, not whether it is doing well with its public relations efforts.

How well is the Government actually governing the country? If it were to think about what the Post Office is for and to establish a decent plan to achieve the objectives of Canadians, which is to get their mail on time—in a couple of days rather than a couple of weeks—Canadians would like that. Canadians also want the workers to have pride in working at the Post Office. The vast majority want to know that their Public Service is paying liveable wages. They do not necessarily demand that someone be able to eat caviar on their wages, but certainly that they be able to have three good meals on their table rather than being forced to live in poverty.

[*Translation*]

Mr. Vincent Della Noce (Parliamentary Secretary to the Secretary of State and Minister Responsible for Multiculturalism): Madam Speaker, I wish to join in this debate on time allocation regarding the dispute in the Post Office. This time, I shall address the Chair and I hope that I will not be interrupted by some Hon. Members who appear to take this issue much less seriously than they claim, before TV cameras, for all Canadians to see.

Madam Speaker, I think that this dispute has lasted longer than opposition Members seem to realize. They just need to watch TV. But they forget that there has been 15 months of negotiations that were getting us nowhere. The parties have been playing at musical chairs for 15 months. And after all that time the negotiators had to admit that they could not even see the light at the end of the tunnel and could not find one single point that could be settled.

I hope that all Canadians and particularly those in my riding who phoned to tell me that it was about time to resolve this dispute will realize that, in the past, we never have negotiated a settlement. We used to yield to every demand, to buy peace and to settle disputes at any cost.

If you look at the report of the Conciliation Commissioner, Mr. Claude Foisy—We were told, time and time again, that there was no progress in the last 15 months of negotiations and that the major point of contention, franchising, would trigger an all-out war. Madam Speaker, we are in the midst of that war which has already taken its toll. While workers put their life in danger on picket lines, our colleagues opposite keep saying: There is no hurry, let us continue the debate!

The situation is much more serious. Instead of continuing the debate we must solve the problem. As Government Members, we cannot act irresponsibly as the Members opposite who would like us to give everything to the unions. I think that our primary responsibility is to ensure that the negotiations will be meaningful and to solve that problem at a reasonable cost.

As you are aware, a large number of our constituents complain about the lack of motivation in our Post Offices. There is an incredible lack of motivation—

• (1650)

[*English*]

The Acting Speaker (Mrs. Champagne): Order, please. The Hon. Member for Duvernay (Mr. Della Noce) has the floor. The normal courtesy should be extended to him by Members opposite. Even the Chair cannot hear his remarks. I would say that the conversation between Hon. Members is a bit too loud. The Hon. Member for Duvernay.

[*Translation*]

Mr. Della Noce: Madam Speaker, as I said earlier, they do not even have the courtesy to listen as we did when they spoke.

As I was saying, there is a serious problem of attitude in the Post Office. I can see it in my riding, and I am sure many of my colleagues could say the same. Now, in our post offices, the customers get bawled out. People are very frustrated. I was even told, and I had the same experience myself, that it is impossible to get a smile from a post office employee. It is frightening! My colleague for Jonquière (Mr. Blackburn) said that there is a total lack of motivation in the postal service. I believe him. No one smiles, no one cares. It all belongs to the Government. We go on strike, and our demands are met. Sure. That is what we used to do. Today, Mr. Foisy mentioned in his report that Canada Post had the right to franchise postal services. I found some newspaper clippings, and I have an article, published in *Le Devoir* on October 9, that I would like to quote: "As far as postal services are concerned, this Bill could put an end to a quarter century of bungling, when politicians bought peace at any price. It is too bad—"

I hope Hon. Members will listen, because this is for them! "—the NDP Opposition has not understood this and is taking advantage of this opportunity to make some cheap politics instead of taking the longer view to consider the public interest."

Here is another one: In the past, the Canadian Union of Postal Workers managed to make major gains in strikes under the Liberals, who caved in to demands for a settlement at any price.

Well, we certainly cannot blame the unions. I want this to be quite clear, Madam Speaker. I am not against the unions. When they get something they want, I say more power to them. But I think we have to go further than that to settle the problems at issue here. Obviously, we want to put an end to this dispute, and the Minister of Labour (Mr. Cadieux) was quite accommodating: If there is anything you don't like, we might be willing to change a few words!

No, they said. Let the strike go on. Things will get better. We can have a debate and make some cheap political gains and even get on television on the evening news! Madam Speaker, that is not what the business people are saying in my riding. They say: Settle the problem once and for all. They need the service, which is very important to small businesses.

They also talked about scabs and strike-breakers. The fact is that in Quebec it is even harder than in the rest of Canada because that problem was settled during the big strikes we had in the past. I don't like strike-breakers. I am against all that. You can't do that.

However, I must say that Quebec has dealt with the problem, and maybe other provinces across Canada will do likewise to deal with a problem that, I think, can only lead to violence. The real purpose of the Bill is to have our mail delivered without violence. It seems that after 15 months we have not succeeded. There were negotiations, but they failed. People are sick and tired of playing musical chairs. We are going to wait again. Are we going to wait another 15 months? Are we going to wait another six months? Are we going to wait for someone to die? This week a woman was wounded in both legs. Do we want her to die? Do we want more people to get hurt? I think we are trying to make something out of nothing.

There is no way to bargain. Maybe they should impose a negotiator who might be more successful. The unions and the NDP are saying that jobs will be lost, and that the negotiators dealt with this and that.

Madam Speaker, are you aware that there are in Canada 12,000 postal counters? Only 417 of them are manned by unionized workers. There is the Canadian Union of Postal Workers. The Union is saying that 4,200 jobs are already jeopardized, creating the impression of further lay-offs. Would you believe that these people think there are going to be 4,200 lay-offs? They are wrong. The Corporation has offered job security to all its employees. The people who are listening to us must be wondering: What are they fighting over? What are they negotiating? They are negotiating the franchising of the postal services.

We have reached a point where a small group of employees want to tell their employer: That is the way you are going to do it. As you probably know, Madam Speaker, I was once a boss myself. I was a boss and a union supporter once, and I have never allowed my employees to dictate to me how to run my business, because each time I did, I lost money. For instance, I have negotiated with, watched and listened to my employees. I have worked with them and obtained some success.

Madam Speaker, they should not claim that some jobs will be lost; it is all right for the NDP to try and make cheap political gains, but no job will be lost. Violence must stop. I do not like the way things are going. I wish that within the past 15 months, the parties had reached a negotiated settlement. The Minister of Labour said the same thing, and we are part of the Government, not the Opposition. We must act responsibly and decide in the best interests of Canadian businesses and individuals, making sure that they are getting their mail. Our honourable friends opposite should go to the United States: They would realize that there are no strikes there any longer. There is service. In the United Kingdom, they are getting their mail within 24 hours, while here, we are not even able to get it within a week, with a smile.

• (1700)

[*English*]

Mr. John R. Rodriguez (Nickel Belt): Madam Speaker, it is a sad day for Parliament and democracy. Every single time that the Government, with its vast majority and its great weight, has to use closure and the limitation of debate in the House, it is a sad day. It is a sad day that it has imposed

limitation of debate on this particular piece of legislation. I am saddened by this Draconian piece of legislation.

It also saddens me that it looks as though the Liberal Party and the Conservative Party got together, because on this limitation of debate motion I have only heard one Liberal speaker on this particular Bill. It is unfortunate that the Official Opposition has not seen fit to participate in fighting what at other times they would stand up and shout against as the tyranny of the Government. I am saddened by that because they pretend to be the champions of the working class. In fact, when the chips are down they run for cover.

What does the limitation of debate in the House say? First, it says that the Government is incapable of dealing with this serious problem. The very introduction of back-to-work legislation in the form of Bill C-86 is a clear indication that the Government has failed, in spite of the fact that it had a hands-on relationship with Canada Post. There has not been the arm's length relationship which we heard would take place with the creation of Canada Post.

I recall the President of Canada Post, Mr. Lander, stating to a committee of the House that I attended that he could not tell us what the business plan was for the Post Office, because it had not been approved by the Government. So the Government approved the business plan for the Post Office. What was that business plan? It was simply to cut back the postal services to Canadians.

Therefore, this limitation of debate is a clear acknowledgement on the part of the Government that it is incapable of dealing with Canada Post and the problems in the Post Office. It is incapable of ensuring that postal services to Canadians would not only be expanded but enhanced. It is a complete failure on the part of the Government to deal with the Post Office, in much the same manner as the Post Office is incapable of dealing with the industrial relations within the Post Office and with the workers who are involved in the Post Office. It must come to its political masters and say, "Put them back to work".

Mr. Keeper: Bail us out.

Mr. Rodriguez: Bail us out, save our face. We have been failures. Instead of saying to Canada Post, "You go back to the table and negotiate a collective agreement with your employees", the Government has come forward to use the jackboot on the workers in the Post Office. I can only classify this as PTL, punitive Tory legislation.

Mr. Benjamin: Praise the Lord, brothers!

Mr. Rodriguez: I want to tell them that it is not too late to repent. I say to them, repent now, the hour is not late, because in fact the moment of reckoning is at hand.

Some Hon. Members: Hear, hear!

Mr. Rodriguez: Bill C-86 should be filed in the dead-letter wicket. This legislation is an acknowledgement of failure by the Government. The Post Office was in quite a mess when Bryce Mackasey was the Postmaster General and headed the Post Office during the 1978 strike. I recall that very well. I recall Bryce Mackasey, in an attempt to resolve the strike with the Post Office, phoning me up and saying, "Can you get Joe Davidson over here? I want to see him". I recall that vividly. I recall saying to Joe Davidson, "Look, here it is. Here is the technological change clause". He took it out of his pocket and said, "There it is. It will solve the problems in the Post Office". It was laid right on the table, and Joe Davidson looked at it and said, "Well, who is going to sign this?" Mackasey said, "I will sign it. I am the Postmaster General". And Davidson said, "What guarantees do we have that this will continue after you are gone?" Mackasey said, "Well, you have the word of the Government". What good was the word of the Government, Madam Speaker? Sure, we got the Post Office out of the Canada Labour Code. We got it out of the PSSRB. Now it is under the Canada Labour Code, it is a Crown Corporation, but now it has PTL legislation. Is that any improvement?

Mr. Blaikie: What does PTL mean?

Mr. Rodriguez: Punitive Tory legislation, that is the new lexicon. That is what we have over there led by Pierre Bakker. We were all led to believe that going to a Crown corporation, going on the Canada Labour Code, will mean that henceforth the Post Office and its employees would be able to resolve their disputes. What have we got nine years later?

Mr. Blaikie: Betrayal.

Mr. Rodriguez: It is a betrayal. It is absolutely a betrayal.

Mrs. Sparrow: Have you got your shovel, John?

Mr. Rodriguez: It is vengeance with a passion, that is what it is. If one can imagine a Tory in passion, I want to state that they have a pretty vivid imagination.

Mr. Nystrom: There is a volunteer.

Mr. Rodriguez: I have never seen a Tory with passion.

Mrs. Sparrow: Oh, come on, John.

Mr. Rodriguez: Anybody that could move a Tory to passion—

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for Crowfoot (Mr. Malone).

Mr. Malone: Madam Speaker, I have been sitting here reflecting for a few moments. I wonder if I may seek to buy the Hon. Member for Nickel Belt (Mr. Rodriguez) his supper tonight?

• (1710)

The Acting Speaker (Mrs. Champagne): The Chair is pondering on whether it should ask for the unanimous consent of the House before agreeing to the Hon. Member's suggestion. The Hon. Member for Nickel Belt (Mr. Rodriguez) has the floor.

Mr. Rodriguez: Madam Speaker, I really wish the Conservatives would show some passion for the collective bargaining process. If they had a passion for justice in the workplace, if they had a passion to try to provide service to Canadians through Canada Post—

Mrs. Sparrow: That is what we are doing.

Mr. Rodriguez: They are not providing service. I have received letters from across the country. We have the Organization of Rural Dignity because the Government has consistently cut back rural postal services. It has consistently cut back urban postal services.

We have had demonstrations. We have had people taking the Government to court over the whole matter of urban postal services. The record is clear.

This piece of legislation and the closing of debate in the House of Commons will not improve collective bargaining in the Post Office. It is using the jackboot of tyranny to put workers back to work in that workplace.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, of course if the NDP Members opposite were to shut up, perhaps they would finally listen to what we have to say.

I would like to refer to the last speakers to show our television audience what can happen in a debate. We had earlier one of our Liberal opponents who rose quite beyond himself and told Canadians watching television what an immoral, what a horrendous thing closure was on such an important matter. It was both immoral and important because, as he said, we will be discussing procedure for two hours rather than the subject matter of the Bill. I would like to tell the Hon. Member, who by the way has just entered the House, that during the 10 minutes he spoke—of course he took two minutes to play the offended virgin, which left eight minutes during which he addressed the subject matter and the problem at the Post Office.

On the other hand, Madam Speaker, we just heard a very delightful and eloquent speech from my NDP friend. This clearly shows their attitude in this case. What a joke! They laugh, they mock the conflict to show that on the Government side what is going on is absolutely ridiculous. But what is going on on the Government side? We returned to the negotiation table after some time, and I would like to quote the following from *Le Devoir*: "After 10 days of postal strike, the Government decided on back-to-work legislation. They are 10 days too late." It is not a laughing matter. It is absolutely not a laughing matter, nor is it a matter for procedural bickering either, Madam Speaker.

What would this Bill do, actually? We are telling people: You are taking the Canadian people as hostage. You will go back to the table, we are appointing a mediator who shall within a certain timeframe, keeping a steady eye on the report submitted previously, manage to make his views known. And that is important. We should, or rather the Minister of Labour (Mr. Cadieux) could have said : I am enacting a special legislation, you are going back to work, and here are the working conditions. But no. We want to proceed in a democratic way.

But we are past the time, Madam Speaker, where settlements were taking both the Canadian people and the Canadian Parliament as hostages. The time has gone, Madam Speaker, when regulations only were taking hostage the Canadian people as well as the Parliament of Canada. Canada Post Corporation was privatized in order to remove the political aspect of the system and we have been here for a week laughing and mocking and taking Canadian men and women hostage. We agreed with the strike earlier. We do not think about older people nor the thousands of men and women who are concerned by the present situation. And in our speeches, we pretend to maintain the quality of the service. But let us wonder about the quality of service for the past 25 years. Why is it that the sales of companies such as Courrier, Purolator and so on are ever increasing? The sales . . .

An Hon. Member: Because they are private companies!

Mr. Hudon: Not because they are private companies, but they offer a better service and we paid attention to that.

As for us, when you listen to the NDP members, we have less mail, less service to offer because if those people were coming back, volumes would really be important and the quality of service should yet be improved. The best guaranty of job security is the quality of service being offered.

When I was director of personnel administration in a school board, I kept repeating that the best job security you can have depends on the quality of service you offer to the people you have been hired to serve. That is why, incidentally, Madam Speaker, the Conservative Party will be re-elected because they offer the best service Canadians want and have ever had during the past 20 years.

Madam Speaker, if you read editorials which support us, you will find one in the *Gazette*, for instance, under the headline " It had to be done". And yet, that paper is not known to be always supportive of the Party in power. You also look at the special legislation, and an editorial by Pierre Vennat in *La Presse*: Clearly, the Mulroney Government was right when it decided to end the postal dispute by introducing a Bill to that effect.

In four or five minutes, Madam Speaker, we will be called upon to vote and I will support time allocation for the debate on that issue, because we have been discussing procedure for the past two hours, discussing closing the debate. The debate must be closed. We must give back to Canadian men and women who are entitled to services, the power they have as citizens. At this point, after two or three weeks, we have had enough and that is final. The best safeguard, the best work quality as I said is the quality of service they should provide. They said this was a sad day. It is not necessarily so terrible, except that we may have wasted two hours—we should have passed the Bill earlier in order to move to other business that is important to Canadians.

I think that everything has been covered by the Hon. Members who spoke and we are now coming to the end of the debate and I would like it to be serene and calm. Are we rich enough, can we afford in Canada to deprive all our citizens of services they are entitled to? This we will never repeat too often. The Canadian Parliament, the highest authority in the land—of course the Senate has a different view—the Canadian Parliament essentially has the power and the right to give back to the citizens the services they should have, and we should stop listening to a few people who, in a system like ours, in a democratic system, have a right to make their views known, but the fact that they have a strong voice to bellow out their points does not necessarily make them right.

I like to refer to the old story of the parishoner who one day went up to the pulpit to read the sermon prepared by the parish priest for the next day. The sexton had written in the margin: "Weak point, use loud voice." When one is not too sure of what to say, one makes jokes, one uses a loud voice, one shouts to impress one's truth. I can say that in the constituency of Beauharnois—Salaberry, in Valleyfield, there are dozens of people who are calling because they expect service. I represent them also. It is not only on behalf of union leaders whom I hold in high esteem that I am speaking out, but also on behalf of mothers, senior citizens and all those who are expecting something through the mail.

I suggest that the time has come to put an end to this hostage-taking of the Canadian people and that the parties should get together—a corporation has every right to change the direction of its operation as it pleases. Madam Speaker, in Valleyfield, which is not a city as big as Montreal, with between 30,000 and 33,000 inhabitants, not a week goes by without some convenience store owner showing up at my office to say: Mr. Hudon, it would be nice if I could get a small postal counter. I think it is a very good idea. Why not? Everybody agrees that we should bring the service closer to the customers, provided that this does not endanger any job security or other rights.

As I was saying earlier, Madam Speaker, the best security for these people would be in the quality of their service. Why refuse them that? Every application for a postal counter should be judged on its merits, and very often, we are faced, not with arbitrary decisions, but with decisions such as: Here, we may have gone a little bit too far, it would be necessary to make personnel cuts. I am sure that the postmasters . . . the Valleyfield postmaster at any rate, would take this into account when making such a decision. However, I should say that it is sometimes much simpler to make a decision when the staff is reduced and that normal rather than Draconian steps are taken.

This is quality service. Such service for Canada Post would be as that provided by Courier and Purolator which pick up letters and make home deliveries. They do not say: "I have your letter and I will deliver it when I feel like it".

The quality service is a kind of decentralization. I feel that people should be ready to accept such a move. It will give Canada Post a greater volume. People have lost confidence. The Member for Beauharnois—Salaberry (Mr. Hudon) cannot restore confidence and I fully agree. However those are fruitless and childish struggles that we are facing now and they prevent us from going any further.

I think that we should be serious enough to see that this is justified and I appeal to my colleagues from the Liberal Party and the New Democratic Party to stop performing antics with this issue and to vote really for the well-being of Canadians and for quality service.

The parties will return to the negotiation table and for 90 days, the Bill will appoint a mediator who will be instructed to consider all disputed issues and to try to find a common ground of agreement between the parties. But this is excellent! They do not say: Go back to work, you have 4 percent and we do not talk about it any more. This is excellent! If they have persuasive arguments, Good Heaven, it will be a good table to put them forward . . . an area of agreement with the parties . . . if he cannot do it within 90 days, he will make an arbitral decision on each point of controversy.

I trust the skills of the judge or mediator-arbitrator who will be appointed. I am confident that with this, with good arguments, Canada Post Corporation will sit at the table with the Union and that the parties will put forward their arguments; maybe we will see the light at the end of the tunnel, Mrs. Speaker.

• (1720)

[*English*]

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, in the two minutes remaining in the time allocation motion, I have a couple of comments. When the Deputy House Leader for the Government moved the motion today he indicated that time allocation was not needed and, therefore, the Bill was needed to do three things: to get the parties back to the bargaining table; to end violence on the picket lines; and to keep the mail moving. The Government does not need any legislation to get the sides back to the bargaining table. It needs to instruct Canada Post to start bargaining fairly and that it is no longer bound by the corporate plan directed by the

Government. To end violence on the picket line, you eliminate the cause of the violence, which is the use of scabs. There was no violence during the rotating strikes—

Some Hon. Members: Yes, there was.

Mr. Angus: —except when Canada Post started to bring replacement workers in.

We had a strike in Thunder Bay at the Great Lakes Forest Products plant. One thousand five hundred men and women went out on strike, but there was no violence because there were no replacement workers, no scabs. People there understand the system. The Government has to accept responsibility for the violence.

As to keeping the mail moving, I come back to my first point, that if the Government were serious about keeping the mail moving it would have instructed Canada Post that it was no longer bound by the corporate plan, a plan that will not increase service but will lead to a deterioration of service in the communities.

I hope tomorrow during the full debate I will be able to finish my comments.

[*Translation*]

The Acting Speaker (Mrs. Champagne): I regret to have to interrupt the Hon. Member.

As it is 5.26 p.m., the two hours provided for the study of the motion before the House are over, in accordance with Standing Order 117.

Consequently, in accordance with this Standing Order, it is my duty to interrupt the proceedings and to put all the questions necessary to dispose of this motion.

[*English*]

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne)): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne)): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne)): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne)): Call in the Members.

Time Allocation

The House divided on the motion (Mr. Lewis) which was agreed to on the following division:

(*Division No. 279*)

YEAS

Members

Andre
Bernier
Blackburn (Jonquière)
Bouchard
Brightwell
Cadieux
Caldwell
Champagne (Champlain)
Clark (Brandon—Souris)
Clifford
Coates
Cochrane
Cooper
Crofton
Crosbie (St. John's West)
Crosby (Halifax West)
Crouse
Darling
de Cotret
Della Noce
Desjardins
Edwards
Epp (Provencher)
Fennell
Ferland
Fontaine
Fraleigh
Gervais
Graham
Gray (Bonaventure—Îles-de-la-Madeleine)
Hamilton
Harvey
Hicks
Horner
Hudon
James
Jardine
Jelinek
Jepson
Johnson (Bonavista—Trinity—Conception)
Joncas
Kelleher
Leblanc
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Malone
Mantha
Marin
Mayer
Mazankowski
McCuish
McDermid
McKenzie
McMillan
Merrithew
Nicholson (Niagara Falls)
Nowlan
Paproski
Pennock
Peterson
Porter
Price
Redway
Reid
Reimer
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Shields
Sparrow
Speyer
Stackhouse
Stevens
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Turner (Ottawa—Carleton)
Van De Walle
Vincent
Weiner
White
Wilson (Etobicoke Centre)
Witer—87

NAYS

Members

Althouse
Angus
Axworthy
Benjamin
Blackburn (Brant)
Blaikie
Boudria
Caccia
Copps
Dewar
Dingwall
Finestone
Foster
Fulton
Gauthier
Gray (Windsor West)
Grondin
Guilbault (Saint-Jacques)
Harris
Henderson
Hopkins
Isabelle
Keeper
Langdon
Lapierre
MacLellan
Manly
Marchi
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Murphy
Nystrom
Ouellet
Parry
Penner
Rodriguez
Skelly
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Waddell
Young—41

[*Translation*]

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

• (1750)

[*English*]

At this time, the Chair may want to ask for unanimous consent of the House to call it six o'clock.

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Lewis: Madam Speaker, we just spent two hours being castigated for shutting off debate. There are still 10 minutes left. Let the Opposition debate.

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

The House resumed from Tuesday, October 13, consideration of the motion of Mr. Cadieux, that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and referred to a legislative committee.

Mr. Steven W. Langdon (Essex—Windsor): Madam Speaker, it is a great pleasure to rise after such a magnificent show of generosity, openness and acceptance and fairness by the Conservative Party in power. It gives us a sense of warmth and excitement to have such fine, upstanding foes who will not deign to use their massive majority to break a strike before it is even in full swing and will then turn around, once the legislation is introduced, and use the full power of their majority to cut off debate before it is even possible for people to express their view as fully as they would like.

This is one of the longest speeches that I have managed to make, and if I keep going it may start again at eleven o'clock tomorrow morning. I warn the Conservatives of the consequences of this.

The objections to the Government's action that we are presenting in this case is not just a New Democratic Party position, or an opposition position, it is one that has been accepted and endorsed by newspapers across the country. These are newspapers that, to say the least, are not noted for their enthusiasm either for CUPW, or indeed for the Opposition.

For instance, the *Winnipeg Free Press* states:

> Canadians are used to the sight of Parliament stopping postal strikes. This week, they witnessed the unusual spectacle of Parliament starting one.

It goes on to say that the legislation:

> —brought about a complete walkout of postal workers, accompanied by the bitterness and violence that has marked past postal strikes.

In short, it was not anything that the parties to this dispute did, but the introduction of legislation by the Government, which indicates how completely unfair it was to bring this legislation at that time.

The *Winnipeg Free Press* goes on to say:

> The sanctions proposed to force union members and their leaders back to work verge on the outlandish—

The *Winnipeg Free Press* is not exactly a friend of the union movement in this country.

The *Edmonton Journal*, which some might like to consider the voice of the West, said:

> Ottawa is using coercion where reason might have prevailed by legislating an end to rotating postal strikes.
>
> In the process, the federal government spurns the collective-bargaining process and erodes the right to strike. It invites the Canadian Union of Postal Workers to retaliate in a manner that can hardly make the delivery of mail more efficient.
>
> When talks broke off Wednesday, CUPW called for a mediator but was rebuffed by Canada Post. Thursday, Ottawa proposed mediation in the new bill.

However, it could not leave it at mediation. The Government had to include compulsory arbitration, which takes away completely the potential for successful arbitration and for successful mediation to occur.

Therefore, I suggest that we have a spectacle of a Government which, in its performance, is not just outraging the Opposition, postal workers and customers of Canada Post who will bear the consequences of this foolish act, it is also outraging editorial writers in what are usually conservative newspapers throughout the country.

In view of this, I want to move:

> That this House do now adjourn.

The Acting Speaker (Madam Champagne): It being 6 p.m., the House stands adjourned until tomorrow, at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6 p.m.

HOUSE OF COMMONS

Thursday, October 15, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to the four petitions numbered as follows: 332-3104, and 332-3202 to 332-3204, inclusive.

* * *

[*English*]

JUSTICE AND SOLICITOR GENERAL

GOVERNMENT'S RESPONSE TO FIRST REPORT OF STANDING COMMITTEE

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am pleased to table, in both official languages, the Government's response to the first report of the Standing Committee on Justice and Solicitor General entitled "Open and Shut". The response is entitled "The Steps Ahead".

* * *

INTERPARLIAMENTARY DELEGATION

PRESENTATION OF TWENTY-FIFTH REPORT OF CANADIAN NATO PARLIAMENTARY ASSOCIATION

Mr. Bob Hicks (Scarborough East): Mr. Speaker, pursuant to Standing Order 101 I have the honour to present to the House, in both official languages, the twenty-fifth report of the Canadian NATO Parliamentary Association.

[*Editor's Note: See today's Votes and Proceedings.*]

CUSTOMS TARIFF

MEASURE TO ENACT

Hon. Doug Lewis (for the Minister of State Finance)) moved for leave to introduce Bill C-87, an Act respecting the imposition of duties of customs and other charges to give effect to the international convention on the harmonized commodity description and coding system, to provide relief against the imposition of certain duties of customs or other charges, to provide for other related matters, and to amend or repeal certain Acts in consequence thereof.

Mr. Speaker: Is it the pleasure of the House that the Hon. Minister shall have leave to introduce this Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

PETITIONS

OPPOSITION TO DESTAFFING WEST COAST LIGHTHOUSES

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I have the honour and duty to present a petition from a number of residents of Gold River and Tahsis, British Columbia, who would have the House of Commons insist that the Government abandon its plan to automate and destaff light stations along the coast of British Columbia in the interest of safety and improvement to navigation.

The petitioners are in favour of the imposition of a moratorium and are certainly in favour of the Minister of Transport (Mr. Crosbie) attending the public hearings in Campbell River, British Columbia, on October 29, 1987.

[*Translation*]

OPPOSITION TO GOVERNMENT'S POSITION ON HOUSING

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour of tabling a petition signed by residents of Toronto and London, Ontario, in which they object to the Government's housing policy. This being the International Year of Shelter for the Homeless, they believe that the Government's definition of essential needs is preventing hundreds of thousands of Canadians living below the poverty line from receiving Government housing assistance.

Wherefore, your petitioners humbly pray Parliament to increase immediately the amounts given for co-operative housing assistance.

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, pursuant to Standing Order 106, I have the pleasure of tabling a petition signed by residents of the National Capital Region. They humbly declare that:

whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

whereas the federal Government in its tax reform proposal is studying the possibility of imposing on Canadians a general tax on goods and services, including food;

whereas food constitutes a vital element in day-to-day life and the imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, unemployed, low-income taxpayers, youth, et cetera;

wherefore the undersigned petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

• (1110)

[*English*]

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have another petition in a long series of petitions which have been presented from my constituency with respect to the serious dangers of the Fermi II nuclear reactor in Michigan.

This particular petition is signed by residents of Windsor, Essex, Harrow, Woodslee, Tecumseh, Oldcastle, as well as Anderton and Amherstburg. The petitioners call very strongly for a Canadian presence with the United States to review the safety measures which exist for this nuclear reactor before it is permitted to go to full operation.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

The House resumed from Wednesday, October 14, consideration of the motion of Mr. Cadieux, that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and referred to a legislative committee.

Mr. Speaker: The Hon. Member for Essex—Windsor (Mr. Langdon) has completed his speech. The question and comment period following the Hon. Member's speech is now available to Members.

Mr. Angus: Mr. Speaker, the Member for Essex—Windsor (Mr. Langdon) said he had spent some time on the picket line in Windsor. Would he indicate what he learned about the unusual and unfair way Canada Post has been treating those employees who are not directly involved in the Government's attempt to destroy CUPW?

Mr. Steven W. Langdon (Essex—Windsor): First, I thank my colleague for the spontaneous question.

There are casual workers for the Post Office in my constituency who are not part of this strike, not part of the picket lines and do not receive strike pay. Yet, when they reported to Canada Post facilities last night to receive their pay cheques, they were told that they were not to get those cheques until the strike was finished.

They were further told that they were trespassing on private property by trying to go to the formal area where, during previous strikes, they normally received their weekly cheques as casual workers.

These workers are most often people who face particular financial difficulties. They are often single parents or workers who have been able to pick up this casual job after being unemployed. This money is absolutely crucial to them, particularly because they do not get strike pay and do not have the possibility of receiving unemployment insurance quickly after the refusal by their employer to honour work which they have already done.

Such a practice is absolutely inexcusable and demonstrates the extremely poor management practices of Canada Post. It is the reason that strikes such as this, which have been so devastating to the postal service in this country, have become commonplace.

We have also been told by union officials that this is not an isolated example, limited to Windsor itself, but is something that is actually being applied across the country. Casual workers who have already put in their time to Canada Post are unable to get their pay cheques which are quite properly due to

them from the corporation. I think it is most unfortunate. It is a very sad commentary on the Post Office.

Mr. Riis: Mr. Speaker, I listened with great interest to my hon. friend's speech on this critical issue. Is it his understanding that the short-term goal of the Government in terms of its directives to the postal corporation is to actually phase out the postal system of Canada as we know it in terms of the small rural post offices and community post offices in the suburbs? These are places where many of us can meet many of our constituents at one time because many residents visit the small community post office between 10.30 and 11 o'clock. Is it his understanding that it is the plan of Canada Post Corporation to phase out our postal service as we know it, and is doing so essentially under the direction of the federal Government?

Mr. Langdon: Mr. Speaker, I think it is quite clear from the deterioration of service which has taken place in the rural parts of my constituency that one must have this fear about the future which my colleague has mentioned. One has to have a sense that Canada Post no longer sees service to small communities and rural parts of Canada as a priority in the future. I think it is pursuing this lack of priority by cutting back support for rural postal routes. I think it is looking very closely at closing down post offices in small communities in my constituency.

• (1120)

The rumours certainly have gone around with respect to post offices, for instance, in La Salle, which is one of the small communities in my constituency, that they would be shut down and people would have to pick up their mail in the future at so-called convenience stores or drug stores which, in the case of the particular community of La Salle, are seven or eight miles from the main heart of the town itself. The post office is right in the middle of this old French community. So the signs are there, although I hope that it will turn out simply to be the efforts of this Government to pressure Canada Post far too hard and that a new Government, when it is elected, will see that Canada Post shifts back to its original commitment to provide service to our rural communities and our rural people right across the country.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there have been discussions among the Parties and I think you will find there is consent for the following order to be passed by the House.

That, when Bill C-86, an Act to provide for the resumption and continuation of postal services, has been given second reading this day, it shall stand referred to a Committee of the Whole; and

That the adjournment proceedings this day, pursuant to Standing Order 66, be suspended; and

That the normal hour of daily adjournment be suspended and the House shall continue with consideration of the said Bill.

Mr. Deputy Speaker: Does the Hon. Minister have the unanimous consent of the House to introduce the motion?

Some Hon. Members: Agreed.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, indeed there have been discussions and we have had some very clear indications from the Minister of Labour (Mr. Cadieux) that the amendments suggested by the labour critic of the New Democratic Party are being considered, that he is at least open to evaluating those amendments and will respond at the appropriate time, we hope in the affirmative. Therefore, we feel it is important that we get on to discussing ways and means of improving this legislation and this special order is a way to facilitate that debate.

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, as I mentioned yesterday, we were then ready to go to committee because we thought the time had been reached where we could better put our point of view across through moving amendments. We have also had discussions with the Minister of Labour (Mr. Cadieux) who showed an open mind and who appears to be receptive to some of our amendments. Therefore, in this respect, we are quite willing to agree with this order, and I say that on behalf of my Party.

Mr. Deputy Speaker: Is there unanimous consent in respect to the order?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Deputy Speaker: There were two minutes left in the question and comment period of the speech of the Hon. Member for Essex—Windsor (Mr. Langdon). Resuming debate.

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I too want to participate in debate on Bill C-86, an Act to provide for the resumption and continuation of postal services. I want to remind the House that when this Bill was tabled there were postal services and mail was moving. Yes, there were a series of rotating strikes followed by a series of lock-outs by Canada Post, even though it likes to suggest it was a scheduling problem more than anything else. By the time this Bill was tabled there was no emergency, no hue and cry in the country from any sector. In fact, there were suggestions by a lot of groups which would normally be considered anti-Post Office and anti-CUPW that things should be left well enough alone.

This Government, for whatever reason, and we have our suspicions, decided to bring in this legislation. It decided to use the heavy hand of its majority to accomplish phase two of its over-all vision for Canada Post. In phase one, of course, it is trying to dismantle a system, by no means perfect, instead of rejuvenating it, using this legislation to force upon the workers a collective agreement that is in tune with the corporate plan. That corporate plan is one that will actually lead to a further deterioration of postal services.

During my speech this morning I want to give some examples of this new efficiency, this new level of service that

Canada Post is trying to provide to the people of Canada. Because my immediate knowledge tends to be focused on my riding, I will deal with riding issues.

We have this new beast in Thunder Bay; it is not called a franchise outlet; it is not called a sub post office. In fact, we are not sure if it has a technical name, but it is commonly referred to as a parcel outlet. This is a place where one has to go in order to get a parcel or registered letter that was unable to be delivered to one's door. In the old days, the courier service, a contractor employed by Canada Post, would drive up to one's door, usually at speeds which were unsafe for neighbourhood children, but that is a different issue, and finding no one home—let us remember that the majority of families have two wage earners these days—the parcel or registered letter would go back to the station.

At the station a card would be prepared, matched with the parcel or registered letter, and shifted over to the letter carrier section for delivery the next day to the recipient's home so that when the recipient arrived home from work there would be a card in the mailbox saying that a parcel or registered letter could be picked up at Postal Station F or P, or whatever the letter of the branch of Canada Post.

The next day, unless the individual was on a shift that gets him or her home early, more than likely it would be picked up on the third day, but no later. Because of this new efficiency it takes three or four days to claim a parcel or registered letter from what is called a corner store, which is usually in the middle of a block, or a confectionery store that has place for two cars to park. These parcels or registered letters are stored in the livingroom of the owner. Usually these are confectionery stores that are at least an hour away from, for instance, a senior citizen who used to be able to walk to the post office. Now these people have to walk to the bus stop, which is about the same distance from the senior citizens' apartment building as the post office, take a 20 minute bus ride to the other end of the old City of Fort William, go to the confectionery store and hopefully get their parcels. There is no guarantee they will be there because every time you add another step to a process there is another chance of human error. These errors have already occurred. Then they go back and wait for the bus for anywhere from 10 minutes to 20 minutes, and sometimes for up to 40 minutes, and then back for another 20 minute bus ride. So this new, improved efficiency for those seniors takes them at least another hour to get a parcel that they used to be able to walk to the post office to get as part of their daily routine.

• (1130)

I use the seniors as an example because, as we know—and all of us have received calls, not during this particular labour-management dispute but in others—seniors rely on the mail. They rely on parcels. We like to call them care packages from the kids, or from a sister or brother. They tend to use the mails more than do a great many of us. So they have a situation in which they are being forced to go well out of their way to obtain a service that was once available to them just around the corner.

In the other half of the City of Fort William they do not have to go that far. In fact, the parcel outlet is in a drugstore, which is in a small mall about 1,500 feet from the main post office. But it is in an area in which it is difficult to park. It is a busy shopping mall. So it is more difficult for people to gain access. What about that main post office? What is happening there? Well, as part of what I see as the over-all plan of Canada Post, management appears to be doing its best to anger the customers, to frustrate the customers, to make them angry at the staff.

Do you know what they do, Mr. Speaker? At the busiest time of the day they assign most of the staff to non-wicket duties. We have had situations in which there has been only one clerk on a counter that has room for six or eight on duty, and the line up is out the door. It is no wonder that the Government says people want this new improved service. Of course they want it, they are being turned off and turned away from the traditional outlets.

CUPW has not said that they do not want services provided in areas that do not have them. They would be more than happy to have them staffed by full-time Canada Post employees, not a drugstore clerk who will do the post office duties when they are not selling cosmetics or whatever. That is the other thing that we have seen happening.

Let me turn to the community of Atikokan at the other end of my riding. It has a central post office. It has no home delivery. Nor, quite frankly, is home delivery wanted in that community because, as my colleagues have said before me, in these smaller communities those post offices are a communications point. They play a focal point in the community. Politicians know that if they want to greet the whole town they show up at ten o'clock in the morning, or at eleven o'clock, and pretty well everybody comes to the post office to pick up their mail.

What does Canada Post want to do? It wants to develop one of these postal outlets somewhere else in that small community of 4,500 people. So there would be the frustrating situation of being sent, or going down, to the post office with a parcel and being told to go across town to pick it up instead of using the logical one-stop shopping service that is currently available.

They are talking about closing rural post offices on Saturdays. It is being said that there is not enough business on Saturdays. What does that do to the people of northwestern Ontario whose livelihood comes from the harvesting of trees and the digging of ore and have to live out of town Monday through Friday and only come into town on weekends? What does that do to them? It disenfranchises them.

The Post Office should be trying to develop a postal system that will attract new volumes of mail, that will ensure that the revenue is there to pay for the services that the people of Canada want, without having to charge an arm or a leg for a

stamp, and at the same time providing a vast range of services that would introduce new revenue to Canada Post. The Post Office is not doing that.

Let me go to the Bill itself and talk about a couple of things in it. I want to express my concern about the imbalance in this Bill. It is clearly a Bill weighted heavily in favour of Canada Post and heavily against the workers and their union. For example, setting aside the monetary penalties which are very severe for someone who violates this law, let us take a look at the responsibilities for the union leadership and the responsibilities for the management leadership and the respective penalties.

As we know, either a union officer who defies this law or a company official who defies this law is forbidden from holding office or employment for five years. When one looks farther in the Bill one finds in relation to "Obligations of union" the following:

> The union and each officer and representative of the union
>
> (a) shall, forthwith on the coming into force of this Act, give notice to the employees that, by reason of the coming into force of this Act, postal operations are forthwith to be continued or resumed, as the case may be, and the employees, when so required, are forthwith to continue or resume, as the case may be, the duties of their employment—

The union officers have to tell their members that they have to go back to work, but the company is not forced to bring them back to work until it wants to. We saw during the rotating strikes where Canada Post management made a point of delaying in bringing those workers back. They said that the scabs had to finish their shifts.

In Thunder Bay we had the ludicrous situation at the mail sorting plant where the workers were kept out an extra day; and, yes, there were scabs in there attempting to sort the mail. But at the main post office where the wickets are, and where there were no replacement workers, no scabs brought in, only management employees, they were kept out for an extra day.

Canada Post has shown already its irresponsibility in this matter. Yet here in this Bill we are giving it the right to delay calling back the workers. But the leadership of the unions, whether at the national level or the local level, have to jump. Are they required to have a telex out within one minute of the 12-hour point when this law comes into being? This is hunting season up in northwestern Ontario and conceivably some of the leadership may be out enjoying the recreational life that is offered in northwestern Ontario. Will they be prohibited from holding office because they took a weekend off and did not jump when the Government said that they should?

What right does Parliament have, what right does the Government of Canada have, to tell the rank and file of CUPW, whether it is at the local in Thunder Bay or at the local in Atikokan, or the national union, who should be their leaders? That is up to those men and women. They are the ones who decide. Think of the position that they are placed in.

• (1140)

I suspect that there is a mythology in the Conservative ranks on how unions function, they really believe that orders flow from the top to the bottom, and when Jean-Claude Parrot says, "Do it", they do it. It does not work like that in the real world. Through a secret ballot the membership of a local of CUPW could decide that they were going to remain on strike. As a body they would suffer certain penalties, of which they would be aware. They would know that their local or their national would be fined. They know that as individuals they would be fined. But by giving that direction to their leadership, they would also be saying that, because of this Bill, the leadership would not be able to continue as the leadership for five years. That is an extremely difficult position to put anyone in. I would not want to be one of those labour leaders under this Bill; it is so Draconian.

This is why we wish this part pulled out, why we have been pushing the Minister of Labour (Mr. Cadieux), who hopefully has enough clout to convince his Cabinet colleagues to back off on this Draconian measure. It goes beyond rationality.

I have some background in labour relations as a member of the Canadian Union of Public Employees, and I have some understanding of the difference between mediation and arbitration. I know that the two are not one and the same. The mediator learns a lot from both sides in confidence in order to try to pull them together and find that middle road that will allow an agreement to occur. But if that same person then becomes the arbitrator, who then decides to pick from this and pick from that, it places both parties in a very difficult situation. It means that mediation will not and cannot work. Both sides must have faith in that mediator.

If the two were split, and if within the framework of this Bill the mediator was given x number of months to attempt to come up with an agreement, and for those parts where he was unsuccessful to turn them over to a different arbitrator, one who was not privy to the confidential talks in mediation, then that would make this bad Bill slightly better.

I will be brief, Mr. Speaker, because I see that my time is running out. The third item is the reference to the Foisy report. Once again, this is another example of the manner in which this Government chooses to favour management. During the back-to-work legislation for the railways we argued that the arbitrator's report should be included because it was favourable to the unions. The Government said it did not wish to do that, it was not appropriate to put those things in legislation. Because this report is favourable to the management of Canada Post it wishes it included.

We can see the game, and it is consistent with the game that has been played all along by the Government. It is anti-worker, and anti-union. This is clearly not a Government that is in favour of an efficient Post Office, and services to the community. It is doing its best to reduce the services. It is doing its best to attempt to break the union. Quite frankly, it is desperate to win something, anything. It thought it could win

against the letter carriers but was unsuccessful. It thought it could win by provoking a national postal strike, which quite frankly the Government did provoke because it was only after this legislation was tabled that the rotating strikes and lock-outs escalated into a national strike. It has to accept the responsibility for that. But it will not win this one either. There is not the hue and cry out there. People see through the activities of the Government. They know what it is up to and, just as in everything else, they will not support the Government now, and certainly not at the next election.

Mr. Murphy: I wish to thank the Hon. Member for Thunder Bay—Atikokan (Mr. Angus) for his very fine speech on this issue. I know that in the past he has been involved in back-to-work legislation, especially in opposing the back-to-work legislation of the railway workers. I wonder if the Hon. Member would spend a few minutes explaining why this legislation is much worse and more pro-management in the manner it is structured than other back-to-work legislation that has come through the House of Commons.

Mr. Angus: I thank the Hon. Member for Churchill (Mr. Murphy) for his question, and I wish to publicly thank him for the work that he has done in regard to this legislation and the other back-to-work Bills that we have seen from the Government; we have probably seen more from this Government than previous administrations over the years.

As one looks through these Bills, one begins to pick up the pattern and understand how this Bill relates to the over-all plan of the Government, and the over-all plan of Canada Post, which are one and the same. We have heard in the House that Canada Post refused to do anything until the Cabinet adopted its business plan. The business plan was predicated on the whole concept of franchising out, of carving out components of the Post Office and turning them over to the private sector.

The Foisy report was incorporated into this legislation. It came down clearly on the side of Canada Post with regard to franchising, in spite of a remarkable willingness by CUPW to modify its position and say yes to franchise outlets in areas where there are no services. CUPW wishes to see a strong Post Office because it is important to their members. With a strong Post Office there is better job security, workers get a fair share of the revenue, and there are opportunities for advancement.

I do not know if you have ever gone to a sorting plant, Mr. Speaker. I have, and have seen those areas where people are stuck in front of pigeon-holes sorting the mail day after day, or night after night. I think they do an incredible job, I really do. But it is a job that eventually creates problems for them. It is tedious, mundane, and repetitive. Consequently, there are two realities. We have to reward them for that repetition and the mundane aspect. I do not mean to demean it, because it is an important job. But to keep people in that job we must pay them a decent rate of pay. We must also give them an opportunity to move out. I have seen press reports, and I know a number of people in the Post Office, so I know what those day jobs at the wicket counters mean to them. It means a sane life-style. It probably means that the marriage will survive. If a person works from twelve to eight five days a week for six or seven years, and his or her spouse is working an eight to four shift, something has to give. This hope for a move allows some stability. It is almost like a carrot out there to give the person something to look forward to. I think the media have done a very good job of portraying the importance of the 4,400 wicket jobs.

• (1150)

If we allow the Government to franchise out that aspect, to eliminate the front line or the human face to human face contact, and turn it over to minimum wage employees who come and go, we lose something in the over-all system.

I think the Bill is weighted much more in favour of management than was the railway legislation or the longshoremen's legislation. The Government must give further consideration to the kinds of changes we have been suggesting.

We recognize that a Bill will pass this House which will force men and women back to work. However, let us make it a fair Bill. Let us not give Canada Post the option of when it has to bring back its workers. Let us make sure that the rule applies to management as it does to the workers. Let us not have unfairness. Let us remove the penalty clause which is clearly aimed more at the union than at management.

Will the President of Canada Post be turfed out of his job? If he violates the law, yes, but I somehow suspect that the Government would find another Crown corporation to put him in, as opposed to Jean-Claude Parrot who cannot go to another union; he is a postal worker.

Mr. Benjamin: Mr. Speaker, in view of my colleague's comments on the penalty clause, particularly the penalty which provides for the prohibition of a union officer belonging to a union for five years, I would like to ask him his view on it in terms of constitutionality. Is there anything at all in the legislation and in what the Government has said about equivalent penalties for everybody from the president down to the most junior foreman of Canada Post who fails to recall employees immediately upon passage of the legislation?

Mr. Angus: Mr. Speaker, I thank the Hon. Member for Regina West (Mr. Benjamin) for his question.

Those people who are familiar with legislation will know that Bills contain marginal notes on the left-hand column which explain each clause. Clause 11(1) has the marginal note "Additional punishment—union" and Clause 11(2) has "Additional punishment—employer". The wording of the subclauses clearly indicates that they are not balanced. I have seen press reports that indicate that very knowledgeable people in the civil rights field feel that this penalty is in conflict with the Charter of Rights and Freedoms. I guess one would only know that if the law is passed, if somebody violates the law and is found guilty of violating it, and a challenge is taken to the

courts. I do not think we should take that risk, and that is why I want it removed.

Clearly there is no penalty for an employer or an employer representative who does not call wicket clerks back to work for eight o'clock the morning after the Bill is passed. The Bill is supposed to come into effect 12 hours after the Royal Assent. However, if a local manager or supervisor decides that he will not bring back those people until a day after, meaning yet another financial penalty for employees because they will have lost another day's wages, there is nothing in the Bill to punish him.

We had the same argument before when dealing with back-to-work legislation. In fact, we were able to convince the Minister of Labour to withdraw a similar clause from another Bill because we argued that it was unfair, unjust, and not balanced.

I hope the Government reconsiders these aspects because it is important that legislation such as this is balanced, rather than in favour of one side or the other.

Mr. Jim Jepson (London East): Mr. Speaker, I am grateful for the opportunity to speak this morning on Bill C-86, an Act to ensure the continuation of postal services to all Canadians.

As regrettable as such action is, for I really believe in the rights of union workers, I commend the Minister for bringing forward legislation at this time to protect the innocent victims involved in a labour versus management dispute at the Post Office in that postal services to many people suffer.

There are hundreds of very responsible unions in Canada which successfully negotiate settlements with businesses right across the country. This system functions very well. However, with the right to strike also comes a responsibility and an accountability. We have clearly seen that the track record of CUPW is very poor. It has essentially lost that right because of its track record, because of continued disruptions and hardships placed upon small businesses whose cash flow has been severely hampered in prolonged strikes of the past.

Many hundreds of businesses have gone bankrupt and thousands of jobs have been lost. Old age pensioners have waited anxiously for their cheques in the mail, not knowing for sure whether they will come. The same applies to the disabled and those who receive mother's allowance and baby bonus cheques. We are in the midst of a United Way campaign which raises significant funds to help the needy and disadvantaged in Canada. All such things are being placed in jeopardy.

Unfortunately we have seen the actions of the past few weeks. We have seen the irresponsible actions of the unions on the picket lines. We have seen them sticking glue in mailboxes. We have seen them issuing directives saying that they will do everything to disrupt postal service at various postal depots. This clearly indicates that it is not a responsible executive.

We should not jump to the conclusion that they speak for all inside postal workers. There are many inside postal workers who are very responsible and carry on their duties in a very conscientious way. However, I believe that many of these people are afraid to come forward and express their dissatisfaction with the actions of the CUPW executive for fear of reprisal, and we can certainly understand that. The unfortunate part is that all unions are tarred with the same brush by the irresponsible actions of the past few weeks and over the past few years.

• (1200)

In the last 10 years there have been 711,000 days lost through strikes and illegal strikes at the Post Office. We have to ask why. If we take a look at the over-all plight of the postal workers we see the inside postal workers earning a salary with all benefits in the range of $24.50 an hour. We see an absentee rate of full-time postal workers of 19.05 days a year, roughly four working weeks. That is scandalous. Compare that to the rate in private industry of six days per year. Interestingly we see a turnover rate in the post office of 3.52 per cent. That is virtually a zero turnover rate. If you compare that to private industry, it speaks volumes. It tells me as one Canadian that people obviously are reasonably content or they would be leaving. They know when they have job security, reasonable wages and benefits. So why leave?

In London alone in the quest for replacement workers there are 2,000 Canadians who are willing to take the job, its conditions, the hourly wage, the benefits at the Post Office. We are seeing union management saying that it is not prepared to accept $24.50 an hour, and is not prepared to let anybody else do the job. It boils down to a very important principle. Management has to have the right to manage. For too many years the CUPE executive have been trying to manage and run the Post Office. I say unequivocally that public opinion is fed up with its actions.

I see in my own office, as a result of this legislation, as well as my own private Member's Bill, which is coming up shortly, to take away the right to strike and declares for all intents and purposes, the Post Office to be an essential service, an overwhelming positive reaction. People realize that CUPE has not shown itself to be responsible or having had the best interests of Canadians at heart. CUPE is prepared to jeopardize and compromise the postal service for its own benefit. This is unfortunate. I have had about 200 calls to my office in the last few days, 197 to be exact, 189 in favour and 8 against. Most of those identified themselves as inside postal workers.

We all realize that there is a responsibility incumbent upon management. Clearly it takes two to tango. It would not be just to point the finger at the union without pointing out that there are areas of discontent and problems within management of the Post Office. Clearly the spirit of confrontation has built up animosity and we have to work toward resolving that. Yet to the credit of the Minister of Labour (Mr. Cadieux) he has done everything he can do to bring these parties together. He brought in Mr. Drouin and Mr. Foisy who conducted extensive

hearings and brought forward recommendations that were initially given credit by the unions.

In the key area of the union dispute, that being franchising and job security, let it be clearly understood—never mind the smoke and mirrors—that the recommendation and the offer by the Corporation and in the Foisy report was that existing jobs would not be in jeopardy—no existing employee would lose his or her job. This gives the Corporation the latitude and liberty to run the Corporation in an efficient way to ensure better service to all Canadians, and more accessible service, may I say.

In my own community I can drive around the corner and go to a convenience store with a postal outlet. I can pick up a parcel on a Saturday. The service available is second to none compared to what the Post Office has offered in the past.

Indeed, Canadians will benefit. We have to be physically responsible. We cannot continue to guarantee any number of jobs at any cost. We have to attempt to run an efficient business operation. Bear in mind that this is a Crown corporation, one that was incorporated in 1981. There is a perception that the Government is running the Post Office. We are trying to do the opposite. We are trying to allow that Corporation to run efficiently and economically and, I am happy to say, it would be making significant progress if it were not for these unfortunate strikes and disruptions of service.

My own personal Bill, C-269, goes beyond the Minister's Bill. The Minister's Bill is essentially calling for the parties to come back to the negotiating table and have binding arbitration. However, my Bill not only calls for that but it takes from CUPE the right to strike and, for all intents and purposes, declares the Post Office an essential service. I feel this is necessary.

As I said in my earlier remarks, I feel that the uncertainty of postal service, the growing lack of confidence and cynicism among Canadians about the service and the Post Office's unreliability is hurting the Corporation in a dramatic way. Businesses are starting to use alternative services. People are saying that they cannot be sure that if they send a cheque, a contract or a very important document, that it will get to its destinations on time.

The concept of taking away the right to strike for postal workers is not new. It is not as though I were inventing the wheel. The situation has existed in the United States and it has worked very well. You can mail a letter in Buffalo and it will be delivered, virtually guaranteed, in Florida the next day. If you mail it on Monday it will be there on Tuesday. This speaks volumes.

As I say, the Minister has appointed a very noted labour negotiator, Mr. Bill Kelly, to try to bring the parties together. As capable as he has shown himself to be in the past, he has expressed his frustration with the attitude of the parties. In view of that, it is very clear that the the Minister has no option. The Minister must take the action has taken in bringing this legislation before the House.

• (1210)

I commend the Minister for assuring Canadians that the mail will be delivered and that there will be continuity of service. Pensioners will not have to go to bed at night wondering if their cheques will be there in the morning, wondering whether they can pay their rent or buy their food. The Minister has given reasonable assurances to those small businesses that so desperately wait for cheques to come in to pay their employees, to pay their payables, to pay their taxes and indeed to be good corporate citizens.

As regrettable as such legislation is, I do commend the Minister for showing the resolve and the determination to protect all Canadians.

Mr. Riis: Mr. Speaker, I listened with interest to the remarks of my hon. friend. He referred to replacement workers. The first instance I can recall of replacement workers being used to a large extent was during the strike at the Pocklington plant, which resulted in violence. Even though the workers were in a legal strike position, the company brought in strike-breakers, scabs, replacement workers.

With some pride, the Hon. Member indicated that in his community of London there were 2,000 people who wanted to be scabs and to do the work the inside workers were doing. I know my hon. friend follows labour relations, and he knows that in his part of Ontario there have been labour disputes at General Motors, Ford and Chrysler. I wonder if he can think of any other instances of replacement workers being brought in.

It seems that the Government is saying it supports scabs who cross picket lines. When there are management-labour disputes in the City of Kamloops, replacement workers are not used to run the city. When the pulp and paper mills there have labour disputes, they do not bring in scabs to continue the operations of the mills. However, Canada Post does this.

Does the Hon. Member believe that that is the appropriate thing to do? Could he describe for us other labour-management disputes in which replacement workers have been brought in on a large scale? At the same time, could he tell us if that is because the management of other organizations are much more sophisticated? I am thinking of management that recognizes the validity of a management-labour dispute and the workers' right to withdraw their services and bring pressure on the bargaining process. I would enjoy hearing the Hon. Member's comments on this.

Does he think that it is progressive labour relations for management to bring in scab workers on armed, steel-plated buses with blackened windows? Is this the Government's impression of a progressive management team, is this what we want to see as a model for the rest of Canada? Could he outline where this is used in other jurisdictions?

Mr. Jepson: Mr. Speaker, I would like to thank the Hon. Member for his question and for the points he has made. The workers do have a right to strike. However, the Government has the right and the responsibility to move the mail and to ensure that Canadians receive all services. It only clouds the issue to use as an example a meat-packing plant. That is totally irrelevant to the important issue that most Canadians believe it is their right to have proper and reliable mail service.

For that reason, I think it is important that replacement workers are brought in. They are not scabs. They are individual Canadians like the Hon. Member and I with families and loved ones. They are human beings. For a Member of Parliament or anyone else to refer to another person as a scab is distasteful to most Canadians. They are replacement workers who are willing to accept job conditions when other people are not prepared to accept those conditions.

I am not saying this as a blanket statement. I am talking about what is really an essential service to Canadians. I do not suggest that this is a desirable approach to take in a blanket fashion. But I do say that in a case such as the Post Office when so many people are caught in the wide net of a postal strike, the Government, if it is responsible and doing its job, must ensure mail delivery to all Canadians.

Mr. Langdon: Mr. Speaker, I have two questions to put to the Hon. Member who has just spoken. First, I would like to follow up on the question put by my colleague from Kamloops—Shuswap. I would be very interested in hearing the Hon. Member describe previous cases in the history of this Crown corporation of strike-breakers being used. I think the use of strike-breakers is an extremely provocative action. It was seen to be an extremely provocative action in the case of the letter carriers strike. Despite the fact that it has always been an essential service, is this not the first time that Canada Post has taken this extremely provocative step?

Second, at the beginning of his remarks the Hon. Member referred to the hundreds of responsible union settlements which take place across Canada. I think it is important to keep these settlements in mind. The reason those responsible settlements have taken place at Chrysler, Ford and General Motors is that there is always a possible cost to the employer if a settlement is not reached, just as there is a possible cost to the worker who has to go out on the picket line and lose wages.

In this case, was the possibility of a responsible negotiating process not badly undercut by the obvious willingness of the Government right from the beginning of the dispute to legislate people back to work? Did this not make it next to impossible for the Crown corporation to bargain with any sense that it would lose something? It knew that if a strike took place the Government would step in and send the workers back to work. There was, therefore, no potential loss to make them responsible at the bargaining table.

• (1220)

Mr. Jepson: Mr. Speaker, I would like to thank the Member for his question. I am afraid that he has selective amnesia with regarding the actions of the Government over the past months. The Government appointed Mr. Drouin and Mr. Foisy, who conducted extensive hearings, and finally appointed the noted labour negotiator, Mr. Bill Kelly. The Minister and the Government have made a very conscientious effort to reach a negotiated settlement.

It is clear that CUPW had another agenda. The major issue is not wages or other benefits. The major issue is, who is running the Post Office, CUPW or management. With the greatest of respect, I believe that CUPW ran the Post Office for too many years under the previous administration. It is time that management be allowed to manage.

With regard to the Member's first question about a precedent being set with strike-breakers, I cannot cite specific examples off the top of my head, but I believe, with due respect, that it has happened on isolated occasions before. However, by the same token, I do not believe that we have any choice when we consider the position in which Government and the postal corporation has been placed. The mail must be delivered. If the people who are there are not prepared to do it at $24.50 an hour plus benefits, we must get someone else to do it. There are 2,000 people in London who said that they would do it.

Mr. Les Benjamin (Regina West): I am happy to take part in this debate, if for no other reason than to express my disapproval of the manner in which the Government is handling this matter. None of us relish this debate or like the situation. This is not the first time we have been through this. This is about the tenth or twelfth time we have been through it in the years that I have been here.

On no other occasion when the Government has felt compelled to bring in back-to-work legislation to end a strike or lock-out was the use of strike-breakers or scabs—and that is what they are—encouraged or allowed. On a couple of occasions which I can recall the Government legislated a settlement with which neither side was very happy, but at least it was fair and even-handed. Any legislation slanted in favour of one side is undemocratic and unfair.

I do not dispute that from time to time an occasion will arise when purely as a last resort, after every other effort has been exhausted, legislation will be necessary. On the odd occasion in previous years even the Minister has met with both sides, separately and together, in an effort to reach a settlement under the principles of collective bargaining. That is a long-standing tradition in this country supported by all sides of the House.

Legislation which takes sides invites and incites violence. Otherwise law-abiding, decent citizens of Canada are so frustrated and angered that they believe they have no other

choice. How would any of us feel in the same situation? I am certain that every one of us would feel exactly the same.

The union asked for a mediator on Wednesday and on Wednesday afternoon Canada Post said no. On Thursday the Government introduced the legislation. The union was then left with no choice but to discontinue rotating strikes and call everyone out all over the country. This is a most incompetent manner in which to handle this situation.

This Bill was not necessary, certainly not yet. The mail was moving no slower than it moved before. On average it takes four to five days for my mail to move between Regina and Ottawa, regardless of which direction. Some takes as long as 12 or 14 days. That reminds me of the old saw we heard when the price of postage was raised to 17 cents. It was said that 2 cents was for postage and 15 cents was for storage. I have often wondered whether, of the 36 cents charged now, 6 cents is not for postage and 30 cents for storage.

Every union and every union member in the country has recognized for many years that technological change and automation will reduce the number of people required to do the work and will affect their lives and livelihoods. They have recognized that for many decades. I experienced it myself as an employee of a railroad. In the overwhelming majority of cases the displacement and disruption caused by technological change and automation can be kept to a minimum through mutually agreed upon methods, to the benefit of one side and with the least possible harm to the other.

For the last 15 or 20 years the management of Canada Post has been on a union-busting kick. It has been determined to barge ahead with automation and technological change, regardless of the cost. It has spent $500 million or $600 to put in automated sorting equipment which did not work. Rather than taking two or three days for the mail to move between Toronto and Winnipeg, it took five or six days. It did not work. However, in its drive for automation it did not care and still does not care. I can only conclude that since the management of the Post Office has been hired by the Government, the Government does not care about either the kind of service Canadians receive or the kind of treatment the employees are given.

• (1230)

There has not been bargaining in good faith. The Government has approved the business plan of the Post Office, which calls for franchising without regard to provisions for job security.

Mrs. Sparrow: That is not true.

Mr. Benjamin: The mediator's report says that the inside workers who are displaced by franchising will have job security at wicket positions. However, the Post Office can simply reduce the number of wickets by franchising locations nearby. The employees of Canada Post are not stupid. They get angry when they see through that kind of chicanery, and I cannot blame them.

When you have a good employer, you have good employees. When you have good management, you have a good union. The Post Office has not had good management for many years. Many of us hoped that relations at Canada Post would have improved when it was made a Crown corporation rather than a government department.

Relations did improve for some time, but then the Government became obsessed with reducing the deficit by cutting losses and cutting costs, even if that meant cutting service and mistreating employees. The bottom line syndrome took over and Canada Post brought down its business plan in line with the Government's directives to reduce its losses.

I do not believe that there is a profitable post office anywhere in the world, except perhaps Liechtenstein or Monaco. I understand that the British Post Office may break even and perhaps have some small surplus from time to time. Perhaps we can learn something from it. It also provides a far greater number of services than Canada Post provides.

Yesterday, an Hon. Member speaking on this issue complained that the employees' fight to obtain job security was an unreasonable demand. I thought the 19th century Tory mentality disappeared with the election of the present Government. However, I was wrong. Those social and economic dinosaurs are back in greater numbers than ever.

In my constituency, mail delivery takes as long or longer than before, whether it is to a postal box, through sub-post offices or even by door-to-door delivery. Canada Post attempted to close a sub post office in a shopping centre in my constituency. It meant that people in the immediate area had to go a mile and a half south or a mile and a half north to another sub post office. Within 48 hours, 4,000 citizens in that immediate neighbourhood went to that sub-post office located in a drugstore—which, incidentally, has unionized employees—and signed a petition demanding the retention of that sub post office. That must mean something.

The public relations official for Canada Post in Regina had the nerve to say that these people could take a bus. There are many senior citizens in that part of the city. If they took a bus it would cost them a dollar each way. Who would spend a dollar to buy a 36-cent stamp? Perhaps some dummy in the management of Canada Post believes it is a good idea, but the citizens of Canada do not.

In all my years of public life I have yet to find a single Canadian taxpayer of any political stripe who has objected to a loss in the Post Office as long as they got the service. When Canada Post delivered mail on a one-day or two-day delivery basis until the early 1970s, there was a loss every year. Canadians are quite prepared to share in the cost of the provision of the best possible postal service through general tax revenue. Of course, the objective should be an efficient postal service which could break even or even make a few dollars. But

the Post Office is not a business, it is a public service. Imagine what would happen if we attempted to make the provision of sewer lines, water lines, streets and sidewalks operate as a business?

Mrs. Sparrow: Every city does it.

Mr. Benjamin: I do not know of any city that makes a profit on roads, sidewalks, sewers and water lines. They are all essential public services which certainly do not pay their own way. In fact, they represent a total loss, and taxes must be raised and paid by all citizens of the community, as they should be, to share in the cost of an essential public service. The people of this country want service first.

The Transport Committee just returned from a trip to Europe.

Some Hon. Members: Oh, oh!

Mr. Benjamin: Incidentally, it is the first time that the committee has been able to travel outside this country in over 100 years. We had much more reason to travel than some other committees that I can think of.

Mr. Andre: You are always on trips, Les.

Mr. Benjamin: I wish I could catch up to the number of trips some of my colleagues on both sides of the House have taken. We met with the management, members of boards, presidents of companies and government Ministers from Britain, Holland, Belgium, Germany and France. We saw the airport at Heathrow, the Tilbury docks in London, the Port of Rotterdam and the airport in Amsterdam. All of us were given Eurail passes and rode the trains, including the Grand Vitesse between Paris and Léon. I wish we could give the Minister of Transport (Mr. Crosbie) and VIA Rail management Eurail passes so they could see what is happening elsewhere when it comes to moving people.

However, in all of those locations, the question was put to some of these officials if they had any labour difficulties or strikes. Have you had any strikes? On every occasion, as my colleagues in committee will verify, they raised their eyebrows, saying it is inconceivable that there would be a lock-out or strike in those industries, all of which are of a public service nature. One individual scratched his head, I think it was at Heathrow Airport in London, and said, "Yes, I think we did have a strike seven years ago for four hours when the air traffic controllers went out". They have a system there, not only collective bargaining, but a degree of industrial democracy, that the unions and management both look upon a strike or a lock-out as a failure on the part of both sides.

• (1240)

Legislation like this that legislates in favour of one side over the other flies in the face of good industrial relations. It incites unions, particularly individual members of those unions, to take actions they would never even consider under a decent and fair system, and they have not been operating under a decent and fair system in the current negotiations. They have not received fair consideration from the Government in this legislation.

Let me rely on a couple of publications that are not known to be of socialist inclination, New Democratic Party propaganda, or anything like that. Of all publications, *The Edmonton Journal*, in that heart of free enterprise and free market force—if they keep going the way they are there would be good reason to call it "Redmonton"—stated on October 9:

> Ottawa is using coercion where reason might have prevailed by legislating an end to rotating postal strikes.
>
> In the process, the federal Government spurns the collective bargaining process and erodes the right to strike. It invites the Canadian Union of Postal Workers to retaliate in a manner that can hardly make the delivery of mail more efficient.

It goes on to state:

> For its part, CUPW has shown sensitivity to Canadian consumers by staging rotating strikes instead of suspending all mail service.

Another great bastion of free enterprise and the market forces, the Winnipeg *Free Press*, referring to the services only being modestly disrupted because of the rotating nature of the strikes, stated:

> The postal service was not a model of efficiency but it was not dramatically less efficient than at other times.

It went on to state:

> Why the Government decided to move so quickly and so harshly to end the strike is anybody's guess. It certainly was not to benefit the postal service or the people who use it.
>
> The eventual outcome of that dispute ought to be based on two clear principles: the postal unions have the right to fight for job security for their members; the post office management has the right to run the Post Office.

I do not disagree with that. The Winnipeg *Free Press* ends its editorial by stating:

> The time might have come when the Government had no choice but to take action. It has not come yet.

I submit, Mr. Speaker, that the same thing applies today, five days after that editorial was written.

This kind of Draconian move was totally unnecessary. The Government has shown an unmitigated bias in support of Canada Post in order to put in place Canada Post's so-called business plan as speedily as possible so as to reduce its deficit. That is its number one priority regardless of the quality of service the people of Canada receive and regardless of the rights of the employees.

Mr. Andre: Mr. Speaker, I have one question to put to the Hon. Member for Regina West (Mr. Benjamin). I believe he mentioned in his remarks that if we have bad management and bad practices, we are going to end up with bad labour relations and that it was management and the Government which were responsible for bad relations of the Post Office. I do not know whether the Hon. Member had the opportunity to read the latest book on the Post Office written by David Stewart

Patterson of the *Globe and Mail*. It is called *Post Mortem* and I recommend it to the Hon. Member.

One of the things outlined in the book is that over the last 15 years there have been several Ministers responsible for Canada Post, Postmaster Generals before the creation of the Crown corporation and Ministers responsible after that. There have been three complete changes in the upper management of the Post Office in that period of time; Jim Corkery, being the first of this group of three, came from the Ontario division of the Post Office. At that time it was a department of Government. When it became a Crown corporation there was Michael Warren, who brought in a whole new management team. We now have Don Landers who is running the Crown corporation with another new management team.

What we have had over the last 15 years is three completely different sets of managers. We have had different approaches from governments because there have been different governments in that time. However, one consistency throughout the last 15 years is that we have had the same labour union leaders, Jean-Claude Parrot and Bob McGarry.

Is it the Hon. Member's position that in fact we have had the incredibly unlucky situation in which three complete sets of managers, with different philosophies and approaches, have all happened to be terribly wrong and totally responsible for the bad labour relations, while on the other side of the equation the consistent and same union leaders are blameless and in no way responsible for the sad state of labour relations?

The Hon. Member and I agree that labour relations in the Post Office are in a terrible state, but I really find it a little difficult to blame it all on Government and management when we have had three different approaches, three different sets of managers, while on the other side we have had the consistency of approach, a militant approach, over the last 15 years. Is there no blame to be attached whatsoever to that side of the equation, that everything rests with the incredible misfortune of coming up with three new sets of managements, all of whom are totally incompetent when it comes to managing labour? Is that the position of the Hon. Member?

Mr. Benjamin: I think my hon. friend has missed the point. Perhaps I did not make it well enough and I will try again. I said if we have good management we will have a good union. If we have a good employer, we will have good employees. Surely over the last 25 years the experience we have had in Canada must tell us something. When it gets to the point where the Winnipeg *Free Press* starts calling into question the competency of the Government and the management, it has to tell us something. That is not coming from union members or union leaders. I do not think that Mr. Parrot has been the leader of the CUPW for the last 15 years. I think it has been the last seven or eight years since Mr. Davidson passed away. Compared to Mr. Davidson, Mr. Parrot is a saint. In fact, he has been complimented as many times as being the most responsible yet in the postal unions.

As far as the letter carriers are concerned, last month is the first time in their entire history that they have struck. They have been more than patient. By the way, postmasters out in rural Canada belong to a union as well, although they call it an association. Ask them about the management of the Post Office over the last 15 years.

• (1250)

The Hon. Member says that they have hired three different sets.

Ms. Mitchell: They should hire women for a change.

Mr. Benjamin: I do not know what kind of sets they are into. Can they find better sets than that? They sure as hell were matching sets. They matched in terms of not being able to comprehend what the essential reason for and the purpose of their position is at the Canada Post Corporation. It is to provide service in the handling and delivery of mail in Canada; and that takes first priority over everything else.

Service has been chronically reduced. Communities and citizens have been ignored and given the run around. Do you call that good management, Mr. Speaker? They have been given double-talk.

There was a situation, for example, at one time in the Regina Post Office which had hundreds of pending grievances, some of them going back six years. Most of them were very minor and could have been settled between the union rep and the foreman on the floor of the sorting room. No, they had to go upstairs, and then to Saskatoon, and then to Winnipeg. Sometimes they even went all the way to Ottawa. No wonder the morale is bad. By the way, some of those grievances the union refused to take up because it did not figure that the member had a case. The union is not right 100 per cent of the time, and I have never suggested that for one minute. Nobody is 100 per cent right and nobody is 100 per cent wrong in almost everything.

But they have not, I submit, been unreasonable in fighting for something so fundamental, something that took all these years through collective bargaining, and all those years of struggle; that is, the rights and benefits to which they are entitled. If one pays good one will get good work. If one pays minimum wage, or something like $5 an hour and one wants turnover in one's workforce, then one will sure get it. If one wants to get incompetents—

Mr. Horner: Who gets $5 an hour?

Mr. Benjamin: When you franchise out post offices and they are done on tenders and the lowest bidder gets it, then that lowest bidder will not be paying $10 or $12 an hour. You know it and I know it, Mr. Speaker.

I am not saying that those three sets of management that have been hired in the last 15 years are bad, personally. I have no doubt that they are very smart, wise and competent gentlemen. But I want to submit that that same management

has to work in accordance with what is Government policy. One could separate Canada Post as a Crown corporation, but the buck still ends up with the Government of the day. Government policy has been to try to get Canada Post to eliminate its deficit over a period of years, and to start making money. When there is a policy such as that in a service industry—

Mr. Andre: Like the British Post Office, which you praise.

Mr. Benjamin: If my hon. friend would take a look at all the other services provided by the British Post Office that Canada Post does not provide, he would find that there are people in that country who use the Post Office for a lot more than just buying a stamp, mailing a letter or picking up mail. I do not want to compare the two because there is a high density population there and very short distances, so the two are not comparable. That is probably one other reason why they have a better chance to break even, or even to make a modest profit.

That is the other thing that the successive managements of the Post Office in Canada, all of them, have completely forgotten. We always will have a higher cost in transportation and communications. It is inevitable and it is unavoidable. We are geographically the second largest nation in the world. We are in a northern climate, cold and harsh, with a small, widely-scattered population. Of course our costs will be higher.

One has one's head in the sand if one thinks that they can be brought down in line with the United States or some countries in Europe. That is out of all reality. Our costs will be higher, and I resent that being taken out on the employees of Canada Post.

Mr. Deputy Speaker: Since we will be starting a speech on debate, is it the pleasure of the House to call it one o'clock?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: It being one o'clock, I do now leave the chair until two o'clock.

At 12.55 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

GENERAL AGREEMENT ON TARIFFS AND TRADE

PANEL'S REJECTION OF CANADIAN COUNTERVAIL DUTY ON BEEF IMPORTS

Mr. Maurice Foster (Algoma): Mr. Speaker, in 1984 the European Economic Community dramatically increased its shipments of subsidized beef from Ireland and Denmark to Canada to some 50 million pounds per year. The Government imposed quotas and then backed off. Subsequently the Canadian Cattlemen's Association launched a countervail suit against the EEC. That was sustained by the government agencies in Canada.

Recently we learned that this countervail duty of 80 cents a pound on subsidized beef from the EEC has been turned down by a GATT panel. The GATT panel report will be presented to the full GATT committee. Canada has an opportunity to turn down that report, and maintain the countervail duty.

I call upon the Government to turn down this report and continue the countervail duty on EEC beef to bring order to the Canadian agriculture and meat marketing situation.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

MATANE PAPERMILL—GOVERNMENT'S ACTION

Mr. Jean-Luc Joncas (Matapédia—Matane): Mr. Speaker, our Government has just made an offer to the Donohue company and Rexfor, a Crown corporation, to set up a regional paper mill in Matane.

Today, I wish to thank and congratulate my honorable friends for giving their support to this major economic project. A few stages remain to be covered before the construction work can begin. Now all the interested parties have finally given their go ahead, to the greatest satisfaction of a proud and resourceful population.

At the same time, Mr. Speaker, by supporting this project, our Government shows to the whole of Canada that regional development remains a priority for the Conservative Party. It is now the responsibility of promoters Donohue-Maxwell and Rexfor to make a decision.

Now, the people in Matane know where all the parties stand. There are still a few details to iron out before this matter is finally settled.

* * *

[*English*]

CO-OPERATIVE DEVELOPMENT WEEK

TRIBUTE TO WORK OF CO-OPERATIVE MOVEMENT

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, this is Co-Operative Development Week in Canada. Co-operatives have become such an integral part of our lives that many of us tend to take them for granted or, worse yet, view them as a vestige of some bygone era. In fact, they continue to be a modern way of adapting economic activity to democratic

principles. One member, one vote, is such a basic revolution in control of our economic institutions that it is small wonder that some of our Governments, recognizing only the power of money and not of people, still have to be reminded of their existence.

• (1405)

The co-operative ideal is admirably suited to small, community-based economic and social endeavours, from grocery stores, credit unions, daycare, and housing projects to the very large agricultural co-operatives. These same democratic principles of widely held control have worked for large-scale institutions as well; witness the wheat pools in the West, the dairy pools across the country, the credit union centrals, and co-operative insurance. They are living examples of the socialist belief that people can control and direct their own economic destiny through self help, a basic principle for our Party which springs from the same basic belief in the power of ordinary people to direct their own lives.

* * *

NORTHWEST TERRITORIES

BOUNDARY AGREEMENT—CALL FOR HOLDING OF PLEBISCITE

Mr. Thomas Suluk (Nunatsiaq): Mr. Speaker, the Prime Minister (Mr. Mulroney) had this to say about the two Territories:

> This Government has actively promoted the steady expansion of responsible government in the Yukon and the N.W.T., and will continue to give both territories the support they will need for the next stages in their constitutional development.

Now that the N.W.T. Legislative Assembly has been duly elected, one of those stages, that of holding a plebiscite on the boundary agreement, should be initiated soon, especially since the Treasury Board has frozen funding to the Nunavut Constitutional Forum until a plebiscite can be held.

This major obstacle to political evolution should be resolved before the next issues of provincehood or the turning over of more provincial responsibilities can be negotiated.

I urge the Minister of Indian Affairs and Northern Development (Mr. McKnight) and the Department of Justice to show leadership in bringing this matter to the attention of the next Government Leader of the Northwest Territories.

[*Translation*]

EMPLOYMENT

NEED TO PURSUE EMPLOYMENT DEVELOPMENT PROGRAMS AND UNEMPLOYMENT INSURANCE ACT SECTION 38 PROGRAM

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, we are well aware of the importance for our communities of the so-called Employment Development Program and the Unemployment Insurance Act, Section 38, program implemented by the Department of Employment and Immigration. Every year, a great many employers, organizations and workers within our ridings benefit from these programs.

If I mention these facts to the House, it is because we are at a time of year when the application forms for the Employment Development Program are normally issued to organizations and employers anxious to submit projects.

But what is happening this year? There is no trace of any application form or any formal announcement by the responsible Minister concerning their extension. What is happening to these programs? Nobody knows for sure. However, information from reliable sources seem to indicate that the Employment Development Programs and even the Unemployment Insurance Act, Section 38, program might not be extended this year. It is high time for the Minister responsible for these programs to speak out.

We are absolutely against their elimination, unless some similar programs aimed at the same clientele are announced by the Minister very shortly.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

ST. CLAIR RIVER—CRITICISM OF ARTICLE IN ENVIRONMENT CANADA PUBLICATION

Mr. Ken James (Sarnia—Lambton): Mr. Speaker, as all Hon. Members of the House are aware, an unfortunate spill into the St. Clair River occurred in my constituency of Sarnia—Lambton two years ago. Since that time, I and many other concerned citizens and organizations have frequently brought to the attention of the federal Government the serious problems created by federal employees using worse case scenarios to describe the events in Sarnia—Lambton.

I am most distressed to see a recent article in the August, 1987, edition of "Environment Update", an Environment Canada publication, written with all too familiar disregard for accuracy.

For the record, here are a few facts which appear to have been left out of the article. First, the company itself reported the spill to the appropriate authorities. Second, the company started a clean-up before any government orders were given. Third, to address the unique problem of contaminated

sediment in a swift flowing river, the company developed new technology to remove over 90 per cent of the remaining contamination. Fourth, despite media reports to the contrary, none of the chemicals involved exceeded the short-term drinking water standards in any water supplies.

I have often addressed the House stressing the need for balance and fairness in reporting. I would urge Environment Canada to write another article in the same publication which truly reflects the tremendous developments of the last two years, not just a replay of the events of the past.

* * *

CLIMATIC CONDITIONS

DROUGHT IN CENTRAL BRITISH COLUMBIA

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, while urging the Government not to support the decision of the GATT review panel which would allow heavily subsidized EEC beef to enter Canada and create a very uncompetitive situation for Canadian cattlemen, I draw to the attention of the House the extreme drought situation which exists in central British Columbia.

There has been no significant rainfall for many months. The usual semi-arid region is fast becoming a desert as streams dry up, lake levels fall dramatically, and water tables drop. The result has been catastrophic for the sports fishery and is causing extreme problems for both cattlemen and orchardists alike. Provincial and federal support is required to find alternative sources of water.

• (1410)

I urge the federal Government to amend Section 2.4 of the ARDSA program which would allow funds to be made available for both Crown and deeded land suffering under extreme drought conditions. As well, I would urge the Minister of Agriculture (Mr. Wise) to approve fast tracking for applications presently coming in under the existing Section 2.4 of the ARDSA program.

* * *

[*Translation*]

PROGRESSIVE CONSERVATIVE PARTY

NEED TO WORK FOR COMMON GOOD

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, this morning's results of the Gallup Poll are another clear indication that the Conservative Government is fading fast.

Mr. Speaker, the results of this poll and the election results in New Brunswick have made it clear that despite all the handstands, all the representations and initiatives made by the Prime Minister of Canada (Mr. Mulroney) and this Government during the past month, and I am referring to the Francophonie Summit, the Commonwealth Conference and the Free Trade Agreement, Canadians know preferably well that all this is not being done for the sake of the Canadian people but simply in order to enhance the Prime Minister's image.

Mr. Speaker, the results of the Gallup Poll and the election in New Brunswick are a clear indication that after being fooled once during the last election campaign, Canadians no longer accept or believe this Prime Minister.

I therefore urge all Conservative Members to tell the Prime Minister; from now on, do things that are good for Canadians and stop trying to improve your image. Start working for the common good of the Canadian people.

* * *

[*English*]

EXTERNAL AFFAIRS

CENTRAL AMERICA—SUPPORT URGED FOR ARIAS PEACE PLAN

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, the 1987 Nobel Peace Prize has been awarded to Costa Rican President Oscar Arias for his role in the formation of the Central American peace plan. By awarding the prize to Mr. Arias, the Nobel committee has sent a clear message of support and encouragement to Central American leaders for their efforts to bring peace to this troubled region.

Canada should do likewise, Mr. Speaker. As a country blessed with social and political stability, Canada should spare no effort to help bring similar stability to Central America. I call upon the Government to indicate clearly its willingness to offer whatever help and assistance are required to ensure the plan's success.

But the most urgent and important thing that Canada could do would be to condemn unambiguously, both publicly and privately, the continued funding of the Contras by the Reagan administration and do all in our power to get the U.S. Congress to end all overt and covert aid to the Contras. This would assist Central American efforts to bring peace to the region and it would also make it clear that Canada is not willing to be silent while Canadian aid projects and Canadian lives are put at risk, as was the case recently in Nicaragua, by American supported activities.

The peace plan represents a window of opportunity for Central America and for the peace of the world. Now is the time to tell our friend and neighbour, the United States, to stop acting like a bully and respect the collective Central American wisdom and will for peace that the Guatemalan Accord so clearly demonstrates. A Central America in charge

of its own destiny is something that should be encouraged, not discouraged.

* * *

HUMAN RIGHTS

U.S.S.R.—RELEASED REFUSENIKS' EXPRESSION OF THANKS TO CANADA

Mr. David Berger (Laurier): Mr. Speaker, Benjamin and Tanya Bogomolny, former refuseniks, visited Parliament yesterday, exactly one year to the day since they left the Soviet Union. Tanya has had a bout with cancer and is one of a group of patients who have been trying to join families in Israel and obtain treatment in the west. Benjamin is in the Guinness Book of World Records as the longest standing refusenik up to now.

"What accounts for your getting permission to leave," I asked them. "It was the actions of the International Cancer Patients Solidarity Committee headed by Montrealer, Dr. Jerry Batiste, and the intervention of the Canadian Government" was their clear reply. They were here to thank Canada for its efforts and to remind Canadians that there are other cancer patients and thousands of refuseniks who are still waiting for permission to leave.

Meriting particular attention are Naum Meiman, and Benjamin Charney, both cancer patients who are seriously ill and need specialized treatment. The fate of these people depends upon the continuing efforts of Canadians and our Government and parliamentarians. It depends on us, Mr. Speaker.

* * *

INDUSTRY

FUTURE OF FIRESTONE PLANT IN HAMILTON

Ms. Sheila Copps (Hamilton East): Mr. Speaker, once again I hesitate to refer to the operation in the Ministry of Regional Industrial Expansion as the Keystone Cops but that is exactly what it is. Yesterday we saw the ridiculous spectacle of the Minister claiming that negotiations had reopened for the sale of Firestone to Cooper in the United States. At the same time as he claimed negotiations had reopened, a fact which had escaped every other player in the negotiations, he refused to have any federal government involvement as long as negotiations are going on.

• (1415)

When will the Minister realize that with 1,300 jobs in Hamilton at stake, he cannot leave it up to his officials to make telephone contacts? He cannot leave it up to his officials to write letters when there is a mail strike going on. He has to take some personal leadership, get on top of the dossier and make sure that a deal is made to save those 1,300 Hamilton jobs. He should stop fooling around, and if he is not prepared to do that, he should resign.

* * *

PRIVACY

SOCIAL INSURANCE NUMBERS—MORE CONTROL OVER USAGE

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, I would like to congratulate the Government for its response to the justice committee's report on the Privacy Act and Access to Information Act. In particular, I am pleased that there will be more control on the use of Social Insurance Numbers.

There is a growing concern on the part of all Canadians about Social Insurance Numbers and this concern has been addressed. The federal Government will require all federal Departments and agencies to obtain Treasury Board approval for any current use of SINs not authorized by statute or regulation. There will also be a prohibition against the collection and the use of SINs by any federal Department or agency for any new administrative purpose unless specifically authorized by law.

In addition, the Government will require that no right, benefit or privilege be withheld from and no penalty be imposed on any individual for refusal to disclose his or her SIN to a government institution except where it is specifically required by law. I am pleased as well that there will be a public awareness campaign launched to heighten knowledge of the Access to Information Act. I think these are changes that should be welcomed by all Members of the House because they are a significant step forward.

* * *

NORTHERN ONTARIO INITIATIVES PROGRAM

COMPOSITION OF ADVISORY COUNCIL

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the Solicitor General (Mr. Kelleher), the Minister responsible for the Northern Ontario Initiatives Program known as FEDNOR, has recently announced the composition of the program's advisory council. As I expected, this council has become another patronage patch in a lush garden of government appointments.

The chairman is a former Province of Ontario Conservative cabinet Minister. The vice-chairman has close associations with the Minister himself. One of the members is the father of a sitting Ontario Conservative MPP and a former cabinet Minister. Another is a former Ontario Conservative MPP. Still another is the wife of a past president of a Tory riding association.

All of this I can accept with good grace, I hope, but I have one question. In that vast area between the City of Timmins and the City of Thunder Bay and between Lake Superior and Hudson Bay, the constituency of Cochrane—Superior, was there not one single, solitary Conservative who could be found as worthy to serve on the FEDNOR advisory council?

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—BILL C-22

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a question for the Minister of Finance. On Tuesday the Minister was asked in the House about media reports indicating that the original version of the trade agreement with the United States and signed by him contained a reference to the Government's drug Bill known as Bill C-22. Referring to *Hansard* of Tuesday, October 13, the Minister is quoted as replying as follows:

> The question coming from across the floor is "why did I sign it?" The simple fact is that I did not sign it, nor did the Minister for International Trade, the Chief of Staff of the Prime Minister nor the chief negotiator.

I believe the Minister of Finance, but I have in my hand what purports to be a copy of the original trade agreement with the United States referring to Bill C-22 explicitly, and signed by Michael Wilson, the Minister of Finance; Pat Carney, the Minister for International Trade; Derek Burney, the Chief of Staff of the Prime Minister of Canada; and Simon Reisman, the chief negotiator on behalf of the Government of Canada. Is there another Michael Wilson authorized to sign a trade agreement on behalf of the Government of Canada?

• (1420)

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Leader of the Opposition is purposely distorting. That which was tabled in the House by the Prime Minister last week is the official document. That is the agreement we signed on October 3 in Washington.

I have made absolutely clear—and stand by what I said—what was initialled by people in the working groups, that was presented to the main negotiating table and was rejected by us. What was signed by my colleague and the other two who signed the agreement is what was tabled. If the Leader of the Opposition does not accept that, then he is not accepting my word.

Mr. Axworthy: That's right.

Mr. Turner (Vancouver Quadra): Mr. Speaker, to use the words of Sir Winston Churchill, I have never heard a Minister of the Crown describe the exact opposite of the truth with so much precision.

Some Hon. Members: Hear, hear!

PASSAGE OF BILL C-22—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, this document bearing the signatures of the Minister of Finance and the Minister for International Trade contains the following sentence on page 37:

> Canada has agreed to pass the pending amendments contained in Bill C-22 in respect of compulsory licensing of pharmaceuticals.

This document was presented to Ministers and signed. It was then distributed to reporters at our Embassy in Washington, quickly retrieved, and other pages were substituted.

Is the Minister saying that this agreement which he signed was changed after he signed it? Is he saying that this is not his signature but a forgery? Is the Minister saying that he signed this agreement without reading it first, particularly page 37? Or is the Minister really saying that there is an understanding between the Government of Canada and the Government of the United States with regard to the pharmaceutical Bill and that the Government of Canada, including the Minister, does not want the people of Canada to know about it?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have made it absolutely clear that what I signed is what was tabled in the House a week ago last Monday, I believe. If the Leader of the Opposition is not accepting that, he is implicitly calling me a liar and I challenge him to stand up and say that.

Some Hon. Members: Hear, hear!

Mr. Crosbie: Put your seat on the line.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Cut out the bravado.

Mr. Gauthier: What a big phoney you are.

[*Translation*]

REQUEST THAT MINISTER OF FINANCE ORDER APPEARANCE OF SENIOR NEGOTIATORS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I think I have a solution for the Minister. Since the Minister of Finance, who was supposed to direct the final stages of the negotiations on the Agreement with the United States, today denies he was involved, is he prepared to ask the senior negotiators who drafted page 37 and the document I have here, which mentions the price of drugs, to come before the House and explain who instructed them to change the document after it was signed by the Minister of Finance?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have made that very clear. I would like to repeat the answer I gave in response to this question on Tuesday, I believe. The part of this document to which the Leader of the Opposition referred, which was initialled by two working group members, one from the American side and one from the Canadian side, arrived at the negotiating table where I, the chief negotiator, the Chief of Staff of the Prime Minister, and the Minister for International Trade sat. We saw this part that had been signed by the working group member. We said: "That is wrong", and we rejected it on the spot. Bill C-22 is not part of this agreement. It never was to be a part of this agreement, and we rejected it on the spot.

• (1425)

Mr. Lapierre: How did it get in there?

An Hon. Member: How come you signed it?

Mr. Speaker: Questions that are being asked are serious and have overtones that are not particularly easy for the Chair. The Minister is attempting to respond and I would ask those, especially the colleagues of the right hon. gentleman who asked the question, to give the Minister a chance to respond.

Mr. Wilson (Etobicoke Centre): A voice from the backbenches of the Liberal Party asked why I signed it. The simple fact is that I did not sign it.

REQUEST FOR MINISTER'S RESIGNATION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I also want to direct a question to the Minister of Finance. He has described one scenario of events.

Let me ask him if the following scenario is true or false. Is it not true that a document bearing his signature along with other Ministers was distributed by the Ambassador of this country to a group of reporters, that this same document was then withdrawn and had a certain portion—a sentence relating to Bill C-22—erased, and then redistributed?

The document holding his signature has a major portion of a line dealing with Bill C-22 erased. I would say that an American President had to resign when a tape was erased. Why does the Hon. Minister not take the same course and realize that unless he is prepared to get to the basis of facts and bring the negotiators before a committee he should take the same stand and resign?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have made it absolutely clear, and if the Member for Winnipeg—Fort Garry does not accept my point of view, I tell him to call me a liar. Call me a liar on the spot. I have stated what is the fact, and if the Member for Winnipeg—Fort Garry does not agree with that, make that allegation on the spot.

Mr. Axworthy: I will reverse the offer—

Some Hon. Members: Oh, oh!

Mr. Speaker: I would say to the Hon. Minister that as yet no one has made that accusation. I would say to the Hon. Member for Winnipeg—Fort Garry who is rising on a supplementary, that I would hope that he would not think it necessary to make that allegation.

REQUEST THAT NEGOTIATIONS AND AMBASSADOR BE CALLED BEFORE COMMITTEE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I will ask the Minister of Finance again. If he is saying that the version of the events that took place in the Embassy library are wrong, then why is he afraid to allow the chief negotiators and the Canadian Ambassador in Washington to come before a committee and testify under oath, one way or the other, as to which version of the events is right? What is he afraid of? If he is not afraid, why does he not take the honourable course that Ministers of this Parliament have taken for years, that when they have in fact done something wrong they take responsibility for it?

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. Fennell: You did not resign.

Mr. Crosbie: Get a new printing press.

Mr. Axworthy: I went before a committee. He is afraid to. He is a big chicken.

Mr. Speaker: The Hon. Minister of Finance.

• (1430)

Hon. Michael Wilson (Minister of Finance): You know, Mr. Speaker, it is very interesting, the approach the Liberal Party is taking now. I will stack my credibility up against that Hon. Member—

Some Hon. Members: Hear, hear!

Mr. Axworthy: Go ahead.

Mr. Wilson (Etobicoke Centre)): I will also say that anybody who has been a part of these negotiations, particularly the item that is at question to date, is happy to appear before a committee during the time this trade agreement is discussed. You will find, Mr. Speaker, that my interpretation of the events, my statement of the facts, will stand.

The other thing I think is very interesting here is the way Members opposite are not willing to address the facts of this agreement. They know that this agreement is good for Canada—

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre)): —that it will stand up for years to come as one of the greatest agreements that any Government has entered into, but they are reduced to this type of—

Some Hon. Members: Oh, oh!

Mr. Rodriguez: You just blew your credibility.

Mr. Crosbie: The rat pack has a leader at last.

BRIEFING NOTES PREPARED FOR AMERICAN OFFICIALS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Leader of the Opposition has raised an extremely important question based on the document we were all asking questions about last Friday, and received essentially the same answers from the Ministers of the Crown at that time, denying its authenticity. My questions are based on another document I obtained last night. These are briefing notes prepared for U.S. Secretary Treasurer Baker and Mr. Yeutter after the agreement was signed. The first paragraph under "Intellectual Property" in that document states:

> What the U.S. got: Canada will liberalize its rules on compulsory licensing of pharmaceuticals. Canada will enact pending amendments contained in Bill C-22, and—

furthermore, the Parliament of Canada—

> —will review within ten years the further improvements for protection of pharmaceutical inventions.

This is a document, I repeat, prepared for the use of the U.S. Secretary of the Treasury. I want to ask the Government of Canada today if it stands by what it said? Is it saying that the United States officials are not telling the truth?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have not seen this particular document but I stand by what I have said in this House before and what the Deputy Prime Minister, I believe, said a week ago tomorrow or a week ago today—I forget the precise date. Bill C-22 is not—and I repeat is not—a part of the agreement.

Mr. Guilbault (Saint-Jacques): Was.

Some Hon. Members: Was.

Mr. Wilson (Etobicoke Centre): It was never a part of the agreement ever. The comment was made there that we will pass Bill C-22. That is brand new news. We have already passed Bill C-22, so there is nothing—

Mr. Axworthy: Not yet.

Mr. Wilson (Etobicoke Centre): Twice.

Mr. Gauthier: Parliament? This is the House of Commons. This is not Parliament. Come on.

Mr. Wilson (Etobicoke Centre): This House of Commons has passed Bill C-22.

Mr. Hnatyshyn: Only John Turner speaks for the Senate.

Mr. Wilson (Etobicoke Centre): We cannot control the Senators—

Mr. Hnatyshyn: Even John can't.

Mr. Wilson (Etobicoke Centre): I thought the Leader of the Opposition was able to control the Senators, but I guess that is not possible. They still hold the gun to his head. Everything he does, he is run with a little pirouette here, like a little marionette. Marionette John.

FILM DISTRIBUTION INDUSTRY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I say to the Minister that he will know as well as I do that what he is involved in is an extremely serious matter. The document that I quoted is an American document which says it was part of the deal, part of the agreement, and it not only says Bill C-22 was part of it, it describes a commitment made for further changes to be made within the next 10 years, which is additional information.

I want to go to another area in the same document concerning the so-called protection the Government obtained in the cultural domain. Mr. Jack Valenti, a Hollywood film mogul, said recently before Canadian audiences on television that he objected to the proposed new film legislation that was to be brought in by the Government of Canada. Subsequently that was denied by the Minister involved, but I want to read what it says in this document about what was agreed on that subject. It says, and I quote:

> They—

With reference to the Government of Canada.

> —have also promised to solve Jack Valenti's problem on film distribution within the next two weeks.

Could the Government tell us what that means?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me comment first on the preamble to the last question about some promise we are going to do something about pharmaceuticals in 10 years, time. That is totally the result of the imagination of the person who wrote that briefing note for Secretary Baker, or whoever it was.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): That was never even discussed. On the question of Mr. Valenti's problem, there was no commitment, no understanding to solve Mr. Valenti's problem. The Minister of Communications has stated quite clearly that the Government has a commitment to ensure that Canada is treated as a separate market for film distribution. That commitment still stands.

Mr. Broadbent: Mr. Speaker, some of us are inclined to believe something, let me put it this way, other than that. We

are going to look with interest at the Bill the Minister has promised to introduce.

ENERGY—EFFECT OF TRADE AGREEMENT

Hon. Edward Broadbent (Oshawa): I have a third question in the domain of energy. The Minister himself said to me in the House on Tuesday, October 13, with regard to energy changes when we made the accusation that substantial changes were being made that were going to impinge directly on our sovereignty, including regulatory changes, and so on: "There is no change in the regulation. There is no change in regulatory practices". I quote from the energy section of the document—and the U.S. document devotes more space to energy, I say in passing, than to any other particular matter—where it says with reference to changes agreed to by the Government of Canada:

> Canada has agreed to: (1) limit the application of its "surplus test" for energy exports to a monitoring function, with any possible future restriction subject to the proportionality and nondiscriminatory pricing conditions above: (2)—

Agreed again to.

> eliminate its requirement that uranium exports be upgraded to the maximum extent possible in Canada prior to export; and (3)—

Another change—

> eliminate a discriminatory price test on electricity exports.

I could go on. Does the Minister still stand by what he said incredibly in the House the other day, that there is no change agreed to by the Government of Canada in the energy domain, or are the Americans talking through their hats?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I did not get the whole of the Hon. Member's question, but he has just repeated what is in the document itself.

Mr. Hnatyshyn: Have you read it yet?

Mr. Wilson (Etobicoke Centre): It is there in black and white.

Mr. Broadbent: And you said there was no change and I am telling you what the Americans have said.

Mr. Wilson (Etobicoke Centre): What I said was—this document, so all Hon. Members know what I am reading from, is the elements of the agreement—this affects the ability of the two countries to enter into trade, not regulation, to trade between the two countries on energy products. The Hon. Member mentioned uranium. Some relief on both sides of the border has been achieved in terms of trade—

Mr. Broadbent: You said in the House there was no change.

An Hon. Member: The uranium producers like it.

Mr. Wilson (Etobicoke Centre): If the Hon. Member would listen carefully, I said there were no changes in regulations. There are changes in trade barriers. Trade barriers have been lifted. There is an ability of both countries—

Mr. Broadbent: And the elimination of regulations.

Mr. Wilson (Etobicoke Centre): There is a change in the ability of both countries to trade freely with each other in matters involving energy trade. That is one of the great achievements here, because as some of his colleagues will tell the Hon. Member, this will allow the Province of Saskatchewan, as an example, to sell more uranium into the United States market where today there are major restrictions.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF AUSTRALIAN SENATOR

Mr. Speaker: I wish to bring to the attention of Members the presence in the Gallery of Senator Robert Hill of Australia.

Some Hon. Members: Hear, hear!

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—BILL C-22

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Minister of Finance. The body of evidence building today in this House that the Government of Canada included Canadian drug prices as part of the free trade agreement is overwhelming and, I suggest, irrefutable. The Minister has not just left his fingerprints as evidence of that, he has left his signature.

• (1440)

Will the Minister explain to the House how it is that senior officials working for cabinet Ministers of the Government of Canada, and senior officials working for cabinet Secretaries of the Government of the United States, could have included in this document bearing his signature, without the knowledge of Ministers of both Governments, the following words: "Canada has agreed to pass the pending amendments contained in Bill C-22 in respect of compulsory licensing of pharmaceuticals".?

How did that happen without the knowledge of Ministers?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is identical to a question to which I responded on Tuesday and to what I was asked today by his Leader and the Hon. Member from Winnipeg. The only thing that I can understand from what the Hon. Member from Newfoundland is saying is that he disagrees with what I have said, and he is not accepting my word. I thought that there was a very, very clear tradition in the House that Members accepted the word of an Hon. Member—

Mr. Lapierre: Not since Mulroney.

Mr. Wilson (Etobicoke Centre): —or put his seat on the line.

Some Hon. Members: Oh, oh!

Mr. Speaker: I think that perhaps the Chair can assist all Hon. Members for a moment, and the public that is watching and listening, by repeating something which has been part of the tradition of this House of Commons since its inception, that is, no Member calls another Member a liar, and the word of an Hon. Member is accepted. If there are circumstances, and there might be some time in the long history of Parliament, when, for any particular reason and based on some evidence, an Hon. Member is not prepared to accept another Hon. Member's word, then there is a proper and appropriate way to charge him.

I have to say to all Hon. Members of this Chamber, and to the public of the country that is watching and listening, that it is impossible to have a civil debate or a civil Question Period in this place unless all Hon. Members on both sides of this Chamber understand that what I have just said is fundamental to the decency and effectiveness of the House of Commons of our country.

Some Hon. Members: Hear, hear!

Mr. Speaker: I have said many times that this place is made up of people of great idealism, courage, passion, and decency. That is why it is the great place that it is. I would hope that for the rest of this Question Period all Hon. Members on all sides would listen carefully to questions that are properly put, give Ministers a chance to respond, and unless they have been recognized, please keep their opinions to themselves.

Some Hon. Members: Hear, hear!

REFERENCE IN DOCUMENT TO BILL C-22

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, I think that all Hon. Members would be wise—as indeed I shall be—to adhere to your words and to your advice to all of us. That is why I want to go back to the Minister and to repeat the question I asked. His response and his challenge were not, Mr. Speaker, in reaction to my question. My question, and I repeat it, was this.

How does the Minister explain that senior officials of the Government of Canada, working for Canadian cabinet Ministers, and senior officials working for the United States Government and accountable to U.S. cabinet Secretaries, could have included on page 38 of this agreement a matter relating to Canada's commitment with respect to Canadian drug prices when in fact the Minister of Finance is now telling the House that this matter was not part of the free trade agreement, this matter never was part of the free trade agreement, this matter has nothing to do with the free trade agreement? I ask the question: What is it doing in the document?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the histrionics will not get the Hon. Member any more credibility—

Mr. Tobin: Answer the question.

Mr. Wilson (Etobicoke Centre): I have stated very clearly that this document to which he refers was agreed upon between two members of a working group. It then was—

Mr. Tobin: Without your knowledge?

Mr. Wilson (Etobicoke Centre): Without my knowledge.

Ms. Copps: And you signed it?

Mr. Wilson (Etobicoke Centre): If the Hon. Member would let me continue the explanation that I have given three times now already in this House, I will.

It was then brought to the negotiating table. As soon as I saw it I said that that is not a part of this agreement, reject it. It was taken away. The new document—the Hon. Member is holding up something that happens to be appended to that document. He would have appended it to that document, not me, because there was never—

Mr. Tobin: That was issued at the embassy.

Mr. Wilson (Etobicoke Centre): —any part of the agreement that we signed that was tabled in the House of Commons a week ago Monday that had anything to do with Bill C-22. That is an absolute fact and I have stated that three times.

Ms. Copps: He is changing his story right now.

Mr. Wilson (Etobicoke Centre): The Hon. Member shakes his hand at me. I challenge him to stand up and tell me—

Mr. Tobin: You are like the condemned man laughing at the hangman as opposed to the lever. Grow up.

Mr. Speaker: I am looking at the New Democratic Party and I am wondering which of its Members would like to be recognized.

The Hon. Member for Essex—Windsor.

Some Hon. Members: Hear, hear!

PROTECTION OF CANADIAN COMPANIES FROM TAKEOVERS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, according to this confidential document for U.S. Secretary Baker, to which my Leader has already referred, the free trade deal between the United States and Canada would cut from 7,500 to only 500 the number of Canadian companies protected from unregulated take-over by the United States. Will the Minister of Finance confirm this cut-back by 87 per cent in the companies protected from U.S. take-over in Canada? Will he confirm this give-away?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I cannot confirm off the top of my head whether that number is correct. But what I do know is that, yes, we did—

Mr. Broadbent: The Americans checked the numbers.

Mr. Wilson (Etobicoke Centre): —raise the threshold levels to $150 million and that has the effect of removing a number of companies from review.

But let me point out to the Hon. Member that there is a good reason for that. We have seen over the last five years the investment that is being made by Canadian companies into the United States increasing by 20 per cent or 21 per cent, and investment coming north into Canada increasing by about 7 per cent. That is because Canadian companies do not have assurance of access to that market.

If we do have access to that market, and companies have the confidence that it will be there, then that investment that has been going to the States will come to Canada, create jobs in Canada, increase Canadian ownership in Canada. Surely, the Hon. Member can see the benefits of that type of an agreement with the United States.

Some Hon. Members: Hear, hear!

• (1450)

AUTOMOTIVE INDUSTRY—CANADIAN CONTENT

Mr. Steven W. Langdon (Essex—Windsor): I am talking about take-overs, not new investments.

The same document states that Canada will henceforth "impose no export, local content, local sourcing, or import substitution requirements on U.S. investors", and "on third-country investors as well".

Will the Minister admit that this prevents Canada from ever requiring Japanese auto firms, for instance, to meet the 60 per cent Canadian content rules in this country? How many job possibilities are lost to Canadians as a consequence?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am having trouble following the precise wording of what the Hon. Member is reading. I believe that the last part of the quote that he read out to the House is incorrect.

Mr. Langdon: It is there.

Mr. Wilson (Etobicoke Centre): Let us go back to the over-all benefits of a free trade agreement. There is practically no economic organization in the country that does not expect that the over-all effect of a trade agreement with the United States will increase jobs in Canada over and above what would be the case had we not had an agreement. Furthermore, those comparisons are made relative to the *status quo* today and do not take account at all of the potential impact of increased protectionist measures that we all expect will come from the United States if we do not have this agreement.

That is the benefit of this agreement. That is why we have signed it. That is why we believe that over all there will be a good deal of economic benefit and more jobs created in this country.

* * *

NORTHWEST TERRITORIES

DEVOLUTION OF PROVINCIAL-TYPE POWERS

Mr. Thomas Suluk (Nunatsiaq): Mr. Speaker, my question is directed to the Minister of Justice, who played a major role in past constitutional talks. The Prime Minister has stated that the Government will promote the expansion of responsible government in the Yukon and in the Northwest Territories.

When this Government speaks of political development of the Northwest Territories, is it restricted to the devolution of provincial-type powers to those Governments?

Mr. Penner: That is a set-up, Tom.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, a member of the Opposition unfortunately makes a mischaracterization of a very important question. I appreciate receiving that question from an outstanding representative of the Northwest Territories in this House.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: I am pleased to report that the Government and the Conservative Party continue their commitment with respect to the devolution of political authority and power to the Territories. Under the leadership of my colleague, the Minister of Indian Affairs and Northern Development, the Government is considering strategy and an over-all approach with respect to this very important question.

I can assure you, Mr. Speaker, that in the process of developing this particular policy, the representations of the distinguished Member who asked this question will be very much in the forefront of the consideration of the Government.

* * *

[*Translation*]

TRADE

FREE TRADE—REQUEST FOR DETAILS CONCERNING DOCUMENT

Hon. Jean Lapierre (Shefford): Mr. Speaker, I would like to ask the Prime Minister of Finance to explain what happened at the Canadian Embassy in Washington. It is quite obvious that what the reporters present saw was not an optical illusion or a

mirage. They definitely read an original document, bearing the message:

[*English*]

> Attached are 39 pages of agreed text setting out the essential elements of a free trade agreement between the United States and Canada, each was initialed by the negotiators.

They got that document. That is what they saw signed by the Minister of Finance and the Minister for International Trade.

Tell me what happened. Why did the Assistant Press Secretary, John Fieldhouse, pull out the document and come back with another one? What happened?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I cannot answer that question because I do not know what happened in the embassy that day. What I have said, and I have given my word to the House, and through the Speaker to Members opposite, that what was tabled a week ago Monday was what was signed by my colleagues and myself at the negotiating table in Washington.

[*Translation*]

Mr. Lapierre: Mr. Speaker, is the Minister of Finance telling me that the Canadian Ambassador in Washington distributed a forged document to reporters the first time around?

[*English*]

Mr. Wilson (Etobicoke Centre): Yes, Mr. Speaker, that is a false document. That document was not signed, it was not part of the agreement, and I have made that absolutely clear.

ENERGY—EFFECT OF AGREEMENT ON CANADA

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is directed to the Minister of Finance. In confidential briefing papers prepared for U.S. Treasury Secretary James Baker, and trade representative Clayton Yeutter, questions were posed and answers given regarding the U.S. victory on free trade.

One of the questions posed involved energy. While recognizing that Mexico has larger oil and gas reserves than Canada, the question on energy was the following. "What about a North American common market with Canada and Mexico?" The answer was, "The political climate in Mexico is not ready".

Would the Minister of Finance explain to Canadians why a small country with large gas and oil reserves would not participate in such a deal, while a large country like Canada with small reserves would?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): I am surprised that an Hon. Member from a western province would not understand the benefits of this deal to the development of his province and other producing provinces in Canada. It will result in the development of energy resources in western Canada, which will benefit the whole country.

Mr. Mazankowski: The rest of the country.

Mr. Wilson (Etobicoke Centre): The rest of the country, including western Canada. This is not a continental energy agreement.

We have made a number of moves to deregulate the energy industry over the past three years in Canada, but what we were finding was that trade restrictions in the United States were inhibiting our ability to sell those energy resources into the United States.

This does not change any of those regulatory practices which have already been agreed to, but it does free up the markets in order that we can sell those resources into the United States, and gain cash flow to develop further resources in Canada to the benefit of all Canadians.

Some Hon. Members: Hear, hear!

REFERENCE TO REDUCED ENERGY COSTS IN UNITED STATES

Mr. Jim Fulton (Skeena): My supplementary question is directed to the same Minister.

I am a third generation western Canadian. We want manufacturing in the West not just pipelines down into the United States.

Mr. Broadbent: Right on. Do you ever learn over there?

Mr. Fulton: The document goes on to state that this deal will "reduce average energy costs" in the United States.

I wish to ask the Minister why any Canadian in their right mind would support a deal that will see costs go even lower in the United States because right across the board, gas, oil, electricity in the United States are already lower. Why should we pay higher costs in order that they can have lower costs?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, one of the key elements of this agreement is that it will encourage the development of manufacturing industry in western Canada.

Mr. Broadbent: Why?

Mr. Riis: How?

Mr. Wilson (Etobicoke Centre): I should take my old school chum, the Leader of the New Democratic Party, back to economics. A larger market can support a broader manufacturing base. With the market opening up south of British Columbia, Alberta, and Saskatchewan, there will be more manufacturing companies.

Mr. Nystrom: Rubbish.

Mr. Mazankowski: He does not want free trade for the west.

Mr. Wilson (Etobicoke Centre): I know that the Hon. Member does not want free trade for the west.

Mr. Riis: You should have gone to second year economics.

Mr. Wilson (Etobicoke Centre): We see this as a way of developing a more broadly based and diversified manufacturing and industrial sector in western Canada.

Mr. Broadbent: We will take you on in the west any day. Let's have a fight in the west right now.

MINISTER'S SIGNATURE

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Minister of Finance. In the spirit of your suggestion, Mr. Speaker, I certainly do not wish to question the integrity or the word of the Minister of Finance. But I do wish to challenge the competency of this Minister in regard to these negotiations.

Earlier in the House he stated that he did not sign the document when referring to the fact that Canada has agreed to pass the amendments contained in Bill C-22 in respect of compulsory licenced pharmaceuticals. I suggest that the Minister of Finance signed two documents, this particular document, which was not tabled in the House, and this document which has been tabled in the House.

I would ask the Minister to explain, for the benefit of Canadians, why he is refusing to admit that he signed two documents, one making specific reference to changing the pharmaceutical legislation in this country. Why?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, we are getting right back to the very fine line that you drew attention to a minute ago. I signed one document. That document was tabled in the House. If there was an error made in the distribution of documents in the Embassy, I cannot control that. But I can control what I sign, and the Hon. Member has my word for it. If he disagrees with that, say so now.

• (1500)

RESPONSIBILITY FOR REFERENCE IN DOCUMENT TO BILL C-22

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is for the same Minister. I will accept his word.

I ask the Minister of Finance to explain the following to the House. The Prime Minister sent him to Washington to be in charge of the negotiations. Was he in charge of the negotiations? Who on the negotiating team made this flaw in the particular agreement? If they made that flaw, will he have them come to Ottawa next week, not in two months' or three months' time, to explain the obvious or apparent contradiction in the documents?

Would the Minister of Finance do the honourable thing and request those officials to be here next week to explain to Members of Parliament why this contradiction is in the document, if he is in charge of the negotiations?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am not denying that that document exists and that that document may have been distributed.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): I mean, clearly it was distributed. I am not saying that it was not. What I am saying is that that document was not a part of the agreement which we signed in Washington.

* * *

ENVIRONMENTAL AFFAIRS

ELIMINATION OF LEADED GASOLINE—EFFECT ON FARMING COMMUNITIES AND ANTIQUE CAR OWNERS

Mr. Ken James (Sarnia—Lambton): Mr. Speaker, I want to explain the basis of my interest in the question which I am about to ask. First, the only tetraethyl lead production facility in Canada is in Sarnia—Lambton. Second, I have an interest in farming and part of my riding is farm oriented. Third, I admire the preservation and presentation of antique cars.

The Government, spearheaded by the Minister of the Environment, has taken an active position in eliminating leaded gasoline and its use. As the Minister and my hon. colleagues are aware, some concern has been expressed by members of our farming communities over the phasing out of leaded gasoline. Additionally, it has recently come to my attention that concern is also—

Mr. Speaker: The Hon. Member has an important matter. I think he is certainly putting the basis of his question to the House, and I think the point has probably been received by Hon. Members and the Minister. I would ask the Hon. Member to put his question.

Mr. James: There is also concern being expressed by antique car and classic car owners about the use of unleaded gasoline in these very important vehicles.

Given that farmers and antique car owners may require special provisions, will the Minister of the Environment explain how he will answer their needs?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, the short answer is that the Government of Canada has outlawed lead in gasoline, which policy is to take effect at the end of 1992 on a phased out basis.

However, we appreciate that there are narrow categories of vehicles, among them antique cars and certain types of farm vehicles, which might require a certain amount of lead in gasoline to achieve high octane levels or proper valve lubrication.

We will take that factor fully into account when we implement the policy which, nevertheless, will be exactly as it was Gazetted in June, 1986.

Mr. Speaker: This will be the last question of Question Period.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—FILM DISTRIBUTION INDUSTRY

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question for the Minister of Finance also arises from the confidential briefing note to Mr. Baker and Mr. Yeutter, following the question raised by the Hon. Leader of the New Democratic Party on the so-called promise to solve Jack Valenti's problem.

There is a question in this document—"How will the agreement affect the proposed Canadian law on film distribution?" The answer states that "we expect any future cultural measures taken will be consistent with what has been agreed," that is, to solve Mr. Valenti's problem.

Will the Minister tell us how the Americans can have the idea that they have gained a great deal on culture, particularly in film distribution? If this is not true, what can this possibly mean?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I stated yesterday—and my colleague, the Minister of Communications, stated it on other occasions last week—that culture is exempt from this agreement. It is stated absolutely and precisely on two separate occasions in the agreement.

I do not know what Mr. Valenti's problem is. I do not know what Mr. Valenti wants. What we are saying is that we are committed to the film distribution policy which has been announced and to which the Minister of Communications has stated that we are committed.

REQUEST FOR INTRODUCTION OF FILM DISTRIBUTION LEGISLATION

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I have a supplementary question for the same Minister. If the Government had done what it said it would do on culture, there would have been no section in the agreement at all. However, there is one, and there are different interpretations of it.

I think the only way to clear the air on this and to give the Government some credibility is to bring in the film distribution Bill now. Will the Government do that?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the responsibility for bringing that legislation forward does not lie with me. What I can say on behalf of the Government, which I said in my previous answer, as well as in answer to one of the Hon. Member's colleagues, is that the Government is still committed to the film distribution policy to create a separate market in Canada for film distribution. That policy stands.

Mr. Speaker: I would ask Hon. Members to give the Chair a moment to say something. When I spoke some minutes ago, I interrupted the Hon. Member for Humber—Port au Port—St. Barbe. I do not want anyone to think that there was anything incorrect about the question the Hon. Member was asking. He, as other Hon. Members sometimes do, repeated it in his supplemental, and it was of course allowed.

What I said, and what I hope all Hon. Members will accept, was said to apply evenly to every part of the Chamber.

* * *

BUSINESS OF THE HOUSE

AMENDMENT TO HOUSE ORDER REGARDING BILL C-86

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I rise on a point of order. Earlier today the House passed an order allowing for the continuation of debate on Bill C-86 at committee of the whole stage.

There have been discussions among the Parties, and we wish to amend that motion with consent. I think Your Honour would find unanimous consent to the putting of the following motion and to the motion itself. I move:

> That the Order of the House made earlier this day be amended in the third paragraph by deleting all the words after the words "shall continue" and substituting the following therefor:
>
> "and complete consideration of the committee of the whole and third reading stages of the said Bill."

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I want to confirm that indeed there have been plenty of negotiations among the Parties. Considering that the Government has indicated its willingness not only to evaluate opposition amendments that have been proposed but to consider the adoption of at least two of them, we feel that in the best interest of facilitating these amendments getting into the legislation this would be an appropriate step. We concur.

[*Translation*]

Mr. Guilbault (Saint-Jacques): Mr. Speaker, speaking on behalf of the Liberal Party, we acknowledge there has been some intense negotiating, that the Minister's attitude was one of understanding and willingness to accept certain amendments we proposed, so that in the circumstances, we are prepared to co-operate with the other Parties in this House.

[*English*]

Mr. Speaker: I take it that there is agreement in the House to adopt the recommendation and the proposal of the Hon. Minister.

Some Hon. Members: Agreed.

Motion agreed to.

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I should like to ask the Deputy Government House Leader what business the Government intends to call for the coming week.

He has already given us part of the answer for today in the order which he has presented, but I am sure he has other information for us.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, presuming that we complete third reading stage by ten o'clock tomorrow morning, we will continue debate at third reading on Bill C-55 to amend the Immigration Act. On Monday we would continue debate on the Meech Lake Accord.

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Cadieux that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and, by unanimous consent, referred to the Committee of the Whole.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am rather saddened to be moved to speak to Bill C-86 today. I recall a number of occasions when the Government took action to end strikes, but this is the first instance in my recollection that the Government has taken action to initiate a national strike in our postal services.

• (1510)

Until Bill C-86 was introduced in the House, the postal service of Canada had not come to a stop. Mail was being delivered. As a matter of fact, most organizations that reported to the House made it very clear that mail disruption was minimal, if at all. I have done surveys in my own constituency as well as around the City of Ottawa and found that there was no perceptible difference in the service people were receiving, but there certainly was immediately with the introduction of Bill C-86.

The Government in a sense provoked CUPW into a strike situation. The workers realized that negotiations were out and there were no other options open to them, that the Government in a sense had sided with one side of the bargaining team, namely, the management team. They decided that the Government would impose a settlement which can only be described, as have many described it in this House and beyond, as Draconian, and, more importantly, as being provocative; in other words, legislation designed to provoke a reaction on the picket lines.

I want to take a few moments to outline what the Government has been doing to our postal system and explain why this particular step has been extremely unfortunate. I think we all agree that if you want to provoke disruption in a community, in a suburb of a city, a rural area or a small town, all you have to do is indicate your intention to remove the post office, relocate it or reduce postal service. You are then guaranteed to have a significant reaction by the population of the area. People see the post office as central to their communities, central in many respects to their lives.

I know in my own community there was a discussion some months ago about moving the post office a number of blocks in a small community called Chase, British Columbia. The local residents of that area rose up and said that to expect their seniors particularly—because Chase has a major retirement segment of its population—to walk many extra blocks to get their mail was something which the community was not prepared to accept.

There were alternative sites for the new post office but people said they wanted to keep it in the central part of their community because it provided a vital function, not only in terms of collecting mail and carrying out the usual postal services but also as a community communications centre where people come and go regularly throughout the day. If someone wants to get information around a community by posting a particular notice you do that at the post office and within a matter of hours everyone in the community is aware of the upcoming event, problem or issue.

It is important that we realize today what we are doing. If there ever was a title of a Bill that was hypocritical, it is the title of Bill C-86, which is, an Act to provide for the resumption and continuation of postal services. Before the Bill was introduced there was post service. There was no need to continue postal service because it existed. There was no need to resume postal service because it existed. The rotating disruptions were procedures used by CUPW to bring some attention to bear on the negotiators.

As you will recall, Mr. Speaker, CUPW asked for a mediator to be brought in. You and I know that there are disputes. We have them among ourselves in the House of Commons over issues. Often a third party comes in to mediate to see if there cannot be some resolution. Normally there is a resolution and a successful answer is found by bringing in a mediator. CUPW asked for a mediator. The postal corporation said no, the Minister of Labour (Mr. Cadieux) said no and the Minister responsible for the Post Office said no.

CUPW then said it would have to do something and decided to have rotating strikes in various community centres to focus concern on the fact that negotiations were not proceeding because the request for a mediator was denied. Here we have Bill C-86 with its hypocritical title of, an Act to provide for the resumption and continuation of postal services, when in fact there were postal services. Canadians had not noticed any disruption, let alone any discontinuation. That took place only after the legislation was introduced. We are witnessing for the first time in Canadian history legislation that created a postal strike in Canada—

Mr. Horner: What about the media?

Mr. Riis: —as opposed to resolving a disruption in postal service.

The legislation before us takes sides. This concerns us. It very clearly takes a side in the issue, coming down on the side of the postal corporation. Rather than appointing a mediator it appoints an individual who is to play two roles. How you do this without having two heads, I do not know. A person will be a mediator on the one hand but on the other hand an arbitrator as well. A person works with the two parties, hopefully with their confidence to try to mediate, but if that does not work, then he or she becomes an arbitrator. That is an impossible task. Any labour management consultant would say that it is impossible to expect that of anyone. They are two different roles and ought to be filled by two different individuals with different types of expertise. But no, this obviously then is a provocative element.

I can also discuss a whole number of other very provocative phrases in the Bill. For example, it says that if a person decides not to follow the exact suggestions in the legislation when it is passed, that a person cannot hold a position in the union for five years. I think that is rather hypocritical. There are people in this House who are charged with criminal offences and people from other houses, and I will not name them, who have not only been charged with offences but have been found guilty. They sit today as Members of provincial Legislatures, the Legislature of British Columbia is one, in my own home province. I could mention a whole list of others. Even a person found guilty of an offence in the courts of Canada is allowed to maintain his or her position. This legislation will say to the union leadership that that will be an impossibility for them. This is a double standard and a hypocritical positioning on the issue.

There is another aspect which is particularly repugnant in the way this issue has been pursued by the Government. This is one of the very first times in Canadian history where scabs or, as the euphemism now is, replacement workers have been brought in to break the union. This is government endorsed and sponsored. The Government says it wants to bring in scabs to continue work in the postal system. Does General Motors do that? What about Stelco, Weyerhaeuser, MacMillan Bloedel, Imperial Oil? Do cities and municipalities across this country, when entering into labour disruptions, do that?

The only instance that I can recall where that was done was in the Pocklington situation in Edmonton. We know the condemnation which that particular confrontation brought from around the world. Every progressive management labour person condemned that kind of action.

Now we have seen the Government of Canada endorse the use of scab labour as part of its postal system. What we are seeing here is something incredibly serious. Obviously it is designed not only to provoke but to break the unions involved with the postal system; CUPW to be specific in this instance.

I wonder if Members of the House and the public understand the context in which Bill C-86 has been introduced. What is the plan of the Government? I want to tell you very clearly, Mr. Speaker, that the plan is to eliminate, in a sense, the postal system as we know it. The wickets, the interaction, will be privatized and our post offices will be depots for sorting. Is that what Canadians want?

Are Canadians calling out that they want the postal system to be operated as a business? We do not require that of the RCMP, the Armed Forces, our ambulance services, our health care services, our educational services, our universities, colleges and technical schools. We have decided as a Government to target the postal system to be a business, not a public service—not even a public utility but a business, ideally a profit making business.

We need to examine the fundamental principle on which this legislation is based. I have discussed this, as I am sure all Members have at public meetings, where postal services have come up for discussion. People are interested in what we are doing to improve the Post Office. I told them that we are moving to improve the postal system but that there are all kinds of problems. I wish I had time to elaborate on the management problems associated with the postal system.

• (1520)

When I see a company with labour problems, inevitably I see a company that has poor management and lacks management skills. The converse is also true. When a sophisticated, thoughtful, professional management is in place, there is the same kind of union. I think we want to keep that point very clear in our minds.

When I ask Canadians if they want to see the postal system as a part of the Government, as is in other countries, they say yes, we ought to have that here in Canada. In Australia and the United Kingdom the postal systems are doing relatively well. They provide not only a good postal service but other services as well to generate revenue.

If we were to run the postal service simply as a business, the inevitable result would be that there might be good service in the sophisticated urban areas of Canada, but in the small communities and rural parts of Canada there would obviously be a reduced level of service. Our existing postal system enables us to cross-subsidize. The profits that are made in the

highly populated areas enable the Post Office to provide service to the smaller communities and rural parts of Canada.

We happen to live in the second largest country in the world, and we require a postal system that reflects that. If we are in this business to make money, we will certainly not make it in the small communities and rural areas. Those services will be seriously eroded.

As a Parliament we have a responsibility to do what is necessary to enhance and maintain the rights for which the Rural Dignity organization are calling. It is saying, "Enable us to maintain the level of services in rural Canada, whether it be rural schools or postal services. Let us maintain our dignity and raise our families as we ought to".

Bill C-86 signals the erosion of a commitment to rural Canada and small town Canada. It is an abandonment of the commitment to maintain the rural fabric of our country. It is a sop to the move toward urbanization.

What does this Bill mean for women workers? Any Hon. Member who has toured the postal services in his own community realizes that the majority of employees of the Post Office are women. These women make a reasonable wage. I chose that word "reasonable" purposely. I have heard some outlandish figures bandied about in the last number of hours. I think we all recognize that the average wage for a postal worker is $12 or $13 per hour—

Mrs. Sparrow: Plus benefits.

Mr. Riis: Plus their benefits. That is how we measure all contracts, on hourly rates plus benefits. The benefits for postal employees are equivalent to those we find in the workforce. We are not talking about elaborate benefits.

A pay rate of $12 or $13 per hour comes out to about $25,000 per year. Yet I have heard countless Members on government benches calling this figure outlandish and saying that the pay these people are getting is ridiculous. What do Conservative Members think maintains and drives our economy? It is the ability of people to purchase goods and services.

Surely even the small business sector which is concerned about what is going on in the Post Office realizes that if everyone in Canada were paid at the minimum wage it would be tough to run a successful business. Is there anyone here in the House who would call $12 or $13 per hour or $25,000 extravagant or unreasonable? I do not think so. I do not think that we would consider $25,000 per year to be an unreasonable income.

The majority of the workers in the postal services are women and the majority of those women head single-parent families and raise children on their $12 per hour. That is an average income, one that we should not for even a moment condemn as being excessive. Those Hon. Members who have done that ought to consider their own incomes and balance them with the $12 per hour income the postal employees presently average.

I would like to discuss what I see as probably being an inadvertent initiative that has been considered by this legislation. As we phase out postal services as we know them and franchise or privatize them, those hourly workers receiving $12 per hour who tend to be women will lose their jobs and end up being hired by someone else at about minimum wage or perhaps slightly higher. That is a tremendous drop in earning power and in take-home pay. It is very difficult to raise a family on the minimum wage or a wage that is slightly above minimum wage. To be very frank about it, it is impossible.

I think it is important that Hon. Members recognize that Bill C-86 is not just a piece of back-to-work legislation, but is part of an incredibly devious, Machiavellian plan the Government has imposed upon Canada Post to change the face of the postal system Canadians have grown to love over the years.

I go to the Post Office regularly, as we all. Letter carriers deliver my mail to me. I do not think anyone would deny that one cannot meet a more interesting and positive group of people. When I travel throughout my constituency I always stop in at the post offices because those are good places to meet people. Inevitably, the people there are positive, friendly, hard-working and committed to the Post Office. They do not have casual attitudes toward their work. They are committed to doing an excellent job.

Those workers who go door to door in areas where there is still door-to-door delivery go out of their way to deliver mail in a positive way.

Mr. Horner: What's this got to do with CUPW?

Mr. Riis: "What's this got to do with CUPW," a Conservative Member yells out. It is all part of the same team.

Mr. Horner: Letter carriers are different.

Mr. Riis: He says that letter carriers are different. I happen to know many letter carriers from Kamloops personally. I know letter carriers and inside workers from Kamloops, Salmon Arm and a whole variety of communities.

Mr. Horner: Try mine.

Mr. Riis: The Hon. Member says that I should go to his community because they are not good. Is that the point he is making? Is he indicating that the employees in the Post Office are bad, negative people?

Mr. Guilbault (Saint-Jacques): They voted for him.

Mr. Riis: I do not know if they will vote for him again. I am simply saying that these are average, ordinary Canadians who are trying to make a living.

If the Hon. Member went to his office this afternoon and said to his office staff, "I have news for you, I will phase out your jobs in the next little while," how does he think they

would react, particularly if he went on to say, "I have better news, I am bringing in scabs to do your job while I try to figure out how to phase out your jobs"? Imagine how productive his office would be. How would those devoted employees who have worked with the Hon. Member for many, many years feel? They would feel betrayed. They would be pushed to the wall when those scabs came into his office.

That is what we are saying today. We are telling people who have worked for the Post Office, in many cases for their entire lives, that we will phase out their work, and while we determine how we will do it we will bring in replacement workers or scabs. We will do this until we can force them back to work with a Bill that caters to the employer only and not to the union. That is why we as thoughtful parliamentarians are deeply hurt by this legislation.

• (1530)

Back-to-work legislation with which we have been involved in the past often included provisions for a settlement which was fair to both sides. It certainly did not make such direction as the direction which this legislation makes to follow the guidelines of the Foisy report. In other words, the Government is saying that the plan of the postal corporation must be implemented. This legislation is flawed.

On a positive note, the Minister of Labour (Mr. Cadieux) has indicated his intention to consider reasoned amendments put forward by the Opposition. He will be doing that as the debate continues today. I am pleased that the Minister has at least seen fit to recognize that the Bill can be improved. I doubt if it will be improved significantly enough that we can support it, but we do appreciate the Minister's willingness to consider amendments put forward by opposition Members.

In conclusion, we are concerned about many points in this legislation. However, more important, we are concerned that this legislation is part of a Draconian, evil, machiavellian plan to eliminate our postal system as we know it and replace it with a business. It is wrong to run such a fundamental service in the second largest country of the world as a business and expect it to make a profit year after year when we do that with no other area of government service. I think that is wrong-headed.

I look forward to the time, hopefully not too many months from now, when there will be a new Government which will have a more sophisticated and up-to-date mandate based on the success of post offices in other parts of the world.

Mr. Manly: Mr. Speaker, I appreciated the Hon. Member's comments on Bill C-86. I was a bit disturbed when the Hon. Member for Calgary South (Mrs. Sparrow) called out that in addition to the $12 or $13 which most of these workers earn they receive benefits. The Hon. Member for Kamloops—Shuswap (Mr. Riis) pointed out that that is usually part of the standard union contract.

What will happen to those benefits under a franchising system when employees will be working for a much lower wage? Will they receive those benefits along with their lower wage?

Mr. Riis: Mr. Speaker, that question in itself deserves a long debate. There are other jurisdictions in which this extreme form of franchising has taken place. Inevitably the payment package which employees receive is nearly always, if not always, minimum wage with virtually no benefits at all—no pension plans and no health plans.

The preoccupation is not with delivering service but with undercutting the competition in order to get the franchise contract. That may be laudable in some quarters. Privatization has been going on for some time in my constituency. People are so desperate to get a contract that they undercut their colleagues and friends to such an extent that it is almost impossible to maintain service, let alone make a profit. They can only do that by eliminating all benefits for employees.

My hon. friend has reminded us once again that this is only one small step. The postal corporation, with the support of the Government, would like to have as many people as possible in Canada paid as little as possible. I remind you that the driving engine of an economy is made up of people who are able to purchase the goods and services which the economy provides. People working for the minimum wage and receiving no benefits will be able to purchase only a minimal amount of goods and services. That is bad news, not only for the people involved but for the business community and Canada as a whole.

Mr. Horner: Mr. Speaker, I would like to comment on what has brought us to this state. Over the years CUPW, supported by the NDP, has decided that it will raise the wages and benefits of postal workers. That is a worth-while cause and the union has done that over the years.

Over the years since 1981 when the Canada Post Corporation was created, the Liberal Government gave benefits until Canada Post had a deficit of almost $1 billion. The members of the NDP bandy about figures like $12 an hour plus benefits. I will be more specific. In fact, the average salary is $13.75 an hour plus benefits, which brings it to $24.89 per hour. I can tell you that that works out to more than $25,000 a year.

With a deficit of about $1 billion the Canada Post Corporation decided to appoint a new manager and a new president to try to get it back under control. The manager has stated that with the help of the Minister he can get the corporation to a break-even point within a year without putting postage up to 60 cents.

There are senior citizens in this country who taught school for $25 a month. They cannot understand why the postal workers need $25 an hour. The Hon. Member said that the next Government, which I suppose he presumes will be an NDP government, will make things roll. Who will pay the 60 cents for a stamp? The senior citizen living on a fixed income

who taught school for $25 a month will not be able to pay 60 cents for a stamp.

Mr. Manly: Your Government tried to cut their pensions.

Mr. Riis: Leave time for me to respond to this, please.

Mr. Horner: There is no possible way that Canada Post can continue to give, give, give. At the Gateway Post Office in my riding CUPW supports 19 per cent absenteeism. The people of Canada do not like that very much. The employers take Fridays off so that they can work for time-and-a-half on Saturdays. That will not make this country great. Socialism and CUPW will not make this country great. The postal employees should get back to their jobs delivering mail and let us get on with the business of the country. I would like to hear the Member's comments on that.

Mr. Riis: I do not know where to begin, Mr. Speaker, because I have never heard such a peculiar diatribe in my life. I urge the Member to read a management book. If he knew anything about management he would know that you cannot force people to do anything. That is the Conservative mentality, the same mentality that wanted to cut back on senior citizens' cheques because they were getting too much.

We stood with senior citizens across the country and said that although the Conservatives might think they get too much the New Democratic Party realizes who built this country. The New Democratic Party realizes that the senior citizens of today struggled during the Depression and through three wars. They built this country. If anything, we should be increasing their pensions rather than cutting them as the Conservatives wanted to do at the beginning of their mandate.

In conclusion, we have been blessed with the revelation that the Conservatives believe that $24,000 a year is an excessive income. Not only is it too much, it is excessive. He said that they should not make so much money. I am tempted to comment on how he voted on the last salary increase and so on, but I will not do so.

• (1540)

We in the NDP believe that an employee who delivers the kind of service, with which I am familiar in terms of our postal delivery, letter carriers and those who man the post offices and sort our mail, deserve a decent wage. The Member believes that $24,000 is excessive and should be reduced. That is simply where we depart company. I respect his view although they are extremely different from mine.

I do not know what he would pay people, and I certainly would not want to work for someone like him, with all due respect, because he probably has a sign on his office wall saying: "The minimum wage is too high". We have no hesitation in saying that those who do a good job and a good day's work should get a reasonable pay. That is what makes our economy grow. That is where the New Democratic Party stands.

The best friend of a small business person is a well paid employee. I think that is the position on which any government should base its programs. We look forward to that day.

Mr. Deputy Speaker: I will recognize the Hon. Member for Calgary South (Mrs. Sparrow) on debate. I wish to advise Hon. Members that after her speech, the speeches will be of 10 minutes' duration.

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, I wish to speak in favour of Bill C-86. I particularly want to address certain aspects of the dispute resolution mechanisms contained in this Bill.

In view of the all too clear indications given by both parties that they have been unable to settle their differences to date, I believe the Bill offers a very reasonable and fair path to settlement.

In the present case, I earnestly hope that the parties will take full advantage of the mediation phase and of the assistance of a third party to reach accommodations on the differences which have separated them. The Bill provides for 90 days in total for the mediator-arbitrator to complete the necessary work. There will be ample time, therefore, for the parties to work towards a mediated settlement of most or even all the issues that are in dispute.

In the event that the arbitration phase is required, I note that the Bill provides a full opportunity for both the employer and the union to be heard.

Clause 7 of the Bill provides for the appointment of a mediator-arbitrator. In my view, mediation-arbitration is a creative and positive dispute resolution technique. First, it enables a third party to work with the employer and the union in order to assist them to settle their own differences. However, if there should be issues on which agreement cannot be reached, then the mediator-arbitrator has powers of binding decision. In reaching any binding decisions, the mediator-arbitrator can, of course, usefully draw upon the knowledge of the issues and dynamics of a dispute which have been gained during the mediation phase.

In the event that the arbitration phase is required, I note that the Bill provides full opportunity for the employer and the union to be heard. Clause 7(2)(b) of the Bill specifically calls for a mediator-arbitrator to hear the parties on matters relating to the revision of the collective agreement which remain in dispute. The same subsection of the Bill also requires that due cognizance be given to the report of the conciliation commissioner that was released to the parties on September 22. I fully support this reference to conciliation commissioner Foisy's report in the Bill.

As has already been pointed out, it is a comprehensive document which deals at some length with the background to the dispute and with the respective arguments and positions of the parties on matters in contention. Furthermore, it offers

well thought out and objective proposals and recommendations on the key issues.

Again, comments have already been made concerning the balanced nature of the commissioner's findings. The report endeavours to reconcile the parties' competing demands and interests. Due consideration is given to the corporation's need to conduct business in a viable, efficient manner and to meet reasonable service targets on which the Canadian public should be able to rely.

At the same time the report recognizes the need to protect the interests of the corporation's existing employees and it does include several recommendations in this regard.

In speaking to the Bill on second reading, the Minister of Labour (Mr. Cadieux) referred to certain key aspects of the commissioner's report dealing with the job security question, particularly with reference to the impact of franchising and the opening of new sub post offices. In this respect the commissioner recommends comprehensive employment protection measures for any employees currently engaged in postal wicket work who might be affected by the corporation's legitimate recourse to private sector postal outlets.

There is another aspect of the job security issue which the commissioner examines in some depth. This aspect is in relation to the corporation's demands for greater flexibility in the deployment of its workforce. The commissioner concludes that the corporation is justified in seeking this additional flexibility. Indeed, he states that an employer cannot be expected to run its business in a cost effective manner if it must continue to employ employees for whom it has no work. Such a situation existed under the expired collective agreement which obliged the employer to maintain surplus employees in a given location even though productive employment was available for them elsewhere in the corporation's system.

While he recommended greater flexibility for the corporation to deploy its workforce, the commissioner also endorsed job and income security measures for affected employees. In this respect, the commissioner observed that his recommendations would provide members of the bargaining unit with rights in the job security area which would still be superior to those found among Canadian unionized workers as a whole.

The conciliation commissioner's report contains reasonable recommendations which would, if adopted, result in a very fair collective agreement offering the employer more flexibility than exists at present but maintaining sound conditions and terms of employment for the employees concerned.

In several areas, the commissioner rejected the employer's demand which he found was not justifiable. For example, with respect to technological change, the commissioner did not accept the corporation's plan to modify the current provision. This provision, by the way, offers employees considerable protection and is among the best found in collective agreements in Canada. Similarly, the commissioner rejected the corporation's demands concerning the capacity to undertake work measurement for individual employees.

• (1550)

On health and safety issues, the commissioner generally finds in favour of the union's demands. In the important area of noise reduction, the employer is enjoined to work with the health and safety committee to reduce noise to more comfortable levels. Similarly, the commissioner accepts in great measure the union's concerns with respect to additional break periods for postal coders and he accelerates the night workers' access to the special recovery leave provided for by the collective agreement.

The conciliation commissioner's report covered much ground and represented considerable time and effort. It is important that this time and effort not be wasted. Hopefully, the parties will address themselves to the issues it deals with in the period now provided for them to seek a mediated settlement. If not, I am sure the person appointed to the important task of mediator-arbitrator will find the report to be very useful.

I would like to express the hope that the parties will take their responsibilities seriously both now and in the future. An efficient and viable postal service should not be beyond grasp. It has been accomplished in other industrialized countries and it is possible here in Canada. I would not for one moment suggest that efficiency should be achieved at the expense of postal employees. However, neither postal unions nor the corporation can afford not to change if the goals of efficiency and viability are to be reached. Employees should be adequately protected in the face of change and the Foisy recommendations would continue to assure them such protection. But the best protection at the Canada Post Corporation, or in any other business, is the success of the enterprise.

I want to speak about the Marchment review committee report that was tabled in November, 1985. The Marchment review committee examined Canada Post's mandate. The board of directors at the inception of the corporation adopted a three-pronged definition of its objectives; first, to improve service, second, to create a better climate for human relations within the corporation and, third, to achieve financial self sufficiency. All Canadians want consistently reliable, dependable service at a fair cost. They want to know that it will take two days for a letter to be delivered in a city, perhaps three days within a province and four days across Canada, and they want to know that it will be reliable, dependable service.

The mail is an essential service to senior citizens. They receive letters from loved ones, their Old Age Security pension cheques and some receive Guaranteed Income Supplements. These things are extremely essential. How about people living on interest and dividend income? Mail is an essential service to them. They have to receive this income in order to live. What about Governments, be they federal or provincial? They need postal services for payments, revenues, communication. There

are hundreds of small business people in Calgary South and literally millions across our country. They are totally dependent on the mail service. They need their receivables to exist. They must have a consistently reliable service.

What about foreign business? People overseas doing business with companies in Canada and, indeed, Canadian companies doing business with foreign companies, must be guaranteed a good, dependable service. If they cannot be guaranteed that, they will go elsewhere, causing a loss of jobs and a loss of foreign investment which is needed in this huge geographical country of ours with such a small population.

How about my business? How about the business of each Hon. Member of the House? We are very dependent upon the mail not only to receive letters from our constituents but also to communicate our replies to them.

There were three major recommendations in the Marchment report: first, service that is consistently reliable and dependable; second, management-labour methods for consultation and co-operation; and, third, financial self-sufficiency. All of these have been addressed in the Foisy report. When the Foisy report was released, Canada Post and CUPW indicated that the report could serve as a basis of an agreement in principle between the two parties.

I just want to review some of the observations made by the conciliation commissioner Claude Foisy. With respect to franchising, he said that Canada Post operates some 8,000 postal outlets of which about 1,950 are operated by the private sector. About 5,225 are operated by its employees who are members of CPAA and only 417 employ members of the CUPW union.

Canada Post maintains that in relation to sub-post offices and franchises, its costs are equivalent to approximately 13 per cent to 20 per cent of receipts. In the case of a large post office operated by employees belonging to CUPW, its average cost is 70 per cent of receipts. He also says that a distinction must be made between the opening of sub post offices and franchises that co-exist with offices operated by CUPW members, and the closure of existing post offices on purely economic grounds.

With respect to management's rights, he stated that responsibility for determining the range and level of service offered to the public rests entirely with the corporation, not the union. The role of Canada Post is not to provide jobs for Canadians or to increase the income of union members as a form of social assistance. It must operate in an efficient and cost-effective manner, otherwise its spending power would be unlimited.

On its operations, the commissioner states that these strict service standards, that is, first-class mail to be delivered within two or three days of mailing, depending on the locale, which the corporation wants to attain at all costs in a proportion of 99.9 per cent, are the central factors in the development of all of its mail processing operations. Given the nature of the operation, he is of the opinion that the employer must be permitted access to the appropriate manpower at lower cost. The employer can guarantee full-time jobs only to the extent that its business permits. The average hourly cost of a full-time employee covered by the current collective agreement, including pay and benefits, is now $24.89.

In conclusion, I want to say that the union does have the right to strike. Canada Post has the right and responsibility to move the mail for all Canadians. Jobs are of the utmost importance. However, also of the utmost importance is an economically viable Canada Post Corporation with management that provides reliable, dependable service as well as self-sufficiency.

• (1600)

I want to thank you, Mr. Speaker, for giving me this opportunity to support the Bill of the Minister of Labour, Bill C-86. I wish that we moved along quickly with the debate so we can move into third reading.

Mr. Deputy Speaker: Are there questions or comments?

We will resume debate with the Hon. Member for Vancouver East (Ms. Mitchell).

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I note that we are now down to 10-minute speeches. I believe that back-to-work legislation for Canada Post, which is being imposed on the House today with closure, goes beyond the Government's inability to honour its commitment. It goes beyond its total disregard for fairness and honesty. At stake here, what is actually being decided, is really a question of freedom. It is the breaking of a social contract.

What kind of a free country gives people the right to free collective bargaining and then takes it away if it does not like the consequences? Dictatorships do not allow the right to strike. Dictatorships throw union leaders and striking workers in jail, which is one of the provisions of this Bill. Are we now a dictatorship? Labour legislation is part of our social contract. The rules of the game are enshrined in our law. The workers at Canada Post followed all the rules and have ended up in a legal strike. They have the right to strike, as my colleague who spoke before me indicated.

But now the Government wants to step in arbitrarily and change the rules. I think we have seen from the speeches of the Minister and others that they want to impose management's demands on the workers. This is a blatant interference in the free collective bargaining process. We must ask ourselves why the Government is setting such a bad example in this Bill, an example that is imposed on a Crown corporation but certainly has very significant ramifications for other employers across the country.

Is this the kind of leadership the Government wants to provide for other large employers? Are contracts now to be settled by the use of scabs? I think it is just deplorable that this Government has condoned the practice of using scab labour by the Crown corporation that is under its jurisdiction.

Are contracts to be settled by back-to-work legislation, as has happened in this case and in others under the jurisdiction of this Government? If this Government is set in changing the rules of the game, then it is dangerously undermining the social contract. We know from history that social unrest may very well be the consequence right across the country. If this happens, social disintegration will be directly attributable to this Government.

The Government should be re-examining Canada Post policies and Canada Post management. It should be looking once again at the basic causes of this present dispute, basic causes which have been substantiated in speeches in this House, which are really based on the Government's policy of privatization.

The root of the problem lies with this Government's insistence on franchising postal services. This Government wants to run a public service like a private enterprise. We know full well, and I am sure that the unions who are concerned about their jobs and their workers as well as being concerned about the postal service know full well, that there are going to be very many negative impacts of franchising out. There will be impacts on jobs. Many jobs will be reduced from full-time jobs, with a living union wage, to part-time jobs at half the amount. Many of those jobs, I am sorry to say, will also be taken by women, many of whom are the sole support of their families.

Job loss will fall most heavily on women, children and families. There will be a particular impact on rural communities. Franchising out is not only bad for workers and has not only been the main cause of the dispute and the legislation that we are debating today, it is also very bad for consumers. I hope that the public out there who may be listening to our debate will consider it from their point of view as well. I would like to give a couple of examples.

Recently I had a letter from a constituent of mine who was expecting a parcel, a very important parcel, that he was to pick up. It was under a customs bond. He received the card, which we now receive, stating that he could not pick this up at the post office, he had to go to another place, in this case a small drugstore in the neighbourhood. So he started out to try to locate his parcel. He found, when he went to the small business, that a very valuable parcel, which had been clearly marked with a customs bond, could not be located. The clerk in the corner store was busy with other things and did not know what procedure was to be followed. Eventually, he himself looked around and found his very valuable parcel located on the floor in a very public area. This is a result of franchising out.

He told me that later on he tried to pick up another parcel. To add to his frustration he found that it was still *en route*. Between the Post Office and the notice coming to his house and going back to the Post Office and going from there to this small business that was now dealing with parcels, the procedure took several days. Apparently, the package had been delivered to his home by the Post Office, then taken back when no one was at home. A notice card was sent out and then the parcel was delivered several blocks away to the pharmacy while the Post Office shelves remained empty and postal workers who are public employees were not given the right to handle such merchandise.

What kind of a foolish, impractical, inefficient and costly system is this? I would like to say to my friend from Calgary that if this is the kind of real improvement in postal services that she is advocating by supporting privatization, I do not know how she can talk about economic feasibility.

Postal services must be improved, we all agree with that. We are all completely frustrated with the time it takes the mail to be delivered. This is a problem of everyone. We do not want to victimize any particular part of the whole service. But I fail to see how franchising out will improve the service.

I would just like to quote an article by June Callwood in *The Globe and Mail* of a couple of days ago. She states:

> Canada Post and the Canadian Government are co-operating to confound a strike over the issue of the Post Office's decision to reduce costs, by getting rid of unionized post offices and replacing them with outlets staffed by non-union people who will work for debased wages—
>
> A village is a small place . . . Some villages are home to fewer than 200 people, but home they are . . . A child growing up in a village is known and tended to some degree by everyone who lives there—
>
> All over the country—people describe the post office as the heart of the village—
>
> It is doubtful, however, that the villages can survive the latest catastrophe, Canada Post's decision to abolish rural route deliveries.
>
> Last November Canada Post announced it would cut back on both as part of its strategy to end the huge post office deficit by 1988. Of the 5,221 rural post offices across Canada, some 1,700 are slated for extinction and 3,500 others will be "transferred to the private sector".

Mr. Speaker, 82 per cent of rural postmasters and their assistants are women. I talked not too long ago to members of Dignité Rurale, women from the Gaspé, who have started a movement to oppose this. They told me that closure of rural post offices means a drastic loss of jobs for women. Some 37 were lost last year alone in Saskatchewan by sub-contracting out at not even a wage but at 22 per cent of the sales intake. This means they figure that women and other workers will be earning only about $2,000 a year. In many cases this means that they are working in the store for six days a week. This is in a rural situation. Those particular workers have been under CPPA not under CUPW, but the same principle applies.

• (1610)

It is basic to the current strike that the government policy of privatization is what is the most prevalent cause of unrest. Of course CUPW workers do not wish to lose their jobs. Of course they want and should have the right to decently paid jobs. They have come to my office, and I expect to others, with suggestions for improvements to the postal service. They have presented a number of very positive recommendations, but they have not been given a chance. They oppose franchising

out, and so do we. It is bad for workers and consumers. It destroys one of our most important community institutions, particularly in rural communities.

In closing, I must say that I regret the action taken by the Government in imposing back-to-work legislation. I very much regret the policies of the Government which have been imposed upon Canada Post, which in turn has imposed them on its workers and which have contributed to such unrest in Canada.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, it is my obligation and duty as a Member of Parliament who believes in the right of working people to organize and bargain collectively, to speak out against Bill C-86. It is important for the Canadian people to understand what the Government has done first to the Post Office, then to postal workers, and finally to the entire bargaining process.

We have seen what the Government has done to the Post Office ever since it came to power, and we had the Nielsen Commission report. For 120 years the Post Office has been serving Canadians and providing a vital service. The Government has this fixation that instead of providing a service, the Post Office should be a money-making corporation. This has been driving the Government in its ideological fixation to attempt to make the Post Office a money-making corporation, never mind the impact upon Canadians who look to the Post Office for service, never mind the impact upon those Canadians who work at the Post Office.

We have seen the Government refuse to initiate new postal walks, so in effect we have two classes of service in Canada today. People who live in established communities continue to get door-to-door delivery. People who live in new suburbs or in smaller communities that have grown to a sufficient size for door-to-door delivery, do not receive door-to-door delivery. Instead there is the fiasco of the Government's supermailboxes. There is a threat to close down rural post offices that my colleague from Vancouver East (Ms. Mitchell) mentioned.

Now there is an attempt at franchising which means that the Government is going to be doing away with good union jobs and replacing them with a franchising-out situation that will depend upon low paid labour with no job security and no benefits.

The Government moved very quickly in the direction of provocation of the union when it advertised for strike-breakers. This is unheard of. I come from a community where there is a long tradition of honouring people who have fought and struggled for the rights of working men and women to have a decent wage and decent working conditions. I use the word "strike-breakers" instead of the word "scab", because to me the word "scab" has some pretty heavy connotations. In the community where I live people remember members of a family three and four generations down the line because that member scabbed. It is a very serious allegation.

I would like to share with Members part of the definition of a scab written by Jack London. It summarizes the manner in which many working people feel about someone who undercuts their attempts to better their working conditions. Jack London stated that a scab is a two-legged animal with a corkscrew soul, a water-logged brain, a combination backbone of jelly and glue. Where others have hearts he carries a tumour of rotten principles. When a scab walks down the street, men turn their backs and angels weep in heaven, and the devil shuts the gates of hell to keep him out. Esau sold his birthright for a meal of pottage. Judas Iscariot sold his Saviour for 30 pieces of silver, Benedict Arnold sold his country for a promise of a commission in the British army. The modern strike-breaker sells his birthright, his country, his wife, his children and his fellow man for an unfulfilled promise from his employer. Esau was a traitor to himself. Judas Iscariot was a traitor to his God. Benedict Arnold was a traitor to his country. A strike-breaker is a traitor to his God, his country, his wife, his family and himself.

That indicates the depth of feeling that union people have toward someone who undercuts their struggle. Yet, on the other hand, we know that in some situations people are desperate. They are desperate for a job and to put something on the table. They might not feel very good about strike-breaking, but they feel that they are driven to it.

The question that I wish to place before the House, and the question that the Canadian people should be asking, is, what type of employer pushes people to strike-break? What type of employer sets one group of workers against another? What type of employer uses one group of workers to undercut deliberately the standards of another group that has been bargaining collectively to better their situation? I must ask, what type of government will act as that type of employer? The answer for the Canadian people is that only a Tory Government would be prepared to do that. This is a scab Government.

Unfortunately, the men and women who are driven by desperation to act as strike-breakers get the name "scab" attached to them, a name they will carry to their graves, and a name that their children and grandchildren will sometimes have hurled at them. They receive the name of scab, while the members of the Government continue to call themselves honourable. There is something not quite fair about this.

When we look at the current strike, we must realize that it was deliberately provoked by the Government as part of its over-all strategy to destroy the Post Office as a service to the people of Canada. It did not care who paid the price. The major price is being loaded upon the workers. We saw the manner the Government did that with the letter carriers. Now the Government is doing it to the inside workers who are members of the Canadian Union of Postal Workers.

CUPW took a very moderate approach as it began this strike. Instead of having an all-out strike, it had rotating strikes in order that it would not have too serious an impact

upon the Canadian public. The Government chose to escalate that. Here is a situation where the Government has deliberately provoked an all-out strike by introducing Bill C-86.

Some of the members of my Party have referred to this legislation as Draconian. Yesterday some members of the Conservative Party felt that perhaps we should not use the word "Draconian". I checked, and the word "Draconian" comes from Draco who was a 7th century B.C. Athenian lawmaker. The types of laws that he made were written in blood rather than ink. For even the most trivial offences, people received the death penalty.

Draco is also the name of a lizard. I would like to suggest to Hon. Members that this legislation is Draconian in both meanings of the word; it is lizard-like, it crawls on its belly, it is cold-blooded, and is a relic from another age that should not be around in the 1980s. Certainly, it does not extract the death penalty for any of the workers, but it sounds the death-knell for collective bargaining. It sounds the death-knell for the rights of working people to elect their own leaders freely.

Clause 11 of Bill C-86 means that the Government can prevent any leader who advises his workers, his members, not to follow this legislation, from holding any office in the union or having any job with Canada Post. That is what we mean when we say that the legislation is Draconian. It puts an end to free collective bargaining on the part of the Post Office. It strikes at the very root of our right as Canadians to association. Freedom of association is guaranteed under Section 2 of the Charter of Rights and Freedoms, yet Bill C-86 strikes at that right.

• (1620)

Last Friday, just after the legislation had been tabled in the House, I had an opportunity to visit the picket line at the main sorting station near Victoria. I talked with some of the workers. They are very concerned. Their struggle is a just one. They are not asking for increased wages, but they are concerned about job security and about protecting the quality of their jobs. Many of them have worked for years at night shift jobs and have finally got the opportunity to work a day shift job at the wicket. This business of franchising will take that away from them. While the Government says that they will continue to have job security, they will be relegated to some kind of job on the night shift.

I do not know how many Hon. Members opposite have worked night shift. Well, I have, and it is not something which most workers in Canada appreciate, particularly if they have put in their years on night shift and have obtained a day job, only to see it taken away and hived off to some franchise outfit which will pay substandard wages.

They are also concerned that in the long run it will destroy union jobs. Apart from their own job security, as union men and women they are concerned about the impact it will have upon society in total, because it will destroy decent paying jobs and replace them with jobs at substandard wages without any benefits. I emphasize that if we pay substandard wages, we will be building a substandard economy and we will have a substandard society.

Why is the Government insisting upon destroying the Post Office? Why is it insisting upon destroying the living standards of Canadian men and women? Why is it insisting upon building a substandard society? I urge the Government to withdraw Bill C-86 and let collective bargaining take its proper route.

Mr. Dennis H. Cochrane (Moncton): Mr. Speaker, I was not scheduled to speak in the debate, but I want to put a few comments on record. I will be supporting Bill C-86, but with some reluctance.

I find the same difficulty today as I had a number of weeks ago when we looked at legislation to end the rail strike. What we are seeing is an impasse, both in the case of railway workers and in the case of Canada Post employees, which has developed as a result of a long period of time when management and workers were not talking, were not discussing the problems, and were not taking into consideration the job that had to be done and the best way to do it.

As a result, today we as parliamentarians are being used as pawns in that we now have to step in and settle a dispute which really should have been resolved at the negotiating table.

I find a little fault with the system whereby we indicated that if they did not reach a settlement we would bring in back-to-work legislation. That certainly puts the gun to the heads of the negotiators on behalf of Canada Post and on behalf of the unions. Unfortunately, the management of Canada Post looks at that as being a situation where it can sit back and perhaps not negotiate any further in good faith because it knows that Parliament will run to its assistance and provide legislation that will cause the dispute to end. I find that a very difficult situation to be put in.

I also find a couple of issues in the dispute somewhat discomforting. I am personally not in favour of replacement workers. Canada Post has used them twice and it has caused a great deal of disruption on the picket lines. Canada Post has the right to lock out its employees and, conversely, those employees have the right to withdraw their services. That is part of the process, yet every time they use replacement workers to do the jobs of those who have removed their services in order to cause discomfort to the corporation, so that they can hopefully get a collective bargaining settlement.

I find a difficulty in that regard. If it is so essential that the 23,000 CUPW people work at Canada Post, or the workers involved in the last dispute, perhaps we should not be considering Bill C-86 to end the dispute. Perhaps we should be considering legislation to take away or remove that right to strike. If every time there is a dispute we call in Parliament to settle it, perhaps we should look at some sort of legislation to remove that right to strike and provide a dispute settling mechanism through arbitration.

The other problem with which I have difficulty is franchising. I have no problem with franchising new services as Canada Post tries to extend its network into new population areas. However, I have difficulty with the thought that some existing postal operations may be franchised. I know that Canada Post is guaranteeing employment, but there is a certain quality of employment to which these people are entitled.

For example, I have a community of 17,000 people in my constituency with virtually no postal service. It has a few over-the-counter wickets in stores and so on. I can support franchising in the future for new facilities in order to provide service to the people, but I do not support the concept of taking existing post offices and putting them in the Kentucky Fried Chicken store next door. Nonetheless, I agree that in order to provide expanded services we may have to look at franchising.

However, those issues are not being settled by Bill C-86, the legislation which is before us today. Bill C-86 is merely calling an end to the dispute and is providing for 90 days of negotiation, with the benefit of a mediator, and eventually, if that is not successful, an arbitrator will be appointed who will have the binding powers to settle the dispute.

That is the only reason that I am supporting Bill C-86. I do not believe that Parliament should settle the issues, and we are not settling the issues. The issues are better solved between the parties sitting down in a responsible manner and negotiating. Given the nature of the management of Canada Post and the nature of the leadership of the union, I do not know whether we could really expect to have serious bargaining at the table without a lot of posturing and confrontation. I think that is why we are here today.

I also support the legislation because I know that Canadians are telling me "get them back to work". Canadians are paying good money in taxes for the subsidies and in stamps for the services, and they expect service. Earlier we talked about $24.89 being the average hourly cost of an employee including salary and benefits. It is a lot of money. I do not dispute that most Canadians are not making that amount but would like to make it. Nonetheless, it is a fact. It has been achieved through years of negotiating, and I do not think we can turn around and take it away in one step. However, the Canadian public has every right to expect service for that amount of pay.

When Canadians walk into a post office and see six wickets, one open, a 50-foot line-up, and four people standing back talking because it might be their coffee break, they do not react very well. That is a problem which both management and union have. They must solve the problems facing Canada Post.

I can tell the House that the staff in my office do not take a break if there is a constituent who wants service. They may get their break at some other time, but their priority is to provide service. That is what the Canadian public expects for $24.89. They do not expect us to take that away from the workers today. They may be a little jealous of that amount of money, but they expect productivity, courtesy, and service. They certainly expect their letter, when it is posted, to get to its destination in a reasonable length of time.

I am supporting Bill C-86 because we must get on with that objective. We obviously have a problem between management and union. I would say that as a Government we have a problem with the management.

I am not happy with the response I get from Canada Post. If my constituents get the same kind of nonchalant attitude when they call Canada Post, they have every right to be upset.

I understand why the relationship between the union and management has deteriorated. My relationship with Canada Post has certainly deteriorated over the years because it does not return my phone calls. They gave me the same gobbledegook as they gave my constituents when they called.

When a new house is built beside an old house, and one gets postal service and the other does not, and Canada Post says that it will take six months to review the route, in the meantime people are made to go downtown to a post office box. They are not even given a green box or a supermailbox. I do not blame the public for being frustrated with Canada Post, and they are taking that frustration out in this dispute.

Let us get it settled. Let us get a handle on the problem. It is not only a problem of management. It is a problem of the Government, the opposition Parties, the Canadian public, and the unions. We must make that organization work because Canadian taxpayers expect us to make it work. If we cannot do the job of making it work, they are prepared to accept other alternatives which will make it work.

The job must be done. They want us to do it. They want efficiency. They want service. They want fairness. They are not prepared to put up with what they are getting now and paying the kinds of bills they are paying. I will vote to put them back to work because the dispute will, hopefully, be resolved in the 90 days with the benefit of a mediator.

• (1630)

I find this kind of legislation very difficult. We are being brought into this to settle a problem which did not start six weeks or six months ago, it probably started six years ago with the unions and management getting further and further apart.

I will be supporting Bill C-86 with some reluctance because I have reservations about the dispute. Nonetheless this is not ending or settling particular issues, it is putting them back into the process. I can certainly tell you, Mr. Speaker, that in 90 days if the matter is not settled then an arbitrator will be needed. We will have a job to do to rebuild and provide the service which Canada Post is expected to provide Canadians.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I was interested in what the Hon. Member for Moncton (Mr. Cochrane) had to say. I thought I heard between the lines that he was more uncomfortable with this legislation than he feels

he is able to admit on the record in the House. I was interested in his comment about line-ups at wickets. I wonder whether he has had the opportunity to be in a bank lately or in a number of other private enterprise institutions where line-ups are not infrequent. I sometimes find it irritating that we hear so very often about this kind of thing when it happens in the public sector but we never hear about identical things happening in the private sector.

I want to begin what I have to say this afternoon by taking issue with a statement made by the Minister of Labour (Mr. Cadieux) when he introduced this legislation. He said that the Government was determined—I am paraphrasing—that no private dispute would be allowed to tie up the country the way the postal strike was allegedly tying up the country. Actually it was not tying up the country until the Minister intervened, but that is beside the point.

I want to take issue with the notion that this is a private dispute, that this somehow belongs totally in the realm of the private sector, namely, that it is not related in some way or another to public policy, because this dispute is related to public policy. It is not a private dispute. It is related to the policy of the Government set down by the Government for Canada Post. It is in reaction to those policies that the Canadian Union of Postal Workers has found itself in the situation in which it now is, being unwilling, quite rightly, not to accept the policies which Canada Post is trying to force upon it, policies which have their origin in the policies of the Government. It is quite false, inaccurate, hypocritical and misleading for the Minister of Labour to refer to this as a private dispute which he and his Government really have not had anything to do with but which the Minister now out of a great sense of responsibility to the nation, is intervening to settle.

This is a dispute which has been precipitated by the policy of the Progressive Conservative Government. It is quite deceptive for the Minister of Labour to refer to this as a private dispute. It is government policy that Canada Post has with its plan for the franchising of postal offices. It is government policy that Canada Post not hire any more letter carriers and set up these rinky-dink supermailboxes all over the country. It is government policy that there be this constriction placed upon postal service.

I have had many constituents complain to me, not about inside postal workers or line-ups at wickets, but about things related to Canada Post policy. They are service-related, but in a way that is related to policy and not to the quality of the work being provided by postal workers. It is not postal workers who are to blame for supermailboxes. It is not postal workers who are to blame for the policies which the Post Office has adopted with respect to a great many issues which makes service more difficult for Canadians. Very close to where I live, I am aware of a supermailbox now having been set up. It has been there for a week or two. People are still having to go to the main post office in Transcona to get their mail. If they have to live with a supermailbox, they wonder why they cannot get their mail delivered to it now. We contacted Canada Post for them and we were told that that mailbox is not scheduled to be used until the beginning of November.

Not only does Canada Post irritate the devil out of people by forcing them to have these supermailboxes, but having set them up, will not even use them, making people go elsewhere for their mail. These things make absolutely no sense, Mr. Speaker. That is why there has not been the public outcry against the postal workers that some people might have expected or might have wanted, particularly on the government side.

Canadians have come to realize that the Post Office is run by a bunch of dummies. The public has a lot of sympathy for the postal workers who have to work under these dummies and under the people who devise these policies. I say to every Canadian who might be listening and tempted to accept the Government's invitation to perceive the Canadian postal workers as scapegoats in this dispute that it is their post offices which are on the Government's hit list. It is their post offices that will someday be franchised out, and it is their post offices which will disappear, particularly those in rural Canada. It is their relatives, friends and perhaps themselves, if they move into a newer area, who will never again receive door-to-door mail delivery.

This situation affects everyone. I think everyone has had just enough of a taste—some have had more than just a taste—at the way the Post Office is run not to be willing to accept the Government's view that it is the postal workers who are to blame.

The Government has clearly taken sides in this dispute. The Government has not acted neutrally. It has taken sides by referring in the way it has to the Foisy report, contradicting the position the Government took at the time of the back-to-work rail legislation when the Government refused to make reference to the conciliator's report. It has become absolutely clear that this is not a neutral act by the Government. This is a partisan act in which the Government has taken the side of management, not surprisingly, because management is implementing the Government's policies.

Going back to what I said originally, this is not a private dispute between Canada Post and its employees; it is a dispute centered around the appropriate resistance of the Canadian Union of Postal Workers on behalf of all Canadians to the policies which the Government has asked Canada Post to put in place. All Canadians owe CUPW a certain debt of gratitude, if you ask me, for not being willing to roll over and play dead with respect to these issues, for fighting back and for calling the attention of Canadians to just what is involved in the Government's policies with respect to Canada Post.

• (1640)

I had an opportunity to comment on the larger issue the other day. So far, I have been talking mostly about the policies of Canada Post with respect to franchising and things like

that. I would like to turn now to the economic well-being of the workers.

What is happening here is part of a larger attack on the standard of living of working Canadians. The right-wing solution to the crisis in the western economy is that if there is to be a reallocation of power, capital and income, the people who will have to make the sacrifices are not those who have loads of money to begin with like the owners and the wealthy, but the well-paid working people. They will have to make that sacrifice in order, to use the euphemism of the right, that Canada and other countries which in the post-war era had enjoyed a good standard of living can become competitive.

With whom will these countries become competitive? "Competitive" is one of the words that is bandied about here, in the free trade agreement and in multilateral trade arrangements as if everyone knew what it meant. The fact is that "competitive" means that instead of having a Government that wants to work for a new, just and sustainable international economic order, as many have suggested it ought to do, we have a Government which wants to accommodate itself, rather than resist, through the sacrifices of working Canadians, to trends in the global economy which will pit working Canadians against working Koreans, Brazilians and Americans.

In order to have this kind of competition, we will all become the poor. When I say "we", I mean people who come from working class communities in which people have been able to have a decent standard of living for the last 30 or 40 years. The Government has said: "In order for us to be competitive, you people out there in Transcona and elsewhere have to give up that standard of living. It was nice for a while, four decades, not bad, particularly if it was from when you were 20 to 60 years old, but for the rest of you young people out there who thought you would have the kind of economic security your parents had, forget it. We are in the brand new world of a global-free enterprise, a brand new world of competitiveness, a brand new world of free trade with the United States".

Workers in Canada will be able to compete with workers in the sun belt of the southern United States where there is an anti-labour environment, very few environmental laws, very little regulation and a political context that is antithetical to social justice. These are the people with whom we are supposed to compete, and we are supposed to be excited about it. We are supposed to be excited about the fact that we can be given the opportunity by the Progressive Conservative Party of Canada to give up everything for which the people have worked over the last 50 years in building a more socially just Canada in order to be competitive.

That is not something with which working people will put up. Wherever working people take a stand against that kind of economic and political agenda, whether it be with CUPW, the rail unions or the workers at Super Value in Winnipeg, the NDP will be standing with those people.

[*Translation*]

Mr. Deputy Speaker: Order! It being 4.45 p.m., pursuant to Order made Wednesday, October 14, 1987, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the second reading stage of the Bill now before the House.

[*English*]

Mr. Cadieux, seconded by Mr. Lewis, moves that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the second time and, by order made earlier this day, referred to Committee of the Whole.

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Call in the Members.

The House divided on the motion (Mr. Cadieux) which was agreed to on the following division:

• (1650)

(Division No. 280)

YEAS

Members

Attewell
Blenkarn
Brightwell
Cadieux
Caldwell
Champagne
(Champlain)
Clark
(Brandon—Souris)
Cochrane
Comeau
Cooper
Corbett
Cossitt
Crofton
Crosbie
(St. John's West)
Crouse
Darling
Dick
Dorin
Edwards
Ellis
Fennell
Ferland
Fretz
Gagnon
Graham
Gray
(Bonaventure—Îles-de-la-Madeleine)
Hamilton
Hawkes
Horner
Howie
James
Jardine
Jelinek
Jepson
Joncas
Jourdenais
Kelleher
Layton
Lewis
MacKay
Mailly
Marin
Mayer
Mazankowski
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McMillan
Merrithew
Minaker
Nicholson
(Niagara Falls)
Pennock
Plourde
Porter
Price
Redway
Reid
Reimer
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)

Sparrow	Turner (Ottawa—Carleton)	Wilson (Swift Current —Maple Creek)—75
Speyer	Van De Walle	
Suluk	Warner	
Tardif (Charlesbourg)	Weiner	
Taylor	White	
Thacker		

NAYS

Members

Allmand	Gray (Windsor West)	Nicholson (Trinity)
Angus	Grondin	Nunziata
Benjamin	Guilbault (Saint-Jacques)	Nystrom
Berger	Harris	Ouellet
Blaikie	Heap	Parry
Boudria	Hopkins	Penner
Broadbent	Keeper	Riis
Caccia	Killens	Robichaud
Cassidy	Langdon	Rodriguez
Copps	MacLellan	Rossi
de Jong	Manly	Skelly
Finestone	Marchi	Toupin
Foster	Mitchell	Young—42
Fulton	Murphy	
Gauthier		

• (1700)

Mr. Deputy Speaker: I declare the motion carried.

Bill read second time and, by unanimous consent, referred to the Committee of the Whole.

[*Translation*]

Mr. Deputy Speaker: It being 5.12 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

CONSTITUTION ACT, 1982

SUGGESTED AMENDMENT TO INCLUDE PROPERTY RIGHTS

Mr. John Reimer (Kitchener) moved:

That in the opinion of this House, the Constitution Act, 1982, should be amended in order to include property rights and, that the Governor General issue a Proclamation under the Great Seal of Canada to amend Section 7 of the Canadian Charter of Rights and Freedoms so that it reads as follows:

"7. Everyone has the right to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

and this House urges that the Legislative Assemblies of all provinces and the Senate pass similar resolutions.

• (1710)

He said: Mr. Speaker, this is the second opportunity I have had to introduce and defend before this House a motion calling for the constitutional protection of property rights. The first time was on May 28, 1985, during the last session of Parliament.

The intent and rationale of this motion is very straightforward. I am asking the House of Commons to pass this motion, allow this question to go to the Senate and then to the provincial Governments through the amending process for our Constitution, seeking its consent to add the words "enjoyment of property" to Section 7 of the Canadian Charter of Rights.

This action would thereby provide the necessary and natural corollary to the words "life, liberty and security of person", rights already secured in Section 7 of the Charter.

It is true that the right to enjoy property is now included in the Canadian Bill of Rights. However, the Canadian Bill of Rights is but a statement of general principle and does not of itself confer or create real rights. When property rights were proposed for inclusion in our Charter in 1981, the matter was discussed, then explicitly rejected, a regrettable omission about which I will say more later.

Suffice it to say that once a decision was made in 1981 to list all the rights of Canadians in the Charter, then surely all such rights should have been included. However, the omission of property rights from the present text of the Charter is an obvious and very serious omission. It remains a constitutional imperative to ensure it is included.

In my earlier speech I spoke in some detail on the philosophical rationale for this motion and do not feel the need to repeat myself at length here today. Simply put, however, I would argue that to omit and deny the right to private property is to diminish, indeed to render meaningless, the existing rights to life, liberty and security of person. Surely, our existing freedom to purchase a car, home, farm or business is severely restricted if our basic right to make, buy, keep or sell is not also protected. Likewise, surely the principle of freedom "to pursue the gaining of a livelihood", in Section 6, Part 2(b) of the Charter, as a labourer, housewife, farmer or businessman, is severely diminished if one's freedom to simply keep, sell or buy is not secure. All this is simple common sense.

Permit me to give two concrete examples. Under the ill-conceived and ruinous National Energy Program, the previous Liberal administration confiscated from the oil companies 25 per cent of all land assets north of the 60th parallel, called the "frontier lands", and gave them to PetroCan without any compensation whatsoever, not a single penny.

Another obvious area of concern are the nationalization policies of the New Democratic Party which would allow the seizure of assets without necessarily providing full compensation. So the socialist New Democratic Party could nationalize a bank or a business and refuse to pay fair market value. By adding the words "enjoyment of property" to the Charter, such actions would be severely restricted.

Therefore, lest there be any doubt, let me reiterate the fundamental rationale of this motion. Logical consistency demands that those fundamental rights now guaranteed by the Canadian Charter of Rights and Freedoms, words such as, "life, liberty and security of the person", be given their

natural, undeniable and essential correlate, namely, "enjoyment of property". I would suggest it is incumbent upon those who would disagree with the motion to state their position with respect to this rationale.

In addition to the self-evident inherent logic of this motion, there are several other compelling factors in its favour. First, the historical precedent is overwhelming. The basic human right to own what we make was included in such documents as the Magna Carta in 1215 and the English Bill of Rights in 1627. In 1948, Canada signed the United Nations Universal Declaration of Human Rights. Article 17 of that declaration reads:

> (1) Everyone has the right to own property as well as in association with others.
>
> (2) No one shall be arbitrarily deprived of his property.

Additionally, property rights is also recognized in the 1960 Canadian Bill of Rights. Clearly, then, it is now time to bring our Constitution in line with these historic documents.

Second, the entrenchment of property rights is currently recognized by a wide range of modern democratic counties including Australia, the United States, West Germany, Italy, Finland and, for my socialist colleagues, even socialist Sweden. Third, various Canadian national organizations, such as the Canadian Chamber of Commerce, the Canadian Bar Association and the Canadian Real Estate Association, have been constant in their efforts to have Parliament act on this issue.

Fourth, this is a matter which applies to all Canadians and it is a right which each of them wants and deserves. This fact has received undeniable support in a recent Gallup poll which shows that 81 per cent of Canadians say that it is either "very" or "fairly" important to them that the Constitution be amended to include property rights.

The ordinary person's vested interest in the protection of property rights is recognized by all responsible public leaders. Britain's Prime Minister Margaret Thatcher has said: "We need a property owning democracy". Why? Because, to quote Barbara Amiel, a well-known Canadian journalist, Mrs. Thatcher understands:

> That for ordinary working people, who might not be blessed with the intellectual property of the intelligentsia or the abstract property of the bureaucracy, the most important thing is the house they own or the few shares they can get. That bit of real property means that they can arrange their lives independently of the state.

Permit me now, Mr. Speaker, briefly to anticipate and respond to some of the concerns which have often been voiced with respect to this issue. These concerns are invariably related to two basic questions; first, what exactly is meant by "property", and, second, what would be the impact of the inclusion and subsequent interpretation of "enjoyment of property" upon various bodies such as the provinces, natives, environmentalists, womens' groups, business and labour, and so on. While these are important questions and, as such, cannot be exhausted here, it is crucial that they be held in proper perspective.

First, it is true that the concept of property has evolved from a rather basic interest in land and personal property to a more complex concern with intellectual property, that is, patents, trade marks and copyrights. There is also passive property such as stocks and shares, and now there is even the so-called "new property", such as social security systems and public employment. Admittedly, therefore, defining "property" is now a necessary and sometimes complicated exercise.

Second, the legitimate reservations of certain groups must be taken very seriously whether it be Prince Edward Island which is concerned about foreign land ownership, womens' groups wanting to safeguard gains in family law legislation, or environmentalists justifiably interested in protection from pollution. But these concerns should not be overstated. For example, some have argued that large corporations stand to benefit most from property rights and, therefore, protection of property rights is in itself not a good thing. Such an argument is logically absurd.

Are we, therefore, to deny and revoke our constitutional right to free speech simply because certain people or parties, for example, the *Toronto Star*, are large enough to exercise that right with the potential for greater influence than smaller newspapers or individual citizens? Of course not. Yet some persist in arguing that the constitutional protection of property rights will only benefit big business. Does that mean freedom of speech or freedom of the press is only of value to the *Toronto Star*? That is absurd.

• (1720)

Furthermore, it must be recognized that all aspects of the Charter are subject to Section 1 of the Charter which reads as follows:

> The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

I maintain that this qualifier safeguards against the kinds of extreme scenarios envisioned by oppenents of property rights.

Consequently, while the "enjoyment of property" may require both careful definition and legal interpretation, this is in no way sufficient to negate the rationale and the value of this motion. Just because it may be difficult to define and interpret what is meant by words such as "life", "liberty" or "security of person", that does not mean that we therefore refrain from enshrining these fundamental rights. Likewise, just because it may be difficult to define and interpret the words "enjoyment of property", it does not necessarily follow that it must be excluded from the Charter. To so argue is, at best, to allow necessary caution to negate a valid and fundamental principle; or, at worst, it is absurd logic used to distort completely the issue at hand.

If this rationale is sound, and I believe it is, and if there are compelling reasons in its favour, and I believe that there are, and if the major objections can be met, and I believe that they can be, then the way is clear for this Government and this

House to take the necessary and decisive action. Not to do so would be intellectually and morally dishonest. It would be an abdication of our responsibility as Members of Parliament.

So I must emphasize the need for decisive action. We cannot perpetuate the negligence of the previous administration whose performance during the 1981 constitutional debates on this topic was nothing short of scandalous.

On Tuesday, January 20, 1981, the Conservative Party in opposition introduced an amendment seeking the inclusion of property rights in the Charter. On Friday, January 23, the then Solicitor General, in his capacity as acting Minister of Justice for the Government, accepted this amendment on behalf of the Liberal Government. However, that Sunday evening, the Leader of the New Democratic Party (Mr. Broadbent), having conferred with his provincial socialist counterparts in Saskatchewan, informed Canadians on national television that the NDP would be withdrawing its support for the Constitution if property rights were to be included.

The following Tuesday, Prime Minister Trudeau told Parliament that the property rights amendment had to be dropped. True to form, the Liberal Government had sacrificed a fundamental principle on the altar of political expediency. Its philosophy should have told it that it should have been in favour of it, but it gave up for political expediency.

Since this motion will be coming to a vote, it will be interesting to see whether the Liberal Party will again try to sit on both sides of this issue. It will also be interesting to see whether the NDP will continue to tell the constituents in my riding, and people right across Canada, that they cannot have the constitutionally protected right to make, sell, keep, buy, or own. They have that right; they must.

To cite the compelling logic of the 1972 decision, as just one example, of the Supreme Court of the United States:

> Property does not have rights. People have rights... [However] A fundamental inter-dependence exists between the personal right to liberty and the personal right to property. Neither could have meaning without the other. That rights in property are basic civil rights has long been recognized.

The Conservative Party is in favour of the constitutional recognition of property rights. Consistent with this, the present Government has taken very specific initiatives toward this end.

When I introduced and defended this motion during the last session of Parliament, a number of impediments stood in its way. First, there was the fact that the Province of Quebec was not yet a signatory to the Constitution. However, the recent historic Meech Lake Accord has gone a long way to resolving this deficiency. As the Prime Minister (Mr. Mulroney) speaking on Law Day, April 15, 1987, noted:

> The successful resolution of the Quebec issue will unlock the constitutional reform process and allow us to turn our attention to other issues—such as ... property rights—in a second round of constitutional discussions.

This next round is already under way. A second impediment to my former motion was the need to address various concerns at the provincial level. Since then, following federal Government impetus, the provincial Attorneys General have established a working group to examine the property rights question.

As an example of recent action at the provincial level, at the initiative of my provincial colleague from Waterloo, Mr. Herb Epp, the Ontario Government on November 27, 1986, passed a resolution that Section 7 of the Charter be amended to include the "enjoyment of property".

A third impediment is related to the format of Private Members' Business. It was felt that one hour on a non-votable debate in the House was not an adequate format in which to debate such a significant subject as this. However, following the recent parliamentary reforms introduced by the Prime Minister, this new motion has been selected for extended debate with a mandatory vote to follow. This provides ample opportunity for all Members of the House to express their positions and to vote accordingly.

Permit me to summarize, Mr. Speaker. The premise of this motion is philosophically sound. The right of ownership flows naturally and logically from the uniqueness of every free individual to make, to invent, to keep, to buy, or to sell. The reasons in favour of the constitutional protection of property rights are compelling, both historically and constitutionally. The reservations with respect to definition and legal interpretation can all be met. The impediments to legislative action are now being removed.

We all know that the overwhelming majority of Canadians want the federal Government to act on this issue. Therefore, in conclusion, I call upon the House to accept and approve this motion.

Some Hon. Members: Hear, hear!

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, I am pleased to have this opportunity to speak on this Private Member's motion put forward this evening. It is a question which will evidently come up quite often in the House. I think it is one that really needs a great deal of debate. I feel it is unfortunate that this evening we are limited to one hour, even though, of course, the Hon. Member proposing the motion has stated that there are other ways of having extended debate.

However, I think that this question goes much deeper than a great many Members are prepared to admit. This issue goes back to the time when we were repatriating the Constitution in the early 1980s. It was not only a question, as the Hon. Member stated, of political expediency; it was a question of provincial disagreement on the question of including the clause on property rights in the Constitution. He is correct in stating that Prince Edward Island was opposed, largely because of its restriction on foreign ownership of land in the province. But other provinces such as Saskatchewan were opposed as well.

I think that they had reasons. Whether it can be said that the reasons were reasons with which one would agree or not, I think one would have to say that their reasons were sound reasons as far as they were concerned. Although we may not agree with them, it will not be simple to bring this dialogue to a point where we can talk about putting this clause in the Constitution. If the Government is serious about doing this, then the dialogue with the provinces will have to be brought along much further than it has been to the present time.

• (1730)

The Hon. Member stated that we do not have a definition of property. That is true. That is a concern to me. The Hon. Member mentioned that this may not be necessary. He mentioned that there is support for this from the Canadian Bar Association. If we do not have a definition of property, I can understand why the Canadian Bar Association would be in favour of it, because it will make millionaires out of many of them.

The Hon. Member is correct in stating that the term "property" has evolved. One can look at history, back in the 1780s, the time of the drafters of the Declaration of Independence in the United States, and read about the disagreement between two such prominent men as Thomas Edison and James Madison and their definition of property and whether it should be included in the Constitution. At that particular time, they could not agree. It was a very dicey point even at that time, although subsequently through amendment it has been included in the Bill of Rights in the United States. We have had this evolvement of what is property. Initially it was narrowly termed as real property, the ownership of land. Now it means other things such as personal property and intellectual property. There are also rights in personal property and intellectual property.

For instance, people who are entitled to an Old Age Security pension, Canada Pension, or unemployment insurance have the receipt of those cheques and that is their personal property. That is not only personal property but it is a right that they have to receive that personal property. So there are rights not only in real property but in personal property.

The Hon. Member for Kitchener (Mr. Reimer) also correctly stated that we are now talking about property in relation to intellectual property such as patents and copyrights. That is very true. Of course, if a person has a patent or a copyright, they have every reason and every right to be able to depend on the fact that that will stand up and that the law will enforce that right. So there has been an evolvement, and the definition continues to evolve. It is very important that we define property, and know from the outset exactly what property we wish to include.

There also are other aspects of property. As government becomes more involved in the lives of people, with incorporations, licences, and the list goes on, the definition of property continues to expand.

As the Hon. Member states, there is a very strong segment of people in Canada who believe that property should be included. There is also a strong segment of people who believe that property should not be included. A lot of people go by the old axiom, "If it ain't broke, don't fix it". We do have property rights in this country, and those property rights to be rights do not have to be included in the Charter of Rights and Freedoms.

The courts have passed judgment on this. I wish to refer to a case in 1975, *Harrison v. Carswell*, where it states:

> Anglo-Canadian jurisprudence has traditionally recognized, as a fundamental freedom, the right of the individual to the enjoyment of property and the right not to be deprived thereof, of any interest therein, save by due process of law.

That is a Supreme Court decision. The Supreme Court has come out firmly on the side of property rights. While property rights are not enshrined in the Constitution, they are definitely rights in this country.

We must also look to Section 26 of the Charter of Rights and Freedoms which states, "The guarantee in this Charter of certain rights and freedoms shall not be construed as denying the existence of any other rights and freedoms that exist in Canada".

In the Charter of Rights and Freedoms specifically set out is the statement that because the rights of property are not included in the Charter of Rights and Freedoms, that does not mean that they do not exist. Nor is there anything in the Charter of Rights and Freedoms that would say that these rights do not exist. That is very important.

We must also look at the history in Canada. The Hon. Member may talk about other countries, but in Canada we have had a unique situation in that we patriated our Constitution when we were fairly well advanced in our history, after we had been a country for over 100 years. We had this Charter of Rights and Freedoms well after we had been a country for over 100 years. So there is a good body of civil law and common law which looks after the rights of Canadians with respect to their property. This has evolved, and is evolving.

Canadians should not be concerned in any way about the fact that property rights are not enshrined in the Charter of Rights and Freedoms. Their rights to property remain sound and inviolate. We must keep that in mind. I can appreciate the concern of the Hon. Member. I do not agree with him that this is a necessity, and I think that there are many who do not. However, if he feels it is something he wishes to pursue, I would encourage him to take it to his colleagues in caucus, the Government, and the provinces. If there is to be any meaningful change, it has to be aired with the provinces, and the provinces have to come along as equal partners in trying to make this change.

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I wish to say a few words on the motion put forward by the Hon. Member for Kitchener (Mr. Reimer). The motion is for the

enjoyment of property. It states that it is to amend the Constitution of Canada in order that Section 7 of the Canadian Charter of Rights and Freedoms read:

> Everyone has the right to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

I very strongly oppose this. I wish to confirm what the Hon. Member for Kitchener said that it was the NDP that scuttled this in 1981. I was proud at that time to be the NDP constitutional spokesman when this happened. If the Member for Kitchener wishes a reference on exactly when it happened, it was at the committee stage of the hearings back in 1981, and I believe it was on November 1, which was a Friday. I remember that day very well when the Acting Minister of Justice accepted an amendment from the Conservative Party. The Hon. Member from Burnaby and myself talked out the clock. We consulted over the weekend and persuaded the Prime Minister (Mr. Mulroney) to drop this. I wish to explain some reasons why we did that.

I went over my remarks to the committee at that time, and one of the things I said was that one of the most persuasive arguments against property rights in the Constitution was put forward by a Conservative Justice Minister named Horst Carver, the Minister of Justice for Prince Edward Island. He came to our committee and was extremely persuasive when he said that, if property rights were enshrined in the Constitution of Canada, he was afraid that the provincial rights in this country would be jeopardized and tampered with. Foreign ownership regulations and laws in Prince Edward Island over the restriction of farmland and the restriction of the purchasing of tourism land by foreigners would be put in jeopardy. He was afraid that if property rights were in the Constitution, as stated in the motion where it talks about the enjoyment of property and persons enjoying their property, this would be a wide open invitation to Americans to buy farmland in Prince Edward Island, buy recreation land, corporations could do so, and it would be a great invasion of provincial rights.

• (1740)

I also recall some Albertans in the Conservative Government of Peter Lougheed making a similar argument without as much passion about why we should not be doing this. Of course the NDP Government of Allan Blakeney did the same thing. I am very proud to have been the NDP spokesman in those days when we scuttled that extremely reactionary and retrograde move by the Conservative Party, a move which would have been a great invasion of provincial rights.

I am happy that it is a constitutional amendment and that it must be approved not only by the House of Commons and the Senate of Canada but by seven of the ten provinces representing 50 per cent of the people.

I make it very clear that Albertans under Lougheed, P.E.I. Conservatives, and many other Conservatives in Canada at the provincial level do not support it. I am very pleased that this kind of amendment will not go through.

I want to explain why it should not go through. As I said, it was proposed back in 1981. Mr. Bennett, the Premier of British Columbia, reproposed it in 1983. It failed to get through the Premiers despite the fact that there were many Conservative Premiers in the country. I am very proud that it went down to defeat.

I come from the Province of Saskatchewan. There has been tremendous intervention in its economy by Governments of Saskatchewan, such as the take-over of potash mines and things of that nature over the years. This kind of constitutional amendment may have prohibited that kind of intervention in the economy, in that that kind of prohibition would have been opposed by an overwhelming number of Saskatchewan people. I am not only talking about New Democrats. Saskatchewan has a Conservative Government now which maintains the Saskatchewan Potash Corporation. The very right-wing Government of Liberal Ross Thatcher, who was more conservative than most Conservatives, maintained Crown corporations in Saskatchewan. They are a very important part of our heritage. I do not want to see that heritage jeopardized by a Supreme Court decision which says that a person may enjoy property rights when that person might be an American company which would prohibit us from expanding the Saskatchewan Potash Corporation or indeed Saskoil.

Another example is the Province of Quebec. Quebec intervened in the asbestos market. The federal Government has intervened in the oil market with Petro-Canada. In 1984, the Government expanded the role of Petro-Canada through the takeover and purchase of other oil companies. That might be put in jeopardy by property rights being enshrined in the Constitution of Canada.

I have already mentioned Prince Edward Island and the very passionate stand taken by Horst Carver, the Conservative Minister of Justice of that province. I assume Joe Ghiz, the present Premier, would take the same stand on behalf of Prince Edward Islanders.

I think this kind of amendment is very dangerous for ordinary people or ordinary citizens, small businesses, and farmers. I say that as a person who said back in 1981 that I wanted to see economic rights put in the Constitution. At that time I said that we should have economic rights in the Constitution—the right to a job, the right to an income, the right to medicare, the right to decent wages, the right to own a farm, the right to own a small business, and the right to own a home. I am very much in favour of those rights for ordinary people, but I am not in favour of the amendment before the House today.

I have already mentioned some of the reasons I am not in favour of the amendment. However, let me point out that there would be no guarantee if we had the amendment in the Constitution. "Everyone has the right to life, liberty, security of the person" is already there, and the Hon. Member would like to add the following:

—and enjoyment of property, and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

I know how the Supreme Court of Canada can interpret that.

Mr. Reimer: Mr. Speaker, I rise on a point of order. I know that the Hon. Member does not wish to suggest something that is not so. The only words that are being added to Section 7 are the words "enjoyment of property". The rest is already in there.

Mr. Nystrom: Mr. Speaker, it was totally inadvertent on my part. I know Section 7 of the Charter. I was a member of the committee this past summer, and I am very familiar with the Charter of Rights and Freedoms. Section 7 reads:

Everyone has the right to life, liberty, security of the person, and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

What the Hon. Member would add is "enjoyment of property". However, I am concerned about interpretation by the courts.

You are a very distinguished lawyer and member of the Bar of Quebec, Mr. Speaker. In that you are sitting in the chair, of course you cannot comment, but I am sure you could probably give us some very interesting opinions on this point. There is no guarantee at all that the Supreme Court of Canada and other courts would not interpret the protection of property in such a way as to rule out a wide variety of government initiatives aimed at, for instance, improving the workplace, regulating technological change, regulating labour relations, restricting the right to pollute, safeguarding the environment, protecting tenants and all kinds of other rights which workers, tenants, and other ordinary Canadians might have.

It seems clear that these and other government actions could be construed as affecting the right to the enjoyment of property. Not only is there the fact that one has property, but one has the right to enjoy that property. What does that mean in the courts of Canada? "Enjoyment of property" are very elastic words, and this is what Horst Carver, the Conservative Justice Minister of Prince Edward Island, was concerned about.

I should also like to note the so-called due process clauses in the Fifth and Fourteenth Amendments in the United States Constitution. Between 1905 and 1937 in respect of these clauses "to strike down laws providing for minimum wages, maximum hours of work and maximum prices, and prohibiting anti-union activity", the court reasoned that such laws were unjust denials of the employer's liberty to bargain with his employees and control the use of his property. I think these are points which we should note.

What does the word "everyone" mean? I ask that question of the Hon. Member for Kitchener. I know he has very good intentions in his motion. I do not question his motives whatsoever. However, what does the word "everyone" mean? What does the word "property" mean? These words can have broad definitions by Supreme Court justices over whom neither he nor I have control once it is out of the domain of Parliament. It is not so much that we are taking control out of the hands of Parliament. We are taking control out of the hands of the provincial legislatures of Canada and giving it to the Supreme Court of Canada. That is what I do not like about the particular amendment. The word "everyone" could be a Japanese investor, an American investor, a Canadian company, CPR, the Hon. Member for Kitchener, or anybody. Again I say that it is one of the things I do not like about the amendment before the House today. It almost certainly includes corporations.

What about the word "property"? Property includes the rights to control and dispose of a very broad range of assets and so on. That also concerns me. As I said before, it falls under provincial jurisdiction. I do not think that we in the Parliament of Canada should initiate a constitutional change which affects the provinces almost exclusively. Of course we have that right. The Hon. Member has that right. However, I do not think that we should be the ones to initiate it. It is in their domain. If they want changes, they should be initiating the particular move.

Once again I appeal to my friend who comes from a Party which has always stressed that provincial rights are important in rethinking this position. I could go on and on, but I see you signalling, Mr. Speaker, that my time is up. As I said, I think the resolution would do more harm to the rights of ordinary Canadians and do more to protect the rights of big companies and big investors, including many foreign investors. It would also take away many of the rights of provincial legislatures to do what they want with their resources and their farmland. I have already mentioned the case of Prince Edward Island and Saskatchewan, but I see that my time is up.

Mr. Jim Jepson (London East): Mr. Speaker, indeed it is a pleasure to rise to participate in debate on the motion of the Hon. Member for Kitchener (Mr. Reimer). I commend him for his initiative in bringing an extremely important matter to the attention of the House.

I know that with the Hon. Member's heritage the matter is important to him. He appreciates even more how precious property rights are to many, if not all, Canadians. Many of his constituents have come from persecuted countries, and I know how important the motion is to them.

Since being elected in 1984, I have made no fewer than five interventions in the House of Commons on the inclusion of property rights in the Charter of Rights and Freedoms. Many individuals have chosen Canada as their new home because of the freedoms which we enjoy to work hard and to acquire wealth and property. It is difficult for me to understand why in 1981-82 the NDP would not allow the inclusion of property rights in the Charter.

A recent poll commissioned by the Canadian Real Estate Board showed that eight out of ten Canadians said that it is

either fairly or very important to put property rights into the Charter. This support is consistently high across Canada.

Again I commend the Hon. Member for Kitchener, and I am honoured to have seconded his motion to have property rights enshrined in the Charter.

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, I am very pleased to join in the debate. I congratulate the Hon. Member for Kitchener (Mr. Reimer) who has, not only on this occasion but on a number of occasions, brought forward a number of important subjects for debate in the House. I congratulate him for that. I think it is a good reflection on the people of Kitchener that they had the foresight and wisdom to send this individual back to Parliament a second time.

• (1750)

Constitutional change as proposed by the Hon. Member for Kitchener is very timely inasmuch as we have also been discussing the Meech Lake Accord. I will say in passing that I believe the Meech Lake Accord sets a new tone for co-operative and constructive federal-provincial relations. The Accord has shown that constitutional change is possible in Canada when it is done collectively and in co-operation with the provinces, and I am sure that this is what the Hon. Member for Kitchener has in mind.

At the outset I would like to emphasize that in my view property rights have played a central role in the evolution of our society. Indeed, property rights are an essential part of British parliamentary democracy. These rights can be traced back to the year 1215 with the signing of the Magna Charta. Today the right to own, use and enjoy property is fundamental to the economic life of our country and of other western democracies. For that reason I believe it should be enshrined in the Charter of Rights and Freedoms.

The role of property in the economy of our country, the right to own, use and enjoy property, is fundamental to the basic feature of democracy, which is individual freedom. As you are aware, Mr. Speaker, the Progressive Conservative Party has had a long and honourable association with this idea. It was the Conservative Government under the late Right Hon. John G. Diefenbaker who in 1960 introduced the Canadian Bill of Rights which included protection for the enjoyment of property. In the recent process leading to the patriation of the Constitution, it was the Progressive Party again that wanted the inclusion of property rights. Unfortunately that process was not included at the end, and I am very pleased that the Hon. Member for Kitchener has come forward in an attempt to correct the situation.

There have already been a number of discussions and debates about this question. I am the first to admit that questions concerning the Constitution are never simple. They are usually difficult, but I do not think that as a result of that we should shrink from the task.

The Member from the New Democratic Party says that the definitions of property are very complicated. I agree with that. We have real property which concerns land. We have personal property which deals with everything from cars to negotiable instruments. Just because the definition of property is very broad and it will, of necessity, have to be interpreted by the courts there is no reason not to embark on the course, a very important one, to have it included within the Charter of Rights.

I say the motion before us would add the enjoyment of property to Section 7 of the Charter thereby guaranteeing the right not to be deprived of the enjoyment of property, except in accordance with the principles of fundamental justice. In conjuction with that, it is reasonable, I believe, to say that what we are talking about is the unreasonable deprivation of an individual when it comes to property rights. I would suggest that some of the fears I have heard enumerated here that people's rights will be trampled on by the rights of the Government to conduct the business of either the province or the federal Government are misplaced. I do not think that is what we are talking about at all. It is not the intention of the Member from Kitchener. He wants to strike a reasonable balance between the property rights of the individual and the legitimate concerns of the state. I would not feel so strongly about this if I had not seen examples in Canadian history where property rights of the individual had been trampled upon.

You would be aware, Mr. Speaker, coming as you do from the Province of Quebec, of all the problems that surrounded the expropriation of land for Mirabel Airport. The facts are this: much more land than necessary was expropriated for the airport. Everybody knew it and acknowledged it. The people whose farms and homes were expropriated fought the issue for years, indeed decades, to do something about it. I became a believer in this resolution just on that issue alone because I always thought that if property rights had been enshrined in the Constitution, people would have had a legal access and would have been able to take a legal route to show and demonstrate to a court of law that their rights had been unnecessarily deprived. It was a very moving moment for all of us when the then Minister of Public Works—I was not there to see it, I saw it on television—spoke to all the farmers who had been deprived of their property and acknowledged—something that should have been acknowledged years ago—that a terrible mistake had been made. All the suffering all those years by those individuals was unnecessary.

Whether this motion goes through or not, I hope other Crown corporations take a long hard look at their property management system. We can start with the St. Lawrence Seaway which owns land in my area. I would suggest the St. Lawrence Seaway should perhaps take a look at how much land it has expropriated over the years. That company should look at the question in the light of what is reasonable for its requirements. I do not limit the issue to the St. Lawrence Seaway. Other companies should do the same thing.

If this motion had been passed and had been part of the Constitution, individuals would have had a remedy in law, and I think that is what we all want. I feel very strongly about this motion which has been supported by a number of organizations. On December 18, 1986 I was very pleased to present a petition spearheaded by the St. Catharines and District Real Estate Board. I know I was joined by the Members from Welland, St. Catharines, Erie and Lincoln, all the Members of Parliament from the Niagara Peninsula, in support of this very worth-while endeavour. This motion has the complete support of the Niagara Falls Fort Erie Real Estate Association. They have made representations to me as one of their two Members of Parliament who represent the area and have asked that we act.

I ask Hon. Members to begin the process of enshrining property rights in the Constitution. It is a long and difficult process but I know it will need the support of the provinces. It is long overdue and we should begin the process now.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I will be very brief, not that I have much choice with the time that is left to us in this hour. I just wanted to make a quick remark to the Hon. Member for Niagara Falls (Mr. Nicholson).

The largest single expropriation in the history of this country was made by the Conservative provincial Government of Ontario in 1982 when it expropriated 10,991 housing units in the sale of Cadillac Fairview to Greymac Trust.

Mrs. Mailly: How can you compare that to Mirabel? This is a serious subject.

Mr. Boudria: The Member across who knows so little should listen a little more and perhaps if she is here many years, which is very doubtful, she could learn something. I want to tell the Member from Niagara Falls that I for one cannot support such an initiative for a number of reasons. The Conservative Party has no monopoly on virtue on this issue because of the expropriation to which I have referred. There are still preferred shareholders of Crown Trust, Seaway Trust and Greymac Trust in Canada who have never been properly compensated for the loss of their property confiscated by the Province of Ontario in that year.

[*Translation*]

Mr. Deputy Speaker: The hour provided for the consideration of Private Members' Business has now expired.

Pursuant to Standing Order 36(2), the motion is dropped to the bottom of the list of the order of precedence on the Order Paper.

• (1800)

GOVERNMENT ORDERS

[*English*]

POSTAL SERVICES CONTINUATION ACT, 1987

MEASURE TO ENACT

Mr. Deputy Speaker: Pursuant to special order, I do now leave the chair for the House to go into Committee of the Whole.

House in Committee of the Whole on Bill C-86, an Act to provide for the resumption and continuation of postal services—Mr. Cadieux—Mr. Danis in the chair.

The Chairman: Since Hon. Members have been so kind as to provide amendments to the Chair prior to entering into Committee of the Whole, would it be agreeable that we stand Clause 2 as the amendments the Chair has received on Clause 2 are consequential on amendments to Clauses 7 and 8? If that is agreeable to Hon. Members, we will proceed with Clause 3.

Clause 2 stood.

[*Translation*]

Mr. Guilbault (Saint-Jacques): I would like to ask the Chair, although I have no real objections, why it is asking us to proceed in this fashion and what effect this would have.

The Chairman: According to the Chair, it would be difficult to adopt the proposed amendment to Clause 2 before considering Clauses 7 and 8.

[*English*]

The Chairman: Shall Clause 3 carry?

Some Hon. Members: Agreed.

Clauses 3 and 4 agreed to.

On Clause 5—*extension of collective agreement*

Mr. Murphy: Mr. Chairman, I move:

That Bill C-86 be amended in Clause 5 by striking out line 40 at page 2 and substituting the following therefor:

"date to be fixed by the arbitrator,"

The Chairman: The Chair finds the amendment to be in order.

Mr. Murphy: Mr. Chairman, it is not my intention to speak for very long on the amendment to Clause 5. Again, it is a part of the package about which we spoke earlier and we will make our major arguments when we deal with Clauses 7 and 8.

It is difficult going clause by clause when the major clause to which we object and believe should be changed comes part way through the Bill, but through necessity, we must deal with things stage by stage. However, I do want to take this opportunity as we begin clause by clause consideration of the Bill to say that one of the major problems we had with this Act when it was introduced a week ago was that it provided for a mediator-arbitrator. We objected to that.

At that time, we asked the Minister to appoint a mediator. At that time, there was not a national postal strike and the situation was such that we believed that a mediator would have been the best person to deal with the dispute that was boiling in the country. We still believe that that would have been the best route to take a week ago.

A mediator working with the union and with Canada Post could have used his or her good offices to try to resolve the dispute last week. That was not done at the time and since then, there has been a nation-wide postal strike for a week, a strike which we believe was caused by the Government's introduction of this legislation, augmented by the fact that Canada Post has refused to negotiate the issue of franchising even though that will affect the jobs of people who work at the wickets right across Canada.

Because the Government refused to negotiate and because it introduced legislation, we believed that we were going in the wrong direction and that it was very important that a mediator be appointed. However, we do recognize that there has been a national strike for a week as a result of this legislation and we do recognize that a mediator would be of very limited value now that both sides have been driven apart and there are very bitter feelings as a result of the Government's introduction of this legislation.

We will still move amendments on this particular clause. However, we will save our substantive argument until we get to the major clause. Since this clause was called, we will obviously be voting on it at this time. I know that some of my colleagues would like to speak a bit further on it.

• (1810)

Mr. Heap: Mr. Chairman, I am pleased to have an opportunity to speak against this very unjust and destructive back-to-work legislation of the Conservative Government. The

amendment which we are now debating is part of the package which we are seeking. It talks of an agreement for certain action to be taken at a date to be fixed by the arbitrator. More generally, we are getting at the difference between mediation and arbitration.

In the half century during which labour law has grown up as a body of practice and law in North America, most contracts have been settled without a strike and without any compulsory back-to-work legislation. Many contracts are settled without the aid of a mediator and the large majority are settled without any such intervention at all.

The country has been moving toward a policy of resolving conflicts by negotiation. Sometimes negotiations break down and the owner may lock out or the workers may go on strike. However, that is not the normal way of proceeding.

As my colleague, the Member for Churchill, said, we urged the Government to appoint a mediator before this strike happened and the Government refused to do it. Now it seems that the Government wants to destroy the very concept of mediation, the very concept of negotiation, in order to bring about a willing compromise with each side giving a little bit and neither side getting all it asked for, a willing compromise for the sake of peace and good order. The Government does not want a willing compromise. It is clear that the Government has decided that it will either destroy unions or enslave them.

There have been continual attacks on the postal unions by the Government. They are continually being blamed for the inefficiency of the Post Office. Even the public, which is relatively impartial, understands that it is very often a rude and inconsiderate management that is to blame. The public strongly supported the letter carriers and is now beginning to support the inside postal workers notwithstanding the heavy propaganda which has been spread against the inside postal workers who are now on strike.

I have read letters to the editor and have received telephone calls and letters in my constituency office from people saying that they disagree with the franchising out of the wicket work of the Post Office to drug stores or small variety stores in my riding of Spadina. They have complained bitterly about having to travel some distance to a little store to pick up a registered letter or parcel. The postage has been paid but the management of the Post Office will not do the work. Instead, in many cases the recipient of the mail is required to do the work which until a few weeks ago was being done by the Post Office. A management decision has now been made that that paid-for service will no longer be fully provided.

People who in principle do not sympathize with the Canadian Union of Postal Workers do sympathize on the issue of franchising. That is a central issue in this strike. If the Government had been willing to negotiate on the matter of franchising, there would be no strike. That has been made plain in many ways, including by the union's offer to negotiate franchising in certain defined situations such as new residential areas.

If the Post Office had been willing to negotiate it, could have arrived at an agreement with the postal workers and not only would there be no strike, there would be better service than is now being received by my constituents who have complained to my office. People are being required to go a mile or two to pick up mail for which postage was paid. They often have to go to a location which is not served by good public transportation or has no proper parking.

The Post Office is forcing the customers to do the work which management has declined to do. This will result in people making less use of the Post Office. Perhaps that is another purpose of the Minister in forcing this strike and imposing this settlement. Perhaps there is a campaign to drive away the ordinary users of the Post Office so that friends of the Government who operate private postal services will inherit the business when the public service has been destroyed.

I have said that there has been great progress in the last half century in Canada and the United States in developing labour law to the point where contracts and disputes are normally settled without a strike. Nevertheless, we have not arrived at anywhere near full democracy for the people who earn their living through wages as compared to those who earn their living from the property they own.

Trade unionists in particular are second-class citizens in Canada. The Constitution and the Charter of Rights and Freedoms do not say that. Those words are not found in any law passed by Parliament or any other jurisdiction in Canada, but the fact is that only trade union members get fined or sent to jail for not working.

Doctors can go on strike and no one talks about putting them in jail, although their patients may suffer when they are refused service. Bankers go on strike. They refuse to give loans at 9 per cent. They will not give loans unless they are paid 12 per cent, or whatever the rate of interest is. There is no negotiation, mediation, arbitration or back-to-work law telling the bankers that since they made $200 million profit last year they must lend money at 9 per cent. No such thing is even considered.

Bankers, professional people, owners of any business or any property can go on strike with impunity. They can refuse to make their service or property available to tenants or customers on the terms that have been customary or which the customers might consider reasonable. They can ask any unreasonable price or impose any unreasonable condition they like. If they do not get their way they can shut the place down and hope to force, by deprivation, their customers to meet their price. Only members of trade unions can be prohibited by law from doing what every other person in this country is free to do.

I have been a trade unionist for many years. I worked in a factory for 18 years and am proud to have been a member of the Canadian Paperworkers Union. I respect the work of rank and file trade union men and women and their local, regional, and national officers and representatives who have built up the

self-respect of people who work for wages and are otherwise deprived of their right to give or withhold their labour freely.

• (1820)

In our factory, the only way we could bargain to get a decent wage, to have normal courteous treatment from a supervisor rather than contemptuous insults or orders; the only way we could bargain to avoid racial discrimination and the sowing of racial conflict by certain foremen and to have safety in order to protect ourselves from the risk of life and limb due to unsafe working conditions, was by agreeing as a union that if we could not get a reasonable settlement we would not do the work of the factory. In 30 years there was only one strike in our factory for some two or three weeks. Normally, disputes were settled by negotiation.

My point is that the union has been the means of raising the self respect of Canada's working people such as the ones who make it possible for this Parliament to run. Many of them are still deprived by this Parliament of the right to have a union. They include the people who clean the buildings, who build and repair them, who provide the services in the cafeteria, who drive the buses, the constables and others. There is only the beginnings of recognition of union organization.

This Parliament is one of the worst employers in Canada and one of the most out of date, anti-union and anti-human employers in Canada. Now, Parliament wants to extend that anti-union, anti-worker attitude into the Post Office.

The principle we are trying to put forward in this amendment and the following amendments is that there should be at least a move by this Parliament toward restoring the principle that we mediate in an attempt to get an agreement before we go to arbitration, especially considering the bias terms in which the Government is giving direction to the arbitrator, that he shall give due cognizance to the Foisy report, which means enforcing enfranchising. Not only is franchising being forced on the postal workers, it is being forced on millions of Canadian customers who are objecting to it. However, they have no voice.

The Minister spoke very scornfully of the 23,000 members of the union and how they can hold Canada to ransom, as he put it. However, he has turned the situation upside down. It is not 23,000 union members who are holding Canada to ransom, it is the Minister and his appointed manager of the Post Office who are holding Canada to ransom by destroying a good delivery service and forcing my constituents, most of them non union, to go to much extra trouble to get their mail.

To their surprise, my constituents are beginning to see the Canadian Union of Postal Workers as their only defender. Since Parliament, dominated by a Tory Government that has grown contemptuous because of its three-quarters majority, will not protect the interests of the users of the Post Office, they find that the only defender they have left is this despised Canadian Union of Postal Workers. The union is attacked by the Minister and misrepresented by the postal management and the Minister.

We are saying that all of Canada suffers because postal workers in the union, like other trade unionists in Canada are still not given the full right of citizens in Canada. They are not allowed, like other people, to give or withhold their labour by their decision. Because postal workers are treated as less than free citizens of Canada, the users of the postal service are suffering through loss of proper delivery of their mail. They will continue to suffer as long as this insane and greedy cost-cutting service-cutting system is imposed by the Government.

I urge Parliament to adopt this amendment concerning the date being fixed by the arbitrator, to adopt the other amendments that my caucus will be moving, and to restore at least a little of the health that has been developed over the past half century in labour negotiations on this continent.

I urge the Government to reconsider its suicide course and not try to use the Post Office as a means of destroying a union and damaging the whole principle of labour relations and labour negotiations in Canada.

Mr. Blaikie: Mr. Speaker, I had an opportunity to speak to the Bill earlier in the day but the Minister was unable to be here. I want to take this opportunity to say to the Minister now that his remarks the other day that this was a private dispute were quite out of order and inaccurate. This is certainly not a private dispute.

We are dealing with a publicly owned Crown corporation that is in the midst of a national strike that was provoked by the Government of Canada through the mandate and instructions given to that Crown corporation by the elected Conservative Government.

I do not believe that qualifies as a private dispute. I suggest that it is a situation created by public policy and one which could have been avoided if the Government had adopted the appropriate policy to instruct Canada Post to be willing to negotiate that which it is now not willing to negotiate, such as franchising. It is quite misleading for the Minister to pretend that this is some private dispute in which he and his Government are beneficently intervening through the peace, order and good government clause.

This dispute has its origins in public policy and the instructions of the Government to Canada Post. I hope the Minister will at least have the decency to admit that at some point. We could then move on to debating what policy changes the Government might be willing to change and whether it is willing to give Canada Post the appropriate instructions with respect to what is and what is not negotiable.

If Canada Post was willing to negotiate the matter of franchising, we would not even have the strike. One must ask why the Government wants Canada Post to be so unreasonable about negotiating franchising. If it did not instruct Canada Post to be unreasonable, why is it tolerating such a policy that

would inevitably lead to a strike if it did not negotiate the matter?

The Minister is fooling no one when he tries to characterize what is happening as a private dispute. This Bill does not resolve a private dispute, it creates another layer of public involvement in the ongoing situation at the Post Office. It makes matters worse by virtue of the one-sidedness of the legislation, the interference in the internal affairs of the trade union that is involved, the one-sidedness that is displayed by including the Foisy report in the way it has when it was not willing to do the same at the time of the back-to-work legislation for the rail workers and by the one-sidedness which has been consistently displayed in both the tone and rhetoric of the Minister of Labour with respect to the strike. I just find it regrettable that the Government did not have the good sense to take the kind of steps that could have been taken to have prevented the strike in the first place. Now, instead of giving Canada Post the appropriate instruction, it is proposing to make matters worse.

• (1830)

The Chairman: Is it the pleasure of the Committee to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Chairman: I declare the amendment negatived. Shall Clause 5 carry?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Chairman: I declare Clause 5 carried.

Clause agreed to.

Clause 6 agreed to.

[*Translation*]

On Clause 7—*Appointment of mediator-arbitrator*

Mr. Guilbault (Saint-Jacques): Mr. Chairman, I have some comments on Clause 7 of the Bill. In fact, I also intend to move an amendment.

[*English*]

Before going into the amendment, I would like to speak about the Foisy report because that is what we are talking about, especially Clause 7(2)(b).

First, Members from the government benches have been claiming that this Bill was brought about because it was not possible for the two parties to reach any kind of an agreement. Anyone who has read the Foisy report has to come to the conclusion that long before the Government decided to bring forward Bill C-86, the two parties had gone a long way toward reaching an agreement on a number of items. In fact, if I am allowed to quote page 3 of the Foisy report, we find that the parties have been successful in agreeing to a number of items. I will quote the French version of the Foisy report:

[*Translation*]

On page 3 of his report, Mr. Foisy says: "After many meetings, the parties finally agreed to strike a compromise, which was mainly limited to withdrawing their respective demands and the signing of other provisions". The status quo. However, Mr. Foisy goes on to say, and this is important: "When I met the parties for the last time—". That was sometime ago, as he says: "—on August 12, 1987, about 75 percent of the clauses in the collective agreement had been renewed." In fact, that is one of the reasons why Bill C-86 got such a poor reception on this side of the House. The Government claimed there was a national emergency and that negotiations were not working out, while if we go back to the middle of August, by then already three-quarters of the clauses of the collective agreement had received the approval of Canada Post and the Union of Postal Workers. This means negotiations were going at a brisk pace. That happens to be one of the positive aspects of the Foisy Report but unfortunately, there is more. The report contains a number of pages I find alarming, and that is why I intend to move an amendment. In some areas the Foisy Report clearly supports the employer, the Canada Post Corporation, especially on job security, franchising and technological change. I intend to concentrate more particularly on franchising, since that is one of the controversial issues separating the Union and Canada Post.

If we look at page 25 of the Foisy Report, Mr. Speaker, we see that Mr. Foisy says the following: "In a context where the employer can legally ask the private sector to offer its services, we consider Canada Post's option to deal with the private sector a legitimate one. The administrative policies and philosophy of a company should not be engraved in stone, and any company has the right to restructure and rethink its future in terms of new criteria and new directions. Provided the employer's policy abides by the provisions of the Canada Labour Code, nothing really prevents the employer from using the services of the private sector".

That is what makes me say the Foisy Report is biased with respect to franchising, and that is why I have trouble with Clause 7, which says, in its present form, and I will quote what it says at the bottom of page 3 and the top of page 4: "The mediator-arbitrator shall give due cognizance to the report of the conciliation commissioner that was released to them on September 22, 1987", referring to the Foisy Report. That I find difficult to accept. I would not want the mediator-arbitrator to be forced by legislation to seriously consider a report that in some areas is biased towards the employer. I would of course expect the mediator-arbitrator to take the time to read the Foisy Report. But I would not want him to feel he has an obligation to implement the report. I think the person who is eventually appointed to this position should have

an independent mind and be able to make up his own mind about most of the issues at stake in these negotiations.

The amendment I intend to move is aimed at giving the mediator-arbitrator the freedom he should have had initially. My amendment is quite simple, and reads as follows:

That Bill C-86 be amended in Clause 7(2)(b) by striking out the word "due" from the first line on page 4 of the Bill.

The English version of the amendment would read as follows:

[*English*]

That Bill C-86 be amended in Clause 7(2)b by striking out the word "due" from the first line on page 4 of the Bill.

The effect of this is to ensure that the mediator-arbitrator has a free mind and starts from scratch. If he wants to read the Foisy report, he can. I do not recommend it for bedtime reading. I read it myself. I should not have read it before going to sleep.

Mr. Keeper: Did you fall asleep?

Mr. Guilbault (Saint Jacques): No, I did not fall asleep. There were some parts in it that I found offensive. I did not find them fair, equal and in balance. I hope the mediator-arbitrator will read them in the morning rather than at night. Once he has read them, as he should, I think he should make up his mind. He will have, first, a period of 90 days to be able to speak to both management and the employees. He will be able to get their separate points of view. He may be able to meet them together. He has a wide range of opportunities to apprise himself as to what the parties want respectively. He can also glance at this imperfect report.

[*Translation*]

This is the reason why I propose those amendments. I discussed them with the others parties in the House and I believe that the Government is favourably disposed. I spoke about them on several occasions with representatives of the New Democratic Party and together we have tried, along with the Minister, to find a formula which would meet the requirements of the Government and those of my NDP colleagues.

The reason why I say that they would meet those requirements is that if I were really free, I would merely vote against that part of the Bill because I find after having read the Foisy Report that the mediator-arbitrator would be more inspired if he sought his own information and made up his mind.

However, as a Member who has been sitting here for a few years, rather than proposing that section 7.2(b) be withdrawn altogether and my amendment rejected by the Government majority, I prefer at least to reach a compromise where the importance that the mediator-arbitrator must give to the Foisy Report is lessened and I think that if the mediator-arbitrator reads Hansard, he will realize what our purpose is and if the amendment is accepted I think that it will be an improvement compared with the present wording.

• (1840)

[*English*]

So if I had it my way, as I said earlier, I would vote against Clause 7(2)(b). But as a practical man, I think that we are able to water it down to reasonable proportions whereby the mediator-arbitrator would be able to give cognizance to the Foisy report. In my opinion, this report does not deserve more than one taking cognizance of it.

This is the reason that I am enjoining my colleagues in the House of Commons to support this amendment which I believe would be in the best interests of both sides, both management and the union. It would probably bring about a better settlement which, in turn, would be a good thing for the ratepayers of Canada who I am sure expect better service from Canada Post.

The Acting Chairman (Mr. McDermid): The amendment is in order and is presently before the committee. The Chair recognizes the Hon. Member for Churchill.

Mr. Murphy: Mr. Chairman, I would also like to indicate that our caucus, the New Democratic Party caucus, will be supporting this amendment. It is one of two amendments of the Opposition Parties to which the Government has agreed. We still do not like the legislation. We still do not believe that the legislation is fair. We will be voting against it. However, we believe it is necessary to improve the legislation and to remove as much of the bias in it as is possible.

At second reading we listed this as one of the three areas with which we have concern in terms of the legislation. We found it remarkable that when the Government, which also wears the hat of management in this particular dispute, likes a conciliation report it directs the mediator-arbitrator to look at that conciliation report. We believe that the wording that the Government originally had was much stronger than, "Look at the conciliation officer's report", but was instead giving a direction to the mediator-arbitrator, a direction as to what he or she should be doing in the next few months.

We pointed out that this happened in this particular legislation but, a month ago, when the House passed back-to-work legislation on the railway workers which was a situation, to put it politely, in which the Government was not in love with the conciliation commissioner's report, it did not include a clause in that legislation saying that the conciliation commissioner's report must be looked at by any arbitrator. Any sense of fairness would say that the Government using its legislative hat cannot pick and choose when arbitrators are going to look at reports of conciliation commissioners. It destroys the whole sense of fairness in collective bargaining. It destroys the whole sense of having conciliation commissioners, conciliation officers, and conciliation boards if one knows that the Government is going to use its legislative power to pick those conciliation reports it likes and include those in legislation in one form

or another, and when it does not like a conciliation commissioner's report, to reject it and make sure that it is not looked at by whoever is appointed to be a mediator or an arbitrator.

We suggested at second reading, as well as in numerous meetings with the Minister over the last few days, that he take out that whole subsection referring to the conciliation commissioner's report. We suggested that the Government has for its own reasons expressed an unwillingness to do so. I regret that because I think that in a bitter dispute, and with the history of friction that has existed between the Post Office and its employees, the last thing that is needed is for the House to be perceived as passing legislation which not only orders people back to work but which, because the Government likes a conciliation commissioner's report, includes that as part of the legislation.

The sense of fairness is being violated. People look upon the House of Commons as a final court. They assume that when the Government is using its legislative hat it is not also taking advantage of that hat to cover up the management hat that is underneath. That is what is happening with the legislation and with this particular clause, if it goes unamended.

While we do not believe that the amendment solves all the problems, we do believe that it reduces the degree of reference involved. I hope that when the Minister gets up, as he promised to do earlier, to explain what he believes the interpretation of this clause to be, that he will indicate especially after the amendment will be accepted by the House, that this is an indication to the mediator-arbitrator to look at the conciliation report in the same way he or she can look at the Act setting up Canada Post, or the Canada Labour Code, or all sorts of other precedents, but that the conciliation commissioner's report will not have any primacy. If that is the intent of this amendment, and that is what we understand its intent to be, then we will support it. It does help to remove a very strong sense of bias that is in this legislation. It is very important that this amendment be accepted.

I want to say that the fact that a conciliation commissioner's report is referred to in the legislation when the Government likes it and is not referred to in Government legislation when the Government does not like it does not speak well of the fairness of the Government in general terms. How can one feel safe if one is bargaining in a Crown corporation, whether it be Air Canada, Canadian National, or whether it is any of the other Crown corporations, or even government departments for that matter, if the Government is going to use its legislative power in this way?

In the past the Government has indicated that this reference of the conciliation commissioner's report is not binding on the mediator-arbitrator. If that is so, then why is the Government putting it in the legislation? Why is it necessary? Why has it rejected each and every attempt to take out that whole subclause? If it believes it has no importance, then why refer to it? Why not in a letter appointing this mediator-arbitrator say, "You should also consider and look at the conciliation report because it has been done. It has been paid for and is an available document, just as many other pieces of information are available to you". The very fact that the Government felt it was necessary to include this clause in the legislation makes us nervous that it does have some importance. In checking with some legal people, if it remains unamended, it does have some legal meaning. A mediator-arbitrator may choose to take that as an instruction from the Government and Parliament. It is important that we reduce the meaning of this clause.

• (1850)

I hope in the next few minutes the Minister will rise and indicate that the amendment is acceptable to the Government, and that the meaning of the clause after it is amended will have a very limited scope.

[*Translation*]

Mrs. Mailly: Mr. Chairman, I am pleased to see the Hon. Member for Saint-Jacques (Mr. Guilbault) tabled a constructive amendment, supported by the Hon. Member for Churchill (Mr. Murphy). However, before the amendment is put to a vote, I just want to say that I object to the premise on which the amendment is based, namely, that the proposed legislation was not necessary at this time. I would like to quote an editorial by Jean Francoeur, published in *Le Devoir* on October 15:

Specious Argument

IF IT WERE NOT for the strategy of systematic obstruction used by both Opposition Parties in the House of Commons, postal services would have been back to normal since Monday.

So the Liberals and New Democrats must be held "jointly and severally" responsible for the losses suffered by Canadians as a result of this unduly prolonged labour dispute.

The arguments of the respective spokespersons would appear to be specious, to say the least. There was no rush, they said last Thursday, after tabling back-to-work legislation. The strike was only partial and had not led to any violent incidents.

Today, they say it was Parliament's intervention that lit the fuse.

Their analysis of the situation does not hold water. With all their rhetoric, the Opposition Parties tend to forget that:

—the postal workers agreement expired a year ago and negotiations have since then been deadlocked on major items;

—the Minister of Labour, Mr. Pierre Cadieux, appointed a conciliator this fall, Mr. André Drouin, who after three months had failed to bring the parties any closer together;

—at the request of the Minister, a conciliation commissioner, Mr. Claude H. Foisy, tried to re-establish a dialogue, with as much success; five months later he withdrew to draft his report and submit his recommendations;

—once the strike had been called, Mr. Cadieux asked his Associate Deputy-Minister, Mr. Bill Kelly to meet with management and union negotiators to see whether the dispute could be settled without going through an endless war of nerves the answer was negative;

—following this alarming report, the Minister sent a serious warning to the parties, urging them to resume negotiations. They did so—for two hours!

Facts had to be faced. The new breakdown of negotiations, reflecting irreconcilable differences, could not be tolerated.

As soon as the Government was convinced the dispute would continue without any hope for a negotiated settlement, and that as a result, the Canada Post Corporation and the Canadian Union of Postal Workers would cause

more harm to others then they were doing to each other, the Government could no longer be content to wait until the damage reached alarming proportions.

By refusing to co-operate, the opposition parties have demonstrated they have a very narrow view of their duty to Canadians. Their opportunistic obstinacy will merely postpone the appointment of a mediator-arbitrator who will receive a mandate from Parliament to force the warring parties to control their self-destructive instincts.

Mr. Boudria: Mr. Chairman, I would like to take this opportunity to correct a number of inaccuracies for which, first of all, we can thank the Hon. Member for Gatineau (Mrs. Mailly). I am sure, Mr. Chairman, that she can hear from behind the curtains and that she will listen carefully to what I have to say.

First of all, the Hon. Member quoted an editorial as saying that Parliament should have put an end to the postal strike sooner. Mr. Chairman, if she were totally honest with herself, not to mention with the House, she should have added that last week, most of the editorials were also saying the Goverment should have appointed a mediator. I am sure she would want to make that correction.

I don't want to speak any longer than necessary, but I would like to add that I am glad this particular Member is not Minister of Labour. I must say I prefer the present Minister, because at least he realizes that when the Parties in the House have been able to reach an agreement, it is not exactly advisable to start fanning the flames as the Hon. Member just did. Needless to say, if she were on the negotiating team, the process might go on even longer. I say this in the presence of one of the most famous or the most famous negotiator in the country who is with us this evening to listen to this debate.

Mr. Chairman, I see the Minister is pointing to the mediator, Mr. Kelly, to whom I was of course referring. I imagine that he, the Minister and everyone else will agree that the strategy of the Hon. Member for Gatineau (Mrs. Mailly) who just tried to fan the flames when a consensus seemed to be developing in the House, that strategy reflects a political naiveté that is rare in most Hon. Members, though abundant in the case of this particular Member.

[*English*]

The Acting Chairman (Mr. McDermid): Before I recognize the Hon. Member, I wish to remind the committee that we are discussing in Clause 7 an amendment to Clause 7(2)(b).

[*Translation*]

Mr. Gagliano: Mr. Chairman, I would like to say a few words in support of the Hon. Member for Saint-Jacques (Mr. Guilbault) and his amendment, and remind the House of the reasons for this strike and why we are here.

The main reason for this strike is, in fact, mentioned in the Foisy Report. Agreement had been reached on most clauses, but job security, which is directly related to the privatization of the Canada Post Corporation, is the reason why today, the Corporation is proceeding bit by bit.

The conciliation commissioner's report looks favourably on privatization, and we find it surprising that the Government included in the Bill a clause asking the mediator-arbitrator to give due cognizance to this report. It is clear that both the report and, as we know, the Government look favourably on privatization.

If we want to be objective, and if the only purpose of this Parliament is to see to it that postal workers go back to work to provide a service to the Canadian people and that the mediator-arbitrator is given a wide ranging and specific mandate to reach an agreement that is acceptable to both parties, one that brings justice and peace, we will not include this kind of clause in the Bill.

Mr. Chairman, I may also remind the House that in 1981, when the Canada Post Corporation was established, the purpose was to have an independent Crown corporation that would be able to operate properly and especially to settle disputes with employees. One of its three mandates was to establish better labour relations. Mr. Chairman, we have had good labour relations, a healthy drop in the deficit and improved services until 1986, from 1981 to 1986. And ever since the Government decided to privatize and started interfering in the affairs of the Canada Post Corporation, that is when we started having problems with labour relations, and we have now had two strikes in three months, after five years without any strikes at all.

I think, therefore, that my colleague the Hon. Member for Saint-Jacques was right to ask for the removal of the whole clause in order for the mediator-arbitrator to understand our objections. At least, we should remove the word "due". The mediator should not start as a basis from the conciliation commissioner's report which finds in favor of privatization, which suits both the Canada Post Corporation and the Government.

• (1900)

[*English*]

Mr. Riis: Mr. Chairman, I appreciate the opportunity to make some comments regarding this important amendment. I should like to preface my remarks, having listened to the Hon. Member for Gatineau, by saying that probably she should be reminded that Bill C-86, an Act to provide for the resumption and continuation of postal services, is actually the initiative which caused the postal strike in a technical way.

There was no strike until the legislation was introduced. There were revolving interruptions, but the mail was getting through. As a matter of fact, most organizations said that they were not being inconvenienced at all. I know that in telephone calls to my constituents asking them about their mail flow they indicated that they had not noticed any particular disruption. However, the minute the legislation was introduced, a strike occurred. I think it was the first time in Canadian history that the Government's initiative caused a strike rather than ended one.

I speak in support of the amendment to remove the word "due". I have a great deal of faith in the Minister of Labour. Having heard the arguments and having thought about the word, I think he would find that it would be in everyone's interest to unshackle or free the arbitrator, to give the arbitrator an opportunity to recognize the contents of the Foisy report and the ability to determine what might be the most appropriate solution in the end. I suspect that it is just one example of some rather hasty drafting of legislation. It is often found that "due cognizance" is appropriate wording. I think we all recognize that we would not want to ask Ben Johnson to carry out a race with shackles on, and we would not want an arbitrator to come down with a decision having been equally shackled in terms of his ability to move.

I join with many other Members, and I trust the Minister of Labour, in supporting the proposal. I think it is a reasoned and thoughtful one. I think it will actually improve the legislation. For that reason I hope it receives the full support of the House of Commons.

Mr. Keeper: Mr. Chairman, I rise, as did my colleague, in support of the amendment to Clause 7 which would delete the word "due" from the following sentence: "give due cognizance to the report of the conciliation commissioner".

In an attempt to understand the import of these words, I turned to a dictionary. For once the dictionary—and in this case it was Oxford—was not of much help, except when it came to defining the word "due". It indicated that the word could mean a debt or an obligation. It is clear that those of us on this side of the House have taken the word "due" in this case to mean an obligation on behalf of the mediator to take cognizance of the Foisy report.

Earlier in the debate we heard that there was an imbalance in the words as between the English version and the French version. This is important because by having the word "due" in this piece of legislation, the Government is seeking to put more weight on the Foisy report or on a particular set of policy recommendations. The French version simply says the following.

[*Translation*]

—prendre sérieusement connaissance du rapport du commissaire-conciliateur—

[*English*]

I am not an expert in French or an expert translator, so I cannot weigh the differences between the two languages. However, lawyers have looked at the word and have concluded that the English version gives a lot more weight to the instructions to the mediator-arbitrator to look at the conciliation report.

We really question the value of doing that. We also question the fairness of placing a great deal of weight upon the Foisy report. I suppose the real question would concern why we do that.

It is because the Foisy report, at least as it has been read by most commentators, starts from the assumption of accepting the Government's plan for the Post Office, the Government's plan for franchising local neighbourhood post offices. Since that is one of the key issues on the table, the Foisy report starts with a bias on one side of the table, on the management side of the table. This bias really says that if there is to be a negotiated settlement, it must start by accepting the Government's plans for the Post Office.

What would be wrong with that? The difficulty is that even the conciliator recognized that the Government's plans for franchising put at risk job security, the employment security of the people who work at the Post Office. Therefore, job security is a key issue in the dispute. If the Government's plan for franchising really raises serious questions about job security, then to be giving instructions to the mediator-arbitrator to accept the Government's plans for the Post Office is to be giving an unfair balance to the situation. It ties the hands of the mediator-arbitrator so that the person cannot consider all possibilities with an open mind.

The legislation should not give undue weight to the Government's plan for privatization. These plans have been one of the major obstacles to getting a negotiated settlement at the Post Office. Also, the plans did not come about as a result of negotiations with the union or the people who work at the Post Office. They were not consulted in terms of the drafting of the plans. In the final analysis, the public was not consulted in the drafting of those plans.

In the adoption of the objective of franchising neighbourhood post offices, turning over neighbourhood post offices to local Shoppers Drug Marts, those plans were devised behind closed doors. There was no opportunity for the public to become involved in any debate about the Post Office—why we have a Post Office, what kind of service objectives we have for the Post Office, how we want to pay for the service we receive from the Post Office, how the Post Office shall be structured, whether the Post Office is a public service or some sort of neo-Conservative, private, profit-making enterprise, or whether it is a way to have one more business in the community.

The opposition Parties feel that the actions of the Government in terms of the postal dispute have been biased. They have not been even-handed in terms of standing between management and labour. The Government has really taken sides. The Government is sending messages to the management at the Post Office that it does not have to negotiate with the workers, it just has to sit tight. Legislation will be passed putting in place the kind of contract wanted, so there is no need to bother about negotiating with the workers.

• (1910)

Clause 7 bears this out by giving undue weight to the Foisy report. This is not the only way the Government has found out how to give a message to the management at the Post Office that it really does not have to negotiate with the employees.

Ever since the postal disruption started, the Government has threatened back-to-work legislation. The problem with making that threat once the strike started, and making it on a constant basis, was that management at the Post Office knew that as long as the Government was prepared to bring in back-to-work legislation, it would put in place the kind of contract which management at the Post Office wanted. There has always been this one-sided approach to the dispute.

While we would have preferred that the Government had gone the route of mediation rather than that of back-to-work legislation, we think that it would be an improvement to the legislation if the Government would withdraw the word "due" from "give due cognizance to the report of the conciliation commissioner". This would free up the hands of the mediator arbitrator to be a little more objective in approaching the issues on the table between management and the union. It will perhaps put less weight on the conciliator's report.

While this report seems to start out from the premise of accepting the Government's plans for the Post Office, accepting in principle the fact that the Government and the management at the Post Office should proceed with privatizing post offices—one of the matters of dispute—it also pointed out that Foisy, the conciliator, had to do a lot of speculating on his own. When he met with the union and the management at the Post Office they were at loggerheads over principle questions, such as whether there should be franchising out or not. Because it is the Government's policy to bring in franchising and because the union quite legitimately feels that this is a threat to job security, the conciliator was not able to get beyond broad questions of principle into the details of what a collective agreement would look like. He did not have the opportunity to sit down with both sides and ask what this kind of a clause would mean to them if it were in a collective agreement or if wording was this way or that. He did not have a chance to look at the wording or to study things closely because the impasse was at the question of principle.

We feel it is a mistake for this legislation to give too much weight to the conciliator's report because it really gives direction to the arbitrator to put in place a kind of collective agreement which the management at the Post Office wants and which the Government appears to want. What is in the legislation is in line with the Government's plans for the Post Office and it is the Government's plans for the Post Office which are a matter of dispute.

Another thing about the Foisy report was the statement that the conflict at the Post Office would be a conflict between the Titans, that the battle would go on for a long period of time and that it would be a win-lose situation in which one of the Titans would win and the other would lose. That was the only way the conflict at the Post Office could be resolved. But ironically that is not what happened. The postal workers then went on a rotating strike. People continued to receive their mail so the public was not greatly inconvenienced. It was only when the Government moved to introduce this back-to-work legislation that they went to a full scale national postal strike. This legislation caused the violent scenes that we see on television every night. This legislation caused the out and out conflict on the streets between the Titans predicted in the Foisy Report.

To sum up, I want to say that this is a good amendment. It reduces the amount of weight placed on the conciliator's report. It should give the mediator-arbitrator more of a free hand in evaluating what kind of a solution can be arrived at in place of a negotiated settlement. It will give him more room in mediating the situation.

By removing the word "due" from this clause, we hope that less weight will be placed on the conciliator's report, that there will not be a clear message for the mediator-arbitrator to follow government policy and be flexible. We hope the person who takes on this job will be given more elbow room and that he or she can take into consideration the concerns of job security which the workers will bring to the table even when those concerns come in conflict with the Government's policy of franchising. That is why we support this recommendation to remove the word "due". We consider it to be a positive step.

Mr. Young: Mr. Chairman, I have a question for the Minister or his officials. When I read the clause I was rather concerned because we seem to be giving some clear direction to the mediator rather than allowing the mediator to look into these matters freely. I am quite sure that any mediator worth his or her salt would take a look at anything that surrounded the previous negotiations and take any documentation or any of the proceedings that have gone on in these negotiations into account when trying to bring about a settlement.

I see the Minister nodding in agreement with what I have just said. Given that, what is the reason for including it in this piece of legislation? If we take it as a given, the mediator in all likelihood would do that anyway, so why is it necessary to instruct the mediator?

Mr. Cadieux: Mr. Chairman, I do not intend to take too much of the House's time trying to answer all the points that have been made. I believe most of them have been addressed and answered by the various speeches that were made at second reading stage. Nevertheless, there are a few points on which I wish to touch. Obviously I will deal with the amendment and the question raised by the Hon. Member who just spoke. Before I do that, although I hate to quote myself, with your permission, Mr. Chairman, I would like to quote a short part of the speech I made at second reading:

• (1920)

> Following release of the conciliation commissioner's report, the parties had before them a reasoned and reasonable document which should have served as a basis for negotiations towards settlement.
>
> Instead, the negotiations deteriorated. Consequently, on September 29, I asked my Associate Deputy Minister, Bill Kelly, to meet with the parties to assess what progress had been made since the release of Commissioner Foisy's report, how far the parties were apart, their willingness to compromise, and whether in his view this dispute could be resolved through the collective bargaining process short of a protracted strike with all its inherent dangers.

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Mr. Kelly advised me that the parties had made no progress on the major issues in this dispute since the release of the conciliation commissioner's report on September 22, 1987. He also provided me with his judgment, resulting from private discussions with both sides, that this dispute could not be resolved through the collective bargaining process short of a lengthy test of economic strength.

I do not want to deal with the interpretation of words except perhaps for the interpretation of the phrase "due cognizance", but contrary to what some Hon. Members have indicated, it was clear that there was a strike at that time. Because of the steps that had been taken since the beginning of negotiations 15 months ago and the help received through conciliation and commissioner's reports, and following the assessment of my Associate Deputy Minister, it was clear that the Government had to intervene. We did and the legislation was tabled.

Whether or not they agree with this, of course, is their privilege, but I would like to remind my hon. colleagues that if we had passed this legislation through all stages last week perhaps what they call the strike would not have occurred. This being said, I would now like to address the specific amendment.

Clause 7(2)(b) reads as follows:

(b) If the mediator-arbitrator is unable to bring about agreement in respect of any such matter, hear the employer and the union on the matter, give due cognizance to the report of the conciliation commissioner that was released to them on September 22, 1987, arbitrate the matter and render a decision in respect thereof;

The French version reads:—

[*Translation*]

"if the mediator-arbitrator is unable to bring about agreement in respect of any such matter, hear the employer and the union on the matter, give due cognizance to the report of the conciliation commissioner that was released to them on September 22, 1987, arbitrate the matter and render a decision in respect thereof."

There are two points I should like to address, Mr. Speaker. First is the reference to the conciliation commissioner's report. One could argue for a long time over that, but I should like to emphasize that when the report was made public, it was commented upon by both parties and Mr. Parrot was reported to have said:

[*English*]

—"Commissioner Foisy made some recommendations that reflect our demands, some recommendations that reflect the employer's, others that go half-way for both and others which are not addressed. This report therefore sets the stage for serious negotiations but does not necessarily provide the basis for an agreement". It sets the basis for serious negotiations, pronounces on certain demands that are pro-management and pro-union, others that go half-way and others upon which he did not pronounce. We thought it important in the particular circumstances of this dispute to make the reference.

The reference being made, they are to give due cognizance, as the clause reads in English. In French—

[*Translation*]

"—prendre sérieusement connaissance—".

In French.

[*English*]

I know that some of my colleagues here in the House have been and may still be lawyers, and I am sure they would agree with me that one can draw different interpretations from a given text of law. I must admit that I have often pleaded on various interpretations in the past. I indicated to the Hon. Member for Churchill that I would tell him my interpretation of what I believe the text will mean once the amendment is voted upon, such amendment with which I am in agreement, just to take away a little bit of the stress.

There are various ways of determining what something means. My colleague from Winnipeg Centre referred to a dictionary. I do not know to which dictionary he referred. Usually when I want to interpret legal words, and this is just a suggestion for the future, I go to *Black's Legal Dictionary*. I believe that that is a well-known reference book.

Notwithstanding what can be found in various dictionaries, my interpretation of "give due cognizance" or—

[*Translation*]

—prendre sérieusement en considération—

[*English*]

—in the context of Clause 7(2)(b), is that it says exactly what it means. That is that he will take it into consideration since the report cannot make representations as the parties themselves can.

My hon. friends have suggested that the words may be ambiguous. I am prepared to accept that argument, notwithstanding the fact that my interpretation does not necessarily change. The mediator-arbitrator is not bound by the report. He takes cognizance or, in French—

[*Translation*]

entendre l'employeur, le syndicat et prendre sérieusement en considération—

[*English*]

He takes cognizance of the report and draws his own conclusions. As the clause indicates, he can arbitrate the matter after he has looked into the report and heard the parties. Consequently, I do not object to the amendment, but I welcome it. We did have discussions on the amendment in question and we will support that particular amendment.

Mr. Nunziata: Mr. Chairman, I am pleased that there is some agreement among the three political Parties, but I would like to comment very briefly on this particular clause. First, we are dealing with a mediator-arbitrator. In effect, this individual who is appointed by the Government of Canada will be wearing two hats. As I understand it, his first responsibility will be to try to mediate, to try to bring the parties together. If

he is not able to do that, as I understand it, he has to get rid of his mediator hat and put on his arbitrator hat.

Mediators are kind of on both sides. They mediate and do not take sides. They do not have that much power. Once they put on the other hat that says arbitrator, all of a sudden they acquire some jurisdiction. Under this piece of legislation entitled "An Act to provide for the resumption and continuation of postal services" this mediator-arbitrator will have the legal authority to impose an agreement.

• (1930)

It seems to me that the Government is going to choose someone who is experienced in mediating and arbitrating. I cannot understand why we need Clause 7(2)(b) at all. It seems to me that that portion of the legislation is trying to tell the experienced mediator-arbitrator what to do. Presumably you will appoint someone who has some experience in the field and you are telling him in Clause 7(2)(a) to "endeavour to mediate all the matters referred to" et cetera. You are directing him to try to come to some type of an agreement.

The legislation goes on in Clause 7(2)(b) to say: "if the mediator-arbitrator is unable to bring about agreement in respect of any such matter" he is supposed to listen to the employer. It seems to me that it is obvious that if he takes off his mediator hat and puts on his arbitrator hat he will have to hear the employer. You do not have to tell him what to do. He is an experienced fellow and will know what to do.

It goes on to say that he must hear the union. That is obvious. He will listen to both sides. The principles of natural justice require that he listen to both sides. Then the legislation tells him to "give due cognizance to the report". One does not need a legal dictionary to know what it means to "give due cognizance to the report". You are telling the mediator-arbitrator, who has some experience in collective bargaining, to look at a report. Why does he have to be told to look at the report?

Mr. Boudria: Because it is favourable to them.

Mr. Nunziata: My colleague, the Member for Glengarry—Prescott—Russell, tells me that there is a hidden motive, that there is a method to the madness of the Government.

The mediator-arbitrator will wonder what the Government means. He will know that the Government does not think he is so naive and incompetent as to not look at the report before making a decision and will therefore know that it is telling him to do something and wants him to decide in a certain way.

Although there is agreement on all three sides of the House, it seems to me that there is no need at all for this clause because it assumes that the mediator-arbitrator does not know what he or she is doing. If the Government is not in fact trying to tell the mediator-arbitrator what to do, why is this clause needed to tell him or her to listen to the union on management and to look at the report? Surely the mediator-arbitrator knows enough to do that.

Why does the Minister not stand up and admit that he is basically telling the mediator-arbitrator to do things which would favour management? In effect, through this particular clause the Government is trying to influence the decision of someone who is supposed to be objective, who is not supposed to be influenced in any way, who is supposed to look at all the facts and come to a conclusion based on those facts.

It seems to me that the Government has a hidden agenda. Why does it not stand up and own up to the fact that this clause and others are meant to dictate to the mediator-arbitrator what the Government wants in the collective bargaining agreement?

Mr. Cadieux: Mr. Chairman, I have already made my point and support the amendment, notwithstanding the temptation that the Hon. Member is giving me not to support it.

[*Translation*]

The Chairman: Then, we have the amendment moved by Mr. Guilbault:

That Bill C-86 be amended in Clause 7(2)(b) by striking out the word "due" from the first line on page 4 of the Bill.

[*English*]

The Chairman: Is it the pleasure of the Committee to adopt the motion?

Some Hon. Members: Agreed.

Amendment (Mr. Guilbault (Saint-Jacques)) agreed to.

Mr. Keeper: Mr. Chairman, I move:

That Bill C-86 be amended in Clause 7 by striking out lines 24 to 46 at page 3 and lines 1 to 28 at page 4 and substituting the following therefor:

"MEDIATOR

7.(1) The Minister shall, after the coming into force of this Act, appoint a mediator and refer to the mediator all matters relating to the amendment or revision of the collective agreement that, at the time of the appointment, remain in dispute between the union and the employer, including the issue of franchising.

(2) The mediator shall, within sixty days after the mediator's appointment or such longer period as the Minister may allow,

(a) endeavour to mediate all the matters referred to in subsection (1) and to bring about agreement between the union and the employer on those matters; and

(b) report to the Minister on the resolution of all such matters.

(3) The mediator has, with such modifications as the circumstances require, for the purposes of the mediation referred to in paragraph 2(a), all the powers of a conciliation commissioner under Section 175 of the Canada Labour Code."

Mr. Chairman, as a preface I would like to say that I was a little taken aback by the Minister's threat to withdraw his support for the amendment that we have just passed. I did not dare get up on my feet at that moment to react. If I had said anything at that moment, if I had pointed out that the Minister was being a little touchy, a little thin-skinned, we might have lost that amendment.

Mr. Nunziata: You showed restraint.

Mr. Keeper: I restrained myself. I resisted the temptation to get up and speak the truth to the Minister to his face because I was afraid that he might carry out his threat and withdraw his support for the amendment.

I point that out because that has characterized these negotiations. The Government is thin-skinned. If you rock its boat it will get even with you. That has been bothering people with regard to the Government and the way it has been handling the negotiations at the Post Office. That is why we moved this amendment which is a comprehensive amendment dealing with the issue of the mediator.

Through this amendment we are seeking to amend Clause 7 entitled: "Mediator-Arbitrator". We want to make the distinction between a mediator and an arbitrator. Once you move to the concept of a mediator-arbitrator, a two-headed monster with two purposes, mediation and arbitration, you have in effect done away with the role of mediator.

A mediator is supposed to be impartial. He is supposed to be able to sit down with both sides at the table to hear the concerns, assist with the communication, and help the parties come to a negotiated agreement. The mediator has no big club. He does not have a guillotine to hang over the heads of the parties at the table. He does not have the power of law to force an agreement. The mediator's role is to bring about an agreed upon resolution between the parties, not to bang heads together and force a settlement or tell the parties what they must do.

We want to preserve the integrity of the concept of a mediator rather than reducing it to the concept of mediator-arbitrator because the arbitrator's role is different. The arbitrator's role is to be like a judge, to hear both sides of the story and then make a decision or a judgment. The arbitrator has decision-making powers.

• (1940)

It is important to make a distinction between the role of the mediator and the arbitrator. I hesitate to rise and speak on this matter tonight because we have in our presence one of the most distinguished mediators in our country, Mr. Bill Kelly. He made a distinguished contribution to the last dispute at the Post Office and helped to bring the parties to a negotiated settlement. He demonstrated the value of the function of a mediator.

I hesitate to even rise and speak on a matter involving labour management relations with such a distinguished gentleman with us tonight.

In any event, it is essential that we make the point that the integrity of the concept of a mediator be respected, particularly in this case. The Government failed to make use of its option of having a mediator in this dispute. While we see the word mediator in this legislation, it is linked to the arbitrator role. Therefore, the person who is supposed to be an objective conciliator is tied to the person who makes the decision and thereby destroys the role of the mediator.

The Government created a very difficult situation by setting up a pattern of confrontation with the union at the Post Office. First, it dismissed the previous Minister responsible for the Post Office who was a rather gentlemanly person and at least gave an appearance of reasonableness. It replaced that reasonable Minister with the pit bull terrier of the front benches of the Conservative Party, the Minister of Consumer and Corporate Affairs. If that is not a signal of confrontation, I do not know what is.

The Government is sending these signals with everything it does. Its first message was: "We want to fight. We want confrontation. We want to pound you into the ground". That was its message: "We will not listen to what you have to say."

We must remind the Government of the integrity of the concept of the mediator. It must explain why it bypassed its opportunity to use a mediator. We hope the Minister takes the opportunity to explain in a comprehensive way why in this legislation he is abusing the notion of a mediator and why the Government failed to use its option of appointing a mediator.

Did the Minister of Labour decide himself that he did not want to use a mediator, or were his hands tied by his Cabinet colleagues, or was it the right-wing Conservative back-benchers who handcuffed him so that he could not use all the options available to him?

It is important to respect the concept of mediation. That is why we have moved our amendment with regard to substituting the present wording of mediator-arbitrator with the concept of the mediator.

Mr. Crosbie: You are against anything that is a change.

Mr. Keeper: I hear a faint echo.

Mr. Crosbie: You are not used to a sounding vessel.

Mr. Keeper: Now I hear a tinkling cymbal.

The Government is following a policy of confrontation because it wants to garner some public support and show that it is strong. The Government followed that policy of confrontation and provoked a strike at the Post Office. However, now that it can see that there is not much prospect for a settlement, rather than taking the opportunity to send in a mediator as was called for by the opposition Parties, the Government took other steps which gave a bad taste to the whole situation. It prolonged the policy of confrontation and added to the public impression that the Government was interested in confrontation rather than a settlement.

First, the Government sent in the gentleman who is here with us this evening as a fact-finder and evaluator of the situation, to determine whether a settlement was possible, rather than giving him the authority to act as a mediator. Furthermore, they sent him in on the eve of the strike, which

immediately raised many suspicions. In light of a situation in which the parties were already polarized, it was not surprising that he would say a settlement was not likely under the circumstances. The Government was then free to use that as an excuse to introduce back-to-work legislation, rather than use all the options available to it.

The Government has been pursuing a policy of confrontation. That is why a mediator was never used. That is why we are dealing with this legislation.

The Government has a firm policy for the Post Office. It wants to franchise all the neighbourhood post offices and turn them over to the local Shoppers Drug Marts. Naturally, post office workers are saying that if it turns these jobs over to the private sector they will not only lose them, the pay will be cut in half. People will have to work at the minimum wage.

This policy was obviously designed for confrontation and has been a key factor in having a strike. That is why our amendment attempts to reinstate the concept of the mediator. That is why we include the phrase: "including the issue of franchising". We want the mediator to look at all the matters relating to the revision of the collective agreement that remain in dispute between the union and the employer, including the issue of franchising, at the time of the appointment. We do not want the mediator's hands to be tied as they are under the Government's legislation.

This legislation refers to the Foisy report which, of course, accepts the Government's policy of franchising. Therefore, it instructs the mediator-arbitrator to begin with the assumption of accepting the Government's policy of franchising. We want some flexibility so that an agreement can be drafted that will protect job security in spite of the Government having its policy of franchising.

• (1950)

Mr. Angus: Mr. Chairman, I want to deal with the two items contained within the amendment moved by my colleague. I want to thank the Minister of Labour for referring me to *Black's Law Dictionary*, with pronunciations, Fifth Edition, because there are interesting descriptions under "franchise". I would like to read some of these descriptions into the record because I think they will help all of us to understand what Canada Post intends with regard to its operations and perhaps what it may mean to the workers, as well as to the public.

> Franchise.
>
> A special privilege conferred by government on individual or corporation, and which does not belong to citizens of country generally of common right. In England it is defined to be a royal privilege in the hands of a subject.
>
> A privilege granted or sold, such as to use a name or to sell products or services. The right given by a manufacturer or supplier to a retailer to use his products and name on terms and conditions mutually agreed upon.
>
> In its simplest terms, a franchise is a license from owner of a trademark or trade name permitting another to sell a product or service under that name or mark.
>
> More broadly stated, a "franchise" has evolved into an elaborate agreement under which the franchisee undertakes to conduct a business or sell a product or service in accordance with methods and procedures prescribed by the franchisor, and the franchisor undertakes to assist the franchisee through advertising, promotion and other advisory services.

Under the subheading of "General and Special":

> The charter of a corporation is its "general" franchise, while a "special" franchise consists in any rights granted by the public to use property for a public use but with private profit.

I think there we have the nub. Any rights granted by the public, therefore by the Parliament of Canada through a Crown corporation, to use property for a public use but with private profit property. This Government's solution to Canada Post is to turn over as much of its operation as it feels it can get away with to the private sector, so that its private sector friends can make some money, some profit, so they can pay wages one would find paid in a fast-food outlet or in a corner store. These wages would only provide for part-time employment, not for full-time jobs which are necessary to sustain one's family. These would be jobs held by students, part-time jobs held by women, instead of full-time jobs which are now held by women in Canada Post. That is why we want to provide some additional direction to the mediator to ensure that Canada Post will finally negotiate with the Canadian Union of Postal Workers the issue of franchising.

The Foisy report makes specific reference to it. Canada Post rejected union attempts to negotiate. In fact, I was quite amazed by the offer CUPW made during the course of the negotiations going from a position I perceived as one where it was saying no franchise operations at all, to where it was saying perhaps, yes, there are areas of the country where a franchise operation would make sense in order to provide a service where one does not exist today. Canada Post said no, and the reason is because that is not how it wants to work it. Canada Post is not looking to provide additional service. It is looking at replacing existing services which are provided through full-time permanent employees of the Canada Post Corporation. Canada Post wants to shut down postal outlets and post offices in favour of a little nook or cranny in the back of a drug store somewhere.

As I indicated earlier in the House, Canada Post wants to store parcels and registered mail in the livingrooms behind the confectionery stores. That is the kind of system Canada Post is looking for. Because the corporate plan, the business plan, had to be approved by Cabinet, it is therefore the decision of the Government of the day to take this approach. It has taken this approach instead of finding methods that would ensure an increase in the volume of mail being handled by the Post Office, methods to increase the levels of service to ensure that one did not have to wait for 10, 15 or 30 minutes in a line-up at a post office, so that one could get in and out, get the stamps, get the services, get one's parcels at the post office, get the service the Post Office is required to provide.

The Post Office could have looked at increasing the areas of revenue. It is well behind in terms of electronic mail service. It

can do as other countries and move into banking services. We have been opening up the financial institutions to non-banking groups. Why not open them up to Canada Post? Why cave in to the demands of the business community. Canada Post started a mail-order catalogue business with Consumers Distributing to provide yet another source of income and another service, but the Government has its own blind idea as to what the Post Office should be like. It has a blind idea of a world without unions, a world where people are paid pennies. But we will continue to fight against that, whether it is in legislation like this, in our ridings or elsewhere.

It will not take much convincing to convince the people of Canada that the Government is going in the wrong direction when it comes to Canada Post. I would ask that the Government accept this amendment because it does two things. It separates the mediator from the arbitrator, and my colleague has very aptly explained the rationale behind that. Second, it forces the issue of franchising into the mediation process very clearly up front as an item that the mediator must address with the two parties.

[*Translation*]

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I want to make a short comment about this amendment moved by the Hon. Member for Winnipeg North Centre (Mr. Keeper) from the New Democratic Party. To put it briefly, this amendment would have the effect to replace the mediator-arbitrator by a mediator, who would act in this capacity only. So, I have no difficulty with this proposal as I asked the Minister to appoint a mediator, before the beginning of the strike, about 12 days ago. However, for reasons of his own that he has been trying to explain a few times, the Minister chose not to appoint a mediator. The Minister decided to propose this Draconian bill instead.

[*English*]

So in a way this amendment, which says let us do away with the two-hat personality that my friend, the Hon. Member for York South—Weston was referring to earlier, would take us back to a mediator only, which is what I called for days ago. I am still of the opinion that, if a mediator had been appointed, we might have avoided a strike. Or, at least, we might have avoided the tabling of this repressive legislation.

• (2000)

I realize that if this amendment were passed one would either have to agree to scratch the whole Bill or one would have to agree to make a number of very important consequential amendments to other clauses. Symbolically, I have to say that I cannot disagree with the proposition that says, "Let us throw the billy club out of the window, let us do it through bargaining with a mediator". It may be too late to do that at this stage but, symbolically, I think it would be difficult for me to support the idea that I could disapprove of this amendment.

Therefore I would like to commend my colleague for having brought it forward to the floor of the House of Commons which has allowed us to speak to this particular point, which I believe is very important.

[*Translation*]

Mr. Keeper: Mr. Speaker, I thank my honourable colleague for his comments. I only want to clarify a few points. Our amendment to Section 7 is very important because its purpose is to make the point that the government forgot to use a mediator in that dispute. A mediator succeeded in solving the last postal dispute with letter carriers. Then, why not use one in this strike? We want to point out that the government forgot this important step, that he had other options and alternatives to that back-to-work legislation. We also wish to point out that the appointment of a mediator-arbitrator is not a valid proposal as it combines two different roles which should be filled by two different people. The role of the mediator is to facilitate communication between the parties in dispute while the task of the arbitrator is to listen to the parties and make a decision afterwards. Our intent is to underline that the combination of those two roles is objectionable because the role of the mediator is undermined. We prefer to put the emphasis on the mediator because his role is to solve the dispute on a voluntary basis. We want the government to realize that it is better to help the parties to come to a settlement on a voluntary basis rather than forcing them to reach a new agreement.

[*English*]

Mr. Harris: Mr. Chairman, I would like to speak to the amendment to Clause 7. I think it is very important that the role of mediator in this dispute be separated from that of arbitrator. We know that during the early part of the rotating strike, which only became full-fledged after the Government brought in this legislation, there was a call for a mediator by CUPW. The Government refused to appoint a mediator. Now, it has finally agreed to the request to appoint a mediator. But it will not appoint a mediator to play the role of mediation in this dispute but, rather, forces the mediator to try to reach an agreement, always with the hammer in the other hand to say, "If you do not reach an agreement, then it will be me who will enforce a decision on the parties".

For people who are involved in mediation, the role of mediator is to go to each side, to know things about each side that he does not disclose to the other, to attempt to reach some kind of compromise. He knows where the weaknesses are in the position and goes from one side to the other, finds out if there is a basis for compromise, looks back and forth. There has to be a trust there that this mediator will play that role and not use what is told to him in a way that is contrary to the mediation process. It is a well-defined and well-recognized labour relations technique. It is a very special technique.

The role of the arbitrator, on the other hand, is quite different. The arbitrator has to be a judge. He has to make a decision based on the facts before him without trying to second-guess one party or second-guess the other. To combine

those roles into one is avoiding the proper method of dealing with labour relations disputes.

If the Government had appointed a mediator in this dispute before, even if the Government saw fit to go to legislation, we may have had a very different type of legislation. That kind of legislation would be very much like the amendments that are proposed, particularly to this clause. It would have been made clear to a mediator that what was holding up the dispute was the fact that the management of the Post Office was refusing to negotiate on the issue of franchising. That is the very issue which is causing concern about job security. The approach that the management of the Post Office has taken is very much like technological change. Technological change is an aspect of management. In an operation such as the Post Office, it is something that affects the working conditions, the career paths, the working lives of the individuals. It is therefore a very valid subject of negotiation.

When the management of the Post Office refused to deal with the issue of franchising, what it did was to refuse to bargain on the very issue which was at the nub of the dispute. To put a mediator-arbitrator into this situation without any directions as to what issues ought to be the subject of bargaining is to turn a blind eye to the real issue of the dispute. If the Government is not prepared to accept an amendment to this clause it seems that it is very clear that the Government is doing what we have been suggesting, that is, playing the role of an aid to management to force an agreement down the throats of the workers by bringing forward this legislation.

This motion to amend Clause 7 includes the issue of franchising. It appears that there must be direction given to the management of the Post Office to sit down to discuss this issue, not just have the mediator-arbitrator look at the Foisy report, which report gives a certain type of direction but which ignores the fact that the franchising arrangement can be the subject of negotiations. In fact, it has been offered by CUPW. The negotiators have suggested that they are prepared to discuss franchising, and prepared to reach compromises on it. That is the very essence of labour relations and collective bargaining, even in a strike situation, that there is give and take which is required, and that give and take must be on all issues in dispute.

• (2010)

In this situation, there must be a direction to the parties, and particularly to the management of the Post Office to discuss the issue of franchising. Once that step has been taken, a mediator and a direction for Canada Post management to discuss franchising, then we will see if the parties can actually reach an agreement once the Government has stated as a matter of policy that Canada Post's management must discuss franchising with the union as an appropriate collective bargaining item.

If that does not happen, I think that the role of the mediator-arbitrator as proposed by the Government is one which is faulty and will not lead to harmony in the Post Office. In fact, it will lead to a further exacerbation of the unhappy relations between management and the union.

[*Translation*]

Mr. Cadieux: Mr Speaker, again I do not intend to indulge in rhetoric as some of my friends seem to be doing tonight. However, Mr. Speaker—

[*English*]

I would like to refer to one particular remark which was made by my friend, the Hon. Member for Winnipeg North Centre when he referred to my colleague, the Minister of Consumer and Corporate Affairs, who is also responsible for the Post Office, as being the "pit bull" Minister.

I would like to point out, Mr. Chairman, in the case of that particular appointment where the Prime Minister gave my colleague, the Minister of Consumer and Corporate Affairs, the responsibility for the Post Office, obviously the Prime Minister (Mr. Mulroney) had the benefit of knowing who the critic for the NDP was.

To be a little more serious, with respect to the amendment and the various comments that have been made around it, I would like to point out that my hon. colleague from Saint-Jacques has referred to his request in the House to appoint a mediator which was refused at the time by myself.

I would like to draw the attention of all Hon. Members to the fact that part of the reasoning and the advice that I received when I was making the decision to appoint or not to appoint a mediator, came from my Associate Deputy Minister. As everybody knows, he is one of the most experienced, if not the most experienced, as was suggested by my hon. colleague from Winnipeg North Centre.

At the time when the possibility existed, we decided and concluded that appointing a mediator would perhaps not be a good decision. But to make sure, I sent my Associate Deputy Minister to meet with the parties and to assess the situation, as I indicated in the quote in my speech on an earlier amendment. The decision and conclusion at the time was that it would not be a good solution to appoint a mediator. Obviously those are judgment calls. I believe that my friend, the Hon. Member for Saint-Jacques, will agree with that. He may not agree with my decision, but he will agree that it was a judgment call. In my mind, it was very well-founded at the time.

I do agree with my friend, the Hon. Member for Saint-Jacques, that it would not be appropriate at this point to accept the amendments suggested by my hon. colleagues from the NDP, because we have passed that stage. A solution in this particular dispute at this particular time is the mediation-arbitration concept. Perhaps this is not used as often as the appointment of a mediator on the one hand, or an arbitrator on the other hand, but it is a concept that has been used successfully in the past, particularly in the 1978 legislation with respect to the Post Office, if my memory serves me correctly.

It has also been used in other circumstances where the parties came to an agreement.

I believe in the circumstances, the decision of the Government to refer the matter to a mediator-arbitrator is the correct one, and consequently we will not support that amendment.

Mr. Murphy: As I indicated earlier in the evening, in preparing this amendment we wished to point out the fact that the Government did have other options. At the time that it introduced this legislation, it could have appointed a mediator. This was asked for by the union involved, by myself, and also by others.

I point out again that at the time the legislation was introduced, and at the time people were calling for a mediator, there was no national strike. There were rotational strikes. The Government and the Minister responsible for the Post Office did claim that the mail was getting through. We believed that appointing a mediator could have worked. We believed that a mediator should have been appointed. We still believe that that is the case.

Also, in this amendment there is an instruction to include the issue of franchising at the table. We have to remind the Members of the House sitting in Committee of the Whole, and others, that the Government, through the Minister responsible for Canada Post, time after time has stated that the issue of franchising out is a management right, it is not something to be negotiated. It is a government decision. That is the decision that has caused this strike. We believe that is the problem facing the country at the present time with regard to this dispute.

If the Government believes that it can refer to a conciliation commissioner's report that it considers favourable to the Government, one that is liked by the Minister responsible for Canada Post, certainly in the same legislation we in the Opposition should be able to make the point that the House should also be giving an instruction. The instruction is to discuss with the employees affected the whole issue of franchising out. That should be discussed at the negotiating table. It certainly affects the job security of those people. It is something that affects where they will work in the future; if they will be working for Canada Post, the type of work that they will be doing, and it is something that normally would be discussed at the table.

That does not mean that the employees through their union will get everything that they want, because that probably will not happen. But it does mean that the matter of where franchising will take place, how it will take place, and when it will take place will be discussed. Those are logical things to negotiate at the table.

The people who work at the wickets in Thompson, The Pas, Flin Flon, Winnipeg, Montreal, and right cross the country know that the job they are doing at the present time, which many have done for years, will disappear under the Government's plan. They know that, even if they have worked at that wicket for eight, ten, or a dozen years, although people are still coming to those wickets of their own free choice, because of the government plan that job will disappear. The people know that will happen. Because of that they expect their union, as their representative, to go to management and discuss that item, see how it will be implemented, and where it will be implemented.

• (2020)

It has been management, on the direct orders of the Government, that is refusing to discuss that item. It is important to say in tonight's debate that this is not a strike based upon the union asking for more. Obviously there are other clauses involved in the negotiations, but this is a dispute about where those people will be working in the future. It is ironic that the Government is willing to order these people back to work and, if they do not return to work, they will face heavy fines. However, some two months to four months down the road they could lose their jobs. The Government can order them back to work, but it refuses to order Canada Post to keep those people working. What a contradiction! It thinks it is important for those people to go back to work, but at the same time it is taking that work and giving it to someone else. That is what is happening with this piece of legislation.

As I said at second reading, we are not dealing with technological change for the most part. We are dealing with the Government taking away jobs, quite often from women, jobs which pay decent salaries, the better jobs within the postal system. The Government is saying that they cannot have those jobs any more, that they will be given to sub post offices. The person who takes the new job will probably receive minimum wage, have no pension plan, have no benefits, have no job security.

What kind of affirmative action program is that for a Government? It is not something new. It is something the Government has already done. For example, at one time the people who cleaned major post offices across the country were government employees. Their jobs disappeared. They were laid off. They lost their positions. Then the jobs were contracted out to individuals or companies in the private sector that sometimes hired the same cleaners at minimum wage. It is shameful. It is disgusting.

The Government is saying that it is a management decision, that it is the business plan, and that it must happen. However, it refuses to let Canada Post discuss that with its employees through their representatives in CUPW.

It is not only a matter of having a mediator. It is time for the Government to recognize, through its Crown corporation, that the major issues in dispute must be negotiated and discussed with the people they affect.

Mr. Keeper: Mr. Chairman, I have a brief question for the Minister of Labour. The Minister made some comments about the clause dealing with a mediator-arbitrator, but he did not

comment upon the distinction between the role of a mediator and the role of an arbitrator.

I want to ask him about this distinction. The mediator is there as a third party who can gain the trust of the parties to the dispute in order to facilitate communications and to bring about a voluntary settlement. An arbitrator is someone who has decision-making powers. When these roles are put into one, the integrity of the role of the mediator is undermined. I would like the Minister to comment on that. From what he has said so far, I did not get any understanding that he appreciates the difference between the two roles and the points we have been making in that area.

Mr. Cadieux: Mr. Chairman, I agree in part with what the Hon. Member for York South—Weston said a little while ago on another amendment, particularly when he mentioned that the people we appoint are very skilled and responsible.

The person who will be appointed as mediator-arbitrator will obviously understand the two hats that he or she will be wearing. I am convinced that the person will do his or her utmost to get the parties back at the table to try to mediate and arrive at a settlement.

If there is one thing upon which we all agree, regardless of politics, it is that the best settlement is a negotiated one. Consequently, the person appointed will do his or her utmost to arrive at that particular settlement without the population of Canada being subjected to a protracted strike or work stoppage during that period of time.

If mediation fails, as, unfortunately, perhaps signs tend to indicate, the person, whoever he or she may be, according to the legislation and the particular articles to which we have been referring, will arbitrate the dispute that exists between the parties at that time.

Mr. Harris: Mr. Chairman, I would like to deal with the issue of franchising. My comrade from Winnipeg—North Centre who spoke on this matter concerned himself with franchising and said that the management of the Post Office was taking the position that it was a management right.

Would the Minister tell us whether he sees a difference between franchising out, contracting out, and other management rights? Does he see franchising out or franchising as a management right that is not a proper subject for collective bargaining? If so, he would be agreeing with the management of the Post Office in that regard and he would be taking a very archaic view of management rights.

In many collective agreements across the country there are clauses defining the work of the bargaining unit and clauses on management rights. At one time management had the right to do everything, until these rights had been negotiated through collective bargaining. Now they must promote on the basis of merit, not on the basis of favouritism or of promoting one's relatives, and they must give people the opportunity to apply for jobs. Perhaps all these things at one time were management rights, but now they are not.

There is no magic in the word "franchising". Contracting out is the subject of many collective agreements. It must be negotiated or agreed upon, as is the case with technological change and many other factors in collective bargaining.

Would the Minister tell us whether he sees the franchising issue as a sole right of management, the union having no right to discuss it, or is it a proper item for collective bargaining?

[*Translation*]

Mr. Cadieux: Mr. Speaker, I believe I have already quoted a clause that was criticized earlier, namely: That the mediator-arbitrator was to hear the employer and the union and give cognizance to the Foisy report.

I think that the mediator-arbitrator will indeed hear both parties. I suppose that the parties, particularly the one that is represented by my hon. colleague, will give their views to the mediator-arbitrator who will take them into consideration, together with the position of the employer and the recommendations of commissioner Foisy who renders a decision in part on the issue referred to by my hon. colleague. And I believe that the mediator-arbitrator, the employer and the union will properly settle the matter.

[*English*]

Mr. Nunziata: Mr. Chairman, I am still having some difficulty with the concept known as mediator-arbitrator. I am certain Canadians who are watching tonight are wondering what in fact we are talking about. The labour experts will understand the difference between a conciliator, an arbitrator and a mediator. They all have certain functions, powers and responsibilities. I suppose at some point in time we learned in school about the differences. Now a new monster has been created. The Minister indicated in a different dispute that a mediator-arbitrator entity had been created.

• (2030)

Mr. Keeper: Under a Liberal Government was it?

Mr. Nunziata: When you get to the point where you have to resort to back-to-work legislation, you are beyond the point of mediating, you are at the point where the two parties, management and labour, are so far apart that you need an arbitrator, a judge, to say, "This is the decision. This is the collective bargaining agreement". Obviously if during the arbitration process the parties decide to agree on their own without risking what an arbitrator might decide, that is all in the best interests of everyone involved because the parties, in effect, have negotiated a settlement.

I have some difficulty in entrenching this mediation-arbitration concept in this legislation. Let us not try to kid anyone. This Bill is called an Act to provide for the resumption and continuation of postal services. That is all fine and dandy. We know what this legislation is all about. It is back-to-work

legislation. It is forcing people to go back to work. It is forcing the postal workers to work, and if they do not, they are subject, as Clause 10 says, to some pretty heavy financial penalties. Then there are some additional penalties with regard to suspension from union activity if they contravene a certain section of the Act. We will have more to say when we get to Clause 11.

We do not understand why this concept of mediator arbitrator is necessary. The Minister himself admitted that at one point it was not possible, feasible—he called it a judgment call—or appropriate to appoint a mediator. That was after the strike. The Minister is shaking his head. Sometime, somewhere a decision was made by him and his officials that a mediator was not appropriate, even though we in the Liberal Party suggested that a mediator ought to have been appointed because a mediator might have been able to succeed in bringing the parties together at some point prior to the escalation of the violence in the conflict. Now we are at a point where there is basically a gun to the collective heads of the union. The Minister is a party to this threat of pointing a gun at the heads of the union saying "You are going back to work. If you don't go back to work, you have double trouble. Not only will we fine you $10,000 or $50,000 a day but we will make sure that you do not participate in union activity for up to five years."

The mediator-arbitrator, this experienced, skilled person who will be appointed under this legislation, will be aware of exactly what has transpired to date. He will be fully aware of what is in the legislation. Does the Minister really believe that simply by calling this person a mediator-arbitrator somehow he or she will be able to do something other than what an arbitrator might do on his or her own? I fail to understand why at one point it was his judgment call that mediation was not possible and that somehow now that the parties are so far apart back-to-work legislation is needed and all of a sudden mediation is needed by someone who would pat both sides on their backs and say, "Come on guys. Let's get together and call it a day, get back to work and start delivering the mail". I do not understand why a mediator-arbitrator is needed.

I think the Minister should admit that this piece of legislation has a sledgehammer approach in it. It says to the union, "Go back to work. We have an arbitrator. We are telling the arbitrator to look at the conciliator's report. We are giving direction to the arbitrator to find in favour, or lean toward, the position of management". That seems to me to be patently unfair and inappropriate in the circumstances.

Mr. Cadieux: Mr. Chairman, there are various things I could say, but some have already been said and some will not serve any purpose anyway.

With respect to this legislation, that it is back-to-work legislation, I think that is self-evident. One of the clauses in the Bill says specifically that, that the employees must go back to work. It is very clear that that is one of the purposes of the legislation.

At the time I made a judgment call that the appointment of a mediator would not have been appropriate because the parties were so far apart. I still believe that the parties are far apart. I believed that the day we introduced the legislation, particularly after having the assessment of my Associate Deputy Minister to that effect. Therefore, I concluded that back-to-work legislation was required. Notwithstanding the decision that back-to-work legislation was required, I also decided that, because of certain requests, including one from my colleague, the Hon. Member for Saint Jacques, and one from the union with respect to mediation, perhaps it was worth-while, as some would say, to give it a shot. That is provided for in this legislation. I hope, I sincerely hope, that the parties will prove that I was wrong, that there is a possibility of coming to a settlement. I will be the first one to praise the parties the day they come to an agreement. Our Government will not tolerate, as was done before the introduction of the legislation, the playing of musical chairs nor Canadians being submitted to protracted disruptions because of work stoppages, violence, and accrued violence.

Mr. Young: Mr. Chairman, I was interested in the opening remarks of the Minister when he said that he did not believe in any event that anything he said would be listened to. I want to assure him that if he says the right thing we will listen to it very carefully.

Mr. Cadieux: That is not what I said.

Mr. Young: The Minister said that this is not what he said. I will accept that. Reflecting the dilemma that we have found in negotiations between Crown corporations and unions is an assumption on the part of Governments that somehow or other all the problems that are facing collective bargaining lie at the feet of unions. There are two parties to negotiations. In my experience and observation of the manner in which Crown corporations conduct negotiations, they clearly go into those negotiations knowing full well that if an agreement is not concluded the Government will step in and legislate workers back to work. It has happened continuously. I think it is high time, quite frankly, that Members on all sides of the House should perhaps strike some kind of a committee to investigate the process of collective bargaining with Crown corporations and their employees through their organizations. Certainly the mechanism in place now does not work. It does not work to anyone's advantage, whether it be the public's, the Crown corporations', the unions or its members. It is something worth-while taking a look at.

One of the key problems in these negotiations has been the post offices and, I assume from everything I have heard, the Government's insistence that the Post Office should be reorganized. A very sore point centers on the franchising of operations. It is not only the union that is concerned about reorganization in the Post Office, it is also the customers, the clientele which the Post Office is attempting to serve. I want to read one letter which is typical of the number of letters I have

received from constituents on this whole question of reorganization in the Post Office and the effect it is having on the mail service. My constituent, Sandra Hanmer, writes:

• (2040)

> Here is an example of how it is serving me—I received a card saying I had a registered mail letter awaiting pick-up. The address on the card wasn't the usual one of Station 'H' on the Danforth, a few dozen yards from where I work. It was that of a Shopper's Drug Mart. So I took the half hour's walk down to Shopper's World at Danforth and Victoria Park where there is a large Shopper's Drug Mart. There's also a huge Shopper's Drug Mart much nearer at Main and Danforth but this doesn't have a post office counter. Too convenient for all the thousands of tenants in the Main Square complex, I guess.
>
> The postmistress at Shopper's Drug Mart at Shopper's World couldn't find my envelope. She finally took a look at my card and said, "No wonder I couldn't find your letter, you have to go down to Queen St. Shopper's Drug Mart, not this one." Fortunately, I'm a strong person and a good walker and own a bicycle also, so I was able to make the trek down to Queen Street. Fortunately, I don't work Wednesday mornings so I can reserve it for these little jaunts.
>
> I live, work and shop in different places and none of them is down on Queen St., a place I rarely visit unless I'm going for an early morning cycle on the boardwalk. If you'd really done "a thorough analysis of where we need Post Offices" you would realize that we need one at Main & Danforth or continue to keep parcels and registered letters, etc. at Station 'H'.
>
> I live at Gerrard & Woodbine, where there's a little post office and drycleaners but I can't get my letters there. I work very near Station 'H' on the Danforth, I can no longer get letters or parcels there. I shop at Main & Danforth where there's no post office at all. I have to take time to go miles out of my way—I don't call this an improvement in service. Not to mention the abolition of all the mailboxes which used to be around.

Representatives of the Post Office went through my constituency and unilaterally, without any kind of reason or rationale, picked mailboxes up from corners and chucked them into the back of trucks. One fellow who runs a corner store next to one of these mailboxes asked them why they were removing it, and they said it was because it was not used any longer. He said to the two fellows who were picking up this mailbox: "Well, open it up" and the guys opened it up. The thing was stacked with mail. It was well used.

Removing these boxes presents real difficulties for many elderly people, particularly during the winter months when they have to walk several additional blocks on sometimes icy or snow-bound sidewalks. I could go on and on.

It seems to me that the point the Hon. Member for St. John's East made earlier in his argument as to why franchising or contracting out should be a part of the collective bargaining process is something which I would think would be in the Government's interest to encourage. We all want to see that kind of maturity in collective bargaining. We should tell Canada Post that it has an obligation to the public, to its employees and to Parliament and it should put that item on the table for collective bargaining. I would like to hear what the Minister would say on that.

Amendment (Mr. Keeper) negatived.

The Chairman: Shall Clause 7, as amended, carry?

Some Hon. Members: On division.

Clause 7, as amended, agreed to.

Clauses 8 and 9 agreed to.

On Clause 10—*Offence by individuals.*

Mr. Keeper: Mr. Chairman, I would like to take a few moments to address Clause 7. I must say that I was disappointed that the Minister did not take the opportunity to respond to the comment my colleague made on the earlier clause. He pointed out the difficulties that exist for senior citizens when mailboxes are picked up off the street and senior citizens have to walk long distances under severe winter conditions. The Minister chose not to respond to that. One of the problems is that the Government does not hear when we bring to its attention what is happening to seniors and ordinary Canadians. It fails to respond or answer to these concerns.

I would like to deal specifically with Clause 10, the enforcement clause. It reads:

> An individual who contravenes any provision of this Act is guilty of an offence punishable on summary conviction and is liable, for each day or part of a day during which the offence continues, to a fine
>
> (a) of not less than $10,000 or more than $50,000, where the individual was acting in the capacity—

[*Translation*]

The Chairman: The Hon. Minister of Labour (Mr. Cadieux) on a point of order.

Mr. Cadieux: I want some clarification, Mr. Chairman. I thought, and I may be wrong, that clause 10 had been agreed to and that we were considering clause 11. But if I am wrong . . . Are we still on clause 10? Very well! I apologize.

[*English*]

Mr. Keeper: I can understand the impatience of the Minister. I am sure he wants this clause to be adopted. However, we want to deal with it.

The implications of this clause should be brought to the attention of the Canadian public. The clause provides that there will be fines of from $10,000 to $50,000 imposed on any individual who is acting in the capacity of an officer or representative of the employer or the union and of not less than $500 or more than $1,000 in any other case. The clause also provides for fines of $20,000 to $100,000 to be imposed upon the employer or the union.

These are very heavy fines. Why does the Government find it necessary to threaten individuals with fines of upwards of $50,000 and to threaten the union with fines of up to $100,000 a day? Why does the Government feel it is necessary to put this gun to the heads of those who are leading the workers at the Post Office?

Why is the Government using such Draconian legislation to force these workers back to work? The key issue on the table in the dispute is the question of franchising. Why is the Government willing to use such heavy penalties to put in place

its policy of franchising? Is this franchising policy such a good policy that it merits the use of such heavy fines?

I would like to raise one question about the whole matter of franchising. Today, I might have a neighbourhood post office, but tomorrow morning it might be in a Shoppers Drug Mart.

• (2050)

A fundamental policy of the federal Government for the last few years has been to provide service in the official language of your choice. If your mother tongue is French, you can get service in French. If your mother tongue is English, you can get service in English. The Post Office has been slow to live up to the policy of bilingualism, which is so crucial to keeping the country together. Franchising will make that even more difficult.

If the Government cannot assure service in the language of your choice when the employees of the Post Office are direct employees of the Government, how can it do so when the service is provided in a drug store? I wonder whether the Government has thought about what will happen to the language rights of Canadians. If the language rights of Canadians are further undermined, what will happen to the unity of the country?

The Government is so set on the policy of franchising that it is willing to impose fines of $10,000, $50,000 and $100,000 per day. I would like to know whether the Minister, the Cabinet and the Government have considered the implications of franchising on the policy of bilingualism. How will they ensure that people can get service in the language of their choice?

Would the Minister do us the courtesy of responding to that? I have yet to hear an explanation from the Government on this. It is obviously something that the Government is pushing for very strongly since it is prepared to impose such large fines in support of it. Would the Minister comment on how the Government will assure the provision of service in the official language of your choice under the franchise system when it has had such a dismal record of providing it until now when it has been more within its control?

I see that the Minister refuses to stand up. I gave him an opportunity to do so. Is the Minister willing to stand up?

Mr. Cadieux: Sure.

Mr. Keeper: Would he then comment on that question? This is fundamental to Canadian unity.

Mr. Cadieux: Mr. Chairman, I am prepared, of course, to give explanations on this Bill without hesitation. I would prefer to listen to the other Members who have comments on this clause and will answer all questions at the end.

[*Translation*]

Mr. Keeper: Mr. Speaker, I am disappointed that the Minister has not answered my question. He will perhaps do it later on, but I am nevertheless disappointed that he did not take right away the opportunity to answer it, because the Government has clearly indicated its willingness to go to any lengths to ram through this back-to-work legislation related to postal workers. As we know, franchising out is one of the key issues regarding the problems of post offices. How does the Government think it will be able to maintain its policy of bilingualism in this country once post offices are privatized, when the level of service the public is entitled to has not even been reached?

[*English*]

Mr. Harris: Mr. Chairman, I would like to comment on Clause 10 of the Bill. It is hard to say which clause of this Bill is the worst. However, I find it astounding that a minimum fine of $10,000 will be imposed for each day or part of a day that someone violates this legislation. We have many laws in this country. We have the Criminal Code with hundreds of sections which provides for minimum fines and minimum sentences. Lives are endangered and lost every day because of impaired driving and there is a minimum fine for that offence, but is is not $10,000. Until recently it was $50.

Under this legislation a shop steward or minor official in the postal union, perhaps a picket captain or officer of a local, who contravenes this legislation is liable to a minimum fine of $10,000. For example, Clause 4 provides that "each officer and representative of the union shall . . . take all reasonable steps to ensure that employees comply with paragraph 3(b)" which provides that "every employee shall, when so required, forthwith continue or resume, as the case may be, the duties of that employee's employment".

If a judge decides that a shop steward did not take all reasonable steps to ensure that other employees go back to work he will be fined $10,000 for that horrid crime for each day or part thereof.

We must have some very serious situations to deal with if an officer must take all reasonable steps to ensure that employees comply with that paragraph. Maybe a judge would decide that it would be reasonable for the union to expel its members if they did not comply exactly with every section of this Bill. Then the union would be fined a minimum of $20,000 a day even if it complied with this legislation and told its members to go back to work as we have every reason to believe it will. Under this Bill a minimum fine of $10,000 may be imposed for what may be a very minor violation of this legislation. If we were talking about concerted defiance of the legislation in its entirety by the entire union, perhaps there would be a need for such stringent measures.

One wonders where the Government is coming from in proposing such legislation. Perhaps the Minister of Labour could tell us what other legislation provides for such fines for such potentially minor offences.

• (2100)

Minimum fines have always been criticized by defence council in cases where a technical violation of the law may

have occurred, which calls for the sympathy of the court. Any members who are lawyers will have often heard judges say that while there has been a technical violation of the law, the case he has heard is a sympathetic one in which there are extenuating circumstances and therefore the punishment of being before the court is enough.

However, while the judge may want to give an absolute discharge or conditional discharge, in this case he would indicate that he cannot do so because he is bound by the law. While there may be a minor technical violation, a judge in this case might say that while he has listened to the circumstances surrounding the case, the breach of the legislation was not very serious, the fine he must impose is $10,000. If the breach of the legislation takes places over two days, the fine will be $20,000.

I submit that a minimum fine of $10,000 is outrageous. This legislation only involves a summary conviction, and even serious crimes under the Criminal Code which are indictable offences do not have fines of $10,000.

Until two years ago the minimum fine for the indictable offence of impaired driving was $50. It is now $350, yet the minimum fine for a breach of this legislation at any time during the continuance of the collective agreement which is referred to is $10,000. We all know how the courts define a strike. It can range from one or two individuals having a strike to a general strike.

While there are illegal strikes from time to time in this country, they occur more often when legislation is passed making collective bargaining inoperative. The usual remedy for anyone engaging in a wildcat strike is to get an injunction through the court. In this case, however, any time during the course of this collective agreement anyone who is a representative of the union, whether or not it is authorized by the union, will be subject to a minimum fine of $10,000. The minimum of $10,000 provided for in Clause 10 is absolutely outrageous. It does not provide for the judicial discretion, which is very important in the administration of justice in this country.

I understand that this is not a justice Bill. Perhaps the Minister of Labour did not consult with the officials of the Department of Justice when he was establishing minimum fines of such astounding proportions in this legislation.

Perhaps the Minister could indicate whether he believes there are cases where judicial discretion is required and a minimum fine of $10,000 is not appropriate. While our judicial system exists to enforce the laws, there must be some tolerance of the fact that there may be extenuating circumstances in individual cases that call for discretion on the part of the judge. Judges are given very wide discretion to deal with all sorts of crimes.

The Government is telling judges that they cannot use their discretion in this case and take special circumstances into account. The Government is not prepared to allow a judge to exercise discretion and give less than a $10,000 fine to an ordinary working person. He does not have the power to say that such a fine is inappropriate and can be reserved for a more serious case.

Did the Minister's officials review the Criminal Code to determine the seriousness of this crime compared to other crimes which had minimum fines? Why did he set a minimum fine of $10,000 and not provide for discretion by a federally appointed judge so he might hear a case like this and deal with the facts before him without the Government telling him that he must fine someone $10,000 a day?

Mr. Nunziata: Mr. Chairman, before I comment on Clause 10, I want to ask the Minister when the enforcement provision, Clause 10, ends. In other words, we know that the penalties will begin if there is a breach as soon as the law is passed, presumably sometime tomorrow. Does the enforcement provision lapse upon the expiry of the 90 days or upon the entering into of the collective agreement as provided for by Clause 8?

While he is on his feet, will he indicate how many people in the last 20 years have been prosecuted under enforcement provisions of federal back-to-work legislation and, of those prosecuted, how many were employees and how many were representatives of employers, and what were the penalties imposed by the courts?

Once the Minister has answered those questions, I would like to make some very brief comments on Clause 10.

Mr. Cadieux: Mr. Chairman, I do not have the information with respect to the number of convictions during the last 20 years. I do recall one instance of back-to-work legislation which was breached. It is the one concerning CUPW, following the 1978 back-to-work legislation when there was at least one prosecution in which I believe the person ended up in jail for some time. Presumably there may be some others, but I am willing to look into that and report back to my hon. colleague at the earliest opportunity.

With respect to the severity of the fines, I will not try to convince the House that they are not severe. They are. They are severe in this particular legislation for the same reasons that they were severe in Bill C-24, which we adopted in November, 1986, and for the same reasons they were severe in Bill C-85, adopted a month ago with respect to the railway industry. They are the same fines, exactly the same sections, and we will stand by them again.

• (2110)

Mr. Nunziata: Mr. Chairman, perhaps the Minister could answer my question with regard to when the enforcement provisions expire, then I will make my comments. The Bill provides for very heavy fines here and I would like to know when they expire.

Mr. Cadieux: They are in force as long as the collective agreement is in force.

Mr. Nunziata: Mr. Chairman, we are dealing here with Clause 10, but Clause 10 cannot be considered in isolation. One has to, it seems to me, look at Clause 11 as well. The sidenote beside Clause 11(1) reads "Additional Punishment-Union", and the sidenote on Clause 11(2) is "Additional Punishment-Employer". First, with regard to Clause 10, I think the Minister will agree that this particular enforcement provision, although it applies to both employee and employer, in this case postal workers and Canada Post, is directed at employees. I am sure that if the Minister were to review the last 20 or 50 years he would be hard pressed to find a situation where a representative of management has been prosecuted under back-to-work legislation. So let us not kid anyone. Even though it says a representative of the employer is subject to these rather heavy fines, we are really talking about employees and CUPW. Let me read Clause 10(1), Mr. Chairman. It reads:

> An individual who contravenes any provision of this Act is guilty of an offence punishable on summary conviction and is liable, for each day or part of a day during which the offence continues, to a fine
>
> (a) of not less than $10,000 or more than $50,000, where the individual was acting in the capacity of an officer or representative of the employer or the union when the offence was committed;—

So that first part deals with union officers and representatives of the employer, but in effect we are talking about union officers. The Minister laughs, but he knows that he is not going to prosecute anyone in Canada Post management under this clause. It is directed at CUPW members.

A court would have no discretion whatsoever. If there is a contravention, regardless of how minor the contravention, the fine is $10,000 a day or any part of a day. So if a technical breach lasts for 10 minutes or 15 minutes and there is a prosecution, the court would have no discretion whatsoever but to fine that union official a minimum of $10,000 and, depending on who is sitting on the bench and the circumstances, the fine could go as high as $50,000.

That in and of itself is patently unfair and inequitable. It raises considerable concern. This section says: "An individual who contravenes any provision of this Act". What is a "provision of this Act"? This Act, if one reads from Clause 1 through to Clause 13, requires management and union to do a number of things. It is not specific. It is not clear and unambiguous. There are clauses in here that might lead one to question exactly what was meant by the legislation. We all know the workers have to go back to work, that is clear. As the law says, they have to resume their duties. Clause 4 states:

> The union and each officer and representative of the union
>
> (a) shall, forthwith on the coming into force of this Act,—

And that is within 12 or 24 hours.

> —give notice to the employees—

What does that mean? If the employees have to be back at work within 12 hours or 24 hours, how does one give notice to the employees? How many employees are involved at Canada Post?

Mr. Guilbault (Saint Jacques): Of those under the collective agreement, there are 23,000.

Mr. Nunziata: Twenty three thousand employees. We know the Post Office is shut down so we cannot mail them a letter and say: "Here is your notice. Go back to work". We could send them a telegram, I suppose, but who will pay for 23,000 telegrams? This legislation requires them to be back at work within a 12 or 24 hour period. Is the Minister assuming that these 23,000 postal workers involved in this particular situation are each watching these proceedings with bated breath and this is their notice? The court could say that when the Minister was standing in the House, that was sufficient notice. The Minister can see the ridiculousness of the offence here. It is meant, I suppose, to deter the union but it is a sledge-hammer approach.

The Minister talks about a mediator-arbitrator. There is still some hope. The Minister is a reasonable guy. He still hopes that somehow there will be a negotiated settlement. But how does he really expect, in all sincerity, the union to come to the table with the arbitrator sitting at the head and management sitting across and be in a very good mood when we have Clause 10 saying, "If you dare breach one section of this particular legislation, we are going to fine you $10,000, and if that is not enough, we are going to leave it up to the court under Clause 11 to prohibit that particular union officer from participating in union activities for five years"?

If the Minister really wants some co-operation from the union officers in CUPW, he would not bring into effect Clause 10 and Clause 11. It is a threat. If this is not provocation to breach this particular Act, I do not know what is. It certainly does not serve to create an atmosphere of co-operation.

If I may continue, Mr. Chairman, there is a minimum penalty of $10,000 if one does not give notice to the employees that, and I quote from Clause 4(1)(a):

> —by reason of the coming into force of this Act, postal operations are forthwith to be continued or resumed, as the case may be, and the employees, when so required, are forthwith to continue or resume, as the case may be, the duties of their employment;

What does all this mean? The employees are asking what it all means. It is not that specific. Mr. Kelly is an expert in labour law and the Minister, by virtue of the office he holds, has presumably acquired considerable degree of knowledge on this particular subject, but we are talking about 23,000 ordinary Canadians who do not have the expertise of Mr. Kelly or the Minister of Labour and they are being told that if they breach any provision of this Act they are subjecting themselves to a minimum $10,000 fine per day, if they or an officer of the corporation, and if they are just a run of the mill regular worker, they will be fined $500 per day. These guys are not earning $500 a day, yet they are going to be fined a minimum of $500 a day if they breach any provision of this Act.

It is obvious that there are problems because the Act is not specific enough. Therefore, we will have the technical breaches of the legislation. The Minister might stand up and say: "Let

us be reasonable, we are not going to prosecute every minor breach", but that is not the case. When we pass laws here one has to assume that any breach is a breach and it ought to be prosecuted.

I hope the Minister is not going to suggest that we will leave it up to the police to decide whether they are going to prosecute under this back-to-work Bill C-86. I hope he is not suggesting that, because that is not the role of the police. We are passing a piece of legislation and it must stand on its own.

This particular Clause 10(1) provides for Draconian measures. As the Hon. Member for St. John's East pointed out, there are not that many pieces of federal legislation that have penalties as severe as these. That leads me to ask the following question. Why are they as severe as they are? What is the purpose of having this particular clause in this Bill? Why a $10,000 minimum fine per day as opposed to $50, $100, or no minimum fine at all?

• (2120)

I note that there is no provision in this Bill for incarceration, in other words, jail. Why is the Minister not providing for a minimum jail term in this legislation? He referred to a situation not so long ago in which a prominent member of CUPW spent time in prison. Did that legislation at the time provide for imprisonment, or was it a similar type of legislation to what we have here today? He has not provided for any period of incarceration. Perhaps that would have been a different approach. I would like to hear from the Minister as to why he decided to impose such heavy fines for breaches under this Bill and why he did not consider other possible penalties.

Not only is the Minister creating an atmosphere of provocation with Clause 10, the union is down on the ground and he decides to feed the union the boots by imposing Clause 11. What the Minister is saying is, "$10,000 a day is not enough. We want to leave it up to the court to prohibit a union member from participating in union activity for up to five years". I ask the Minister—

Mr. Harris: Not up to the court.

Mr. Nunziata: Let me read the clause so that we are clear. Clause 11(1) states:

> No individual who is convicted of an offence under this Act that was committed while the individual was acting in the capacity as an officer or representative of the union shall be employed in any capacity by, or act as an officer or representative of, the union at any time in the five years immediately after the date of the conviction.

Mr. Boudria: It is worse.

Mr. Nunziata: As the Hon. Member for Glengarry—Prescott—Russell, who is not learned in law—

The Chairman: I would like to remind the Hon. Member that when we get to Clause 11 there will probably be amendments made concerning the point that he is now talking about.

Mr. Nunziata: Obviously, you are privy to information that I am not privy to, Mr. Chairman. However, we are dealing with Clause 10.

As the Hon. Member for Glengarry—Prescott—Russell pointed out, if one is convicted—and this is why it is important—of an offence under Clause 10, not only is one fined but one is suspended from union activity. There is no discretion. Right, Mr. Harris?

Mr. Harris: None in there.

Mr. Nunziata: And it is automatic that one is prohibited from participating in union activities for five years. Well, it goes on to state in Clause 11(2) that if an employer or a representative of the employer breaches any part of this Bill, or is found guilty of a breach of a provision of it, then he cannot be employed by Canada Post for five years. That is nonsense. In effect it is a sentence. One is not going to prosecute any employer. One is not going to prosecute Mr. Lander or any of his cohorts. That is not what this legislation is all about. That is not what this clause is all about.

It is obvious that this particular enforcement provision is in breach of the Canadian Charter of Rights and Freedoms. I do not think one has to go too far to conclude that—

Mr. Reid: Take it to court.

Mr. Nunziata: The Hon. Member opposite says, "Take it to court". That is the typical Tory way. If a member of that Party does not like legislation, then they say that we should take it to court. That is shirking one's responsibilities as a parliamentarian here. Our responsibility is to pass laws that will withstand court challenges, not to pass laws hoping for a court challenge.

But one does not have to go too far, Mr. Minister, to realize that it is in fact a breach of the Canadian Charter of Rights and Freedoms. It is cruel and unusual punishment when there is a punishment of a minimum fine of $10,000, and on top of that mandatory or automatic suspension from union activity for five years.

I hope the Minister in the next few hours will reconsider this Draconian clause and delete completely Clause 11 and modify Clause 10 in order to create an atmosphere in which the two parties will try to the greatest extent and to the greatest degree possible to co-operate to create a work environment over the next several years that will be in the best interests of management, labour and the public.

Mr. Langdon: Mr. Chairman, I want to comment on this particular clause because in my discussions with postal workers in Essex—Windsor it has been suggested to me very strongly that it is these kinds of provisions within the proposed Bill which present the red flag in front of the bull, the goad which will make for labour relations in the Post Office, which are already extremely difficult, difficult to put right and more difficult to turn around.

I think that everybody in this House, everybody in this country, recognizes that there is a very difficult situation in respect of labour-management relations in the Post Office. If the marble worker himself, Mr. Kelly, cannot succeed in bringing about some kind of meeting of minds, as he was able to do with letter carriers, then I think that is one demonstration. It is very important that whatever piece of legislation is brought to bear on the backs of these workers is seen to be in some sense balanced, in some sense fair. There are two aspects of this particular clause which in that respect worry me considerably. They certainly very considerably worry the workers to whom I have talked.

The first is that, as a number of people have suggested, the extreme severity of the fines which are levied, not just as potential maximums but as necessary minimums on condition of conviction. I remind you, Mr. Chairman, the House and the country that this provision is being presented in a piece of legislation which was brought in at a time when there was no full strike. There was just a rotating strike across the country. Service had not been completely interrupted. It was brought in at a time when I think, again, everybody in the country would agree that the service which has been provided by the Post Office in this past period has deteriorated significantly. It was brought in at a time when the union itself had requested a mediator. The Minister refused to accept that request, Canada Post refused to accept that request which would have permitted that possibility to at least be explored. As I noted this morning, it was brought in at a time when provisions had been in place whereby casual workers had found it very difficult, despite their peripheral relationship with the strike, to receive the wages which were rightfully due to them for the work that they had done in the past.

• (2130)

Despite all those circumstances, despite that context, there was still this tremendously heavy burden put on workers of fines of $10,000 up to $50,000 with respect to officers of the union, and fines of $20,000 up to $100,000 with respect to the union. That is not an absolute fine, that is a fine per day. That seems to me, as one of my colleagues described it the other day, to represent the War Measures Act of labour relations. It is not something that the people of this country will see as fair, just, balanced, and equitable.

I ask the Minister if he can provide some type of justification for these extremely strong fines, given the circumstances which existed at the time that this legislation was brought in, that is, no strike, deteriorating service in the Post Office for the past few years, no response to the request for a mediator, and circumstances which made it difficult for casual workers to be paid what was due to them.

The second point I wish to raise is that the country itself has been told that this is back-to-work legislation; it is legislation to get the Post Office going again. In fact, as it is written this clause states that any provision of this Act which includes the imposition of the collective agreement over a significant period of years ahead, any provision of this Act if it is broken can lead to conviction and these very heavy fines.

I also ask the Minister why, if he felt it was necessary to put heavy fines into effect to get the workers back to work, he also felt that he had to back up every single clause of this potential Act, every single clause of what we do not even know may yet come from the arbitrator who looks at this dispute, why every single bit of that activity shall be backed up by this extremely heavy enforcement mechanism? Even if it is justified to consider heavy fines to send workers back to work, which I do not agree it is, I think most people in this country will look at this as far too heavy for what it sets out to accomplish. But even if that is the case, why apply it to every aspect of labour relations in the Post Office for the next three years so that every provision of this Act, including what the arbitrator might ultimately put into place, is subject to those types of heavy fines?

That is certainly how it reads to me, and I welcome the Minister stating that this will not be the case, if indeed it is not. As the clause is set out, it clearly states that any provision of this Act which, for instance, is broken by a wildcat strike two years from now, or by a union protest against a go-slow activity in protest of some part of the provisions of the arbitration which is settled, that any part of that, any activity of that type, can lead to these massive fines.

I remember sitting in the Press Gallery years ago when the War Measures Act was brought into Parliament. I listened to the Leader of the New Democratic Party, in what was a very unpopular statement at that stage, say that this was using a hammer to crush a peanut.

In this case, I think the provisions are harsh, unreasonable, unfair, and quite out of league and context. This shows up not only in the size of the fines but also by the fact that they will be applied to any activity in the future where the union might in some minor way break the provisions of the collective agreement, not because the union thought that it did, but because it was judged by some judge to have done so.

Mr. Harris: I wish to pick on one of the comments of the Hon. Member for Essex—Windsor (Mr. Langdon). It is important that we understand that this legislation would have the effect of imposing minimum fines of $10,000 on union officials. People talk about "union officials" and mean the national president of the union. This means anybody who is a representative of the union which can include a shop steward or someone who is acting in any capacity within the union. It could affect someone during the whole course of the collective agreement that is referred to here, and it could have nothing whatever to do with the Post Office. It could be a national political protest, which we have had from time to time in this country. Political protests which involve work stoppages and national days of protest are political acts and have nothing whatever to do with labour relations in the Post Office. This would expose the individual to a minimum $10,000 fine up to a $50,000 fine.

We should not be satisfied with the answer of the Minister of Labour, or the justification that the reason it is a $10,000 fine is tough, it is a minimum fine, but we did it before so we will do it again, and that is the justification.

That is not a very good justification. There is a precedent in dealing with legislation in this country. The reason that we have minimum fines is that when there are no minimum fines sometimes a judge will not give serious consideration to the offence. The legislature will then step in and say, "We have had this crime on the books for many years, the judges will let the people go and they should be treating them more severely,. so we will up the fines".

• (2140)

Would the Minister tell us whether or not there has been any experience where there has been back-to-work legislation, where the judges have been complacent, have not taken the matter seriously, and have not given appropriate fines? Could the Minister tell us whether there have been situations which have shown that without minimum fines of $10,000 the judges do not do their jobs and do not take the matter seriously enough?

We are not talking about maximum fines of $50,000. There may be cases where defiance of legislation of this nature might require a serious fine of $50,000, but we are talking here about a minimum fine of $10,000 with no judicial discretion.

Could the Minister tell us why he has taken that discretion away from the judges? Has there been an experience about which he can tell us where a judge should have given a fine of $10,000 and only gave one of $50, $100, $2,000, or $5,000? Has that been the experience with back-to-work legislation, that judges have not taken it seriously enough and have not treated it properly? If the Minister thinks that that is the case, I ask him to tell us about those experiences, to tell us what has happened.

Mr. Guilbault (Saint-Jacques): Mr. Chairman, I have listened to the remarks of my colleagues, the Hon. Member for York South—Weston, the Hon. Member for St. John's East, the Hon. Member for Essex—Windsor, and others. It is becoming obvious that no one in the House has come to the conclusion that the minimum fines are acceptable. They have been found to be too high, too harsh, and unrealistic. They have been called all sorts of names. I do not want to repeat the remarks of my colleagues, but I would like to indicate that I agree with them 100 per cent.

As a practical man, I would like to try to give the Minister an opportunity to correct what I consider to be abusive penalties. As the Hon. Member for St. John's East suggested, the Minister should give to the judge the power that he should have in the first place, that is, to exert his judgment and to decide what a minimum penalty should be. The Minister could do that by removing the minimum penalty and giving the responsibility to the judge, or the Minister could return to the drawing-board and establish new, realistic, minimum fines.

I would like to move the following amendment which would give the Minister the opening of which he seems to be in need to try to do a better job:

> That Bill C-86 be amended in Clause 10 by deleting the words "less than $10,000 or" from line 8 on page 5 of the Bill, and by deleting the words "less than $500 or" from line 13 on page 5 of the Bill, and by deleting the words "less than $20,000 or" from line 20 on page 5 of the Bill.

Either the Minister decides that he wants to leave the discretion entirely with the court or the judge to decide what will be the penalty—there is a maximum, but with this there would be no minimum—or perhaps the Minister, who appears to be ferocious if we look at the amounts in the Bill, wants to set his own more realistic minimum. I will not say more than that. I think I have done my duty by providing the Minister with an opportunity tonight, as we are dealing with the Bill clause by clause, to do a better job.

[*Translation*]

And if the Minister wants to take this opportunity, we could have a legislation that, while being tough, could at least be more humane, which all our fellow citizens would consider more reasonable, although its goal is to enforce the law.

And I will conclude on these words, waiting for the response of the Minister to see what he wants to do. Will he insist on going too far, with unreasonable penalties, or does he want a realistic legislation that still has teeth without being offensive? That is my question to him.

[*English*]

The Chairman: We have the amendment of the Hon. Member for Saint-Jacques on the floor. The Chair finds the amendment in order.

Mr. Keeper: Mr. Chairman, we support the amendment of our colleague.

Some Hon. Members: Comrade Keeper.

Mr. Keeper: Mr. Chairman, I note that some of my Liberal colleagues have picked up an idea from a good source, a colleague of mine on the New Democratic Party benches. I do not mean to get under the skins of my colleagues. I enjoy co-operation, and co-operation in a good cause would be to give some flexibility to judges so that fines do not have to be severe where they are not required.

I hope the Minister will be open to this amendment. I do not know whether or not he is or whether he is prepared to give some sort of indication. I do not see any nod of his head or any smile, so I will not expect any openness to the amendment on the part of the Minister. Perhaps we can still hope.

I would like to make a point about these fines for lack of compliance with the legislation. The Minister indicated that the fines were severe, that $10,000 or $100,000 per day were severe fines. I do not dispute that at all; they are severe.

Why has the Government found it necessary to go to such severe legislation? It is simply because it has failed to set the

stage for negotiations. It has set in place a policy for the Post Office which was confrontational and made negotiations impossible. Therefore, it must have extreme and severe fines in order to enforce a settlement. That is why the fines are severe.

The amendment of my colleague would be useful. I hope the Minister will listen to some reason and give some flexibility to the courts. I would also point out that while the severe fines are there because the Government has refused to set the stage for negotiations, the Minister has also said, in response to questions from this side of the House, that the fines will apply throughout the life of the collective agreement. It could be that for two years or three years these fines will apply.

Clause 6 indicates that if someone participates in a strike against the employer, he or she would be subject to the enforcement clauses. If, sometime during the life of the agreement arising from this legislation, a worker were to go on a wildcat strike for some reason of a local nature, or some hardship in a particular plant, or for something which ordinary Canadians would understand, he or she would be subject to these enormous fines, these very severe fines.

Surely there is another regime under which such situations could be regulated. Surely these fines are not applied in all cases in which there is a collective agreement and somebody refuses to work and goes on a wildcat strike.

Mr. Harris: In response to a manager going crazy or something.

• (2150)

Mr. Keeper: Perhaps the manager would have lost his sanity and would have become unreasonable, authoritarian and apply this kind of management style in the local post office. What if you cannot take that kind of harassment from your manager and you walk out and refuse to come to work? You are subject to these kinds of fines. Surely there is another regime under which such a situation could be handled.

I recall reading the book on the Post Office entitled *Post Mortem* in which there is an account of a manager in the Post Office walked out in order to resolve a local conflict. He managed to get the attention of the political authorities and the situation was resolved. How could anybody who works at the Post Office bring attention to the slightest irritant for which there is no resolution? They would in this case be subject to severe fines. I would like the Minister to deal with why he has the severe fines in the legislation, because the Government has not set in place a regime that would lead to a negotiated settlement. Why do these fines have to be in place throughout the whole life of the collective agreement? Surely there could be a limit to how long they are in place. I would like to hear the Minister respond to those two items.

Mr. Boudria: Mr. Chairman, I want to speak briefly on the amendment proposed by my hon. colleague. It is obvious that the clause with which we are dealing now is at the very heart of the Bill proposed by the Minister. He is adamant that there should be fines of such a size to achieve what he thinks they should achieve. Even though some of us disagree with some of those fines, I suppose that we could live with some aspects of them a little easier if they were amended in a way that would still fulfil the objectives of the Minister while being more reasonable for everyone. Nevertheless I do not like the Bill, but at least it will be more palatable for all individuals concerned. Ideally the maximum fine should be lowered as well.

As a compromise, my distinguished colleague from Saint-Jacques has offered this amendment to us which would still retain the main feature of the Bill, namely, to have the availability of levying large fines while not putting our judges in strait-jackets causing a situation whereby they would have to impose fines which could very well be unreasonable for some offences.

My colleague from Winnipeg has given us examples of an individual wildcat walk-out in a community six months or a year from now which could result in very harsh side effects from a minimum fine which may not be warranted at the time. It is very possible that maximum fines would not be warranted at any time. Nevertheless they would be even less warranted in a year from now in a small community where a local situation has caused some sort of disagreement between management and labour. I think what my colleague has offered is a compromise type of a motion, certainly not making everyone totally happy, but in the good spirit of co-operation, I think that he has proposed something that the Minister, if I may suggest, should consider favourably.

I think the Minister himself will recognize that the present Bill as worded now has features, particularly this minimum fine feature, which could be extremely injurious. I said it in my second reading speech and I will repeat it again tonight that extreme law is extreme injury. It is not justice but the denial of it. That is a very old axiom, as the Minister who is a lawyer will well know, but it is very definitely *apropos* in this kind of a Bill. The Minister being the Minister of Labour not the Minister of management will want to have legislation which could still be as strict as required in his view, but not having that strait-jacket effect or that extreme injury potential effect that I have just described.

I want to support the amendment offered by my colleague and I invite the Minister to give it very serious consideration. In my view it will not substantially damage the fundamental characteristics of his Bill but it will make the legislation somewhat fairer than it is at the present time.

Mr. Harris: Mr. Chairman, I would like to speak in support of the amendment. It is a very reasonable one. In times like these, the Government ought to be prepared to listen to reason when there is so much emotionalism about an issue and, to be fair, coming from all quarters. We have in this case a very reasonable proposal put by the Hon. Member from Saint-Jacques. When dealing with offences, the courts and judges are very experienced in how to determine what kind of punishment to give.

Two factors are taken into consideration. This is part of the law of the country, as the Minister will know. In determining the fine or punishment one of the factors is the severity of the offence as determined by the maximum punishment provided for in the legislation. Note, it is maximum punishment. Minimum punishment is not even looked at to determine the severity. It is the maximum punishment as determined by the legislation. A crime with a maximum punishment of 14 years in jail is considered more serious than a crime with a maximum punishment of two years. Maximum is what is used to determine how seriously the Parliament of Canada wants to view an offence. This amendment has left the maximums there. The judge has a very clear idea from Parliament how seriously the offence is to be regarded and will govern himself accordingly.

As the Member from Burin—St. George's knows, judges in Newfoundland in dealing with offences by offshore fishing captains, Spanish and Portuguese sea captains who break the fishing laws and other federal statutes have no hesitation in imposing fines of $25,000, $30,000 or more based on the seriousness of the offence and based on the maximum punishment provided by the law.

The other principle which judges will consider is one which I am sure the Minister considers important because of this legislation, namely, deterrence. One or the other objective of sentencing is deterrence. If deterrence is needed in a particular offence, then the punishment is harsher. This is a very reasonable amendment and proposal. Two messages are being sent to the judges. One, Parliament considers the breaking of the law very serious because of the maximum fine. Two, if deterrence is important in a particular case, then the punishment can suit the crime if the crime is serious enough to warrant a heavy punishment. These two factors will guide a judge in dealing with any offence under this Bill, but will also provide, by taking out these absolutely outrageous minimums, for discretion for a technical breach for a violation having nothing to do whatever with the purpose of this legislation. The purpose is to stop the current dispute and attempt to resolve the current outstanding differences between the Post Office Corporation and its employees.

Let us have the enforcement provisions deal with the problem, not deal with something else and not set traps and minefields for workers down the road because some manager steps out of line. If a manager steps out of line by doing something wrong and the employee says, "Well, we have to put up with this. We have to tolerate this abuse", the shop steward will be levied a fine of $10,000 minimum if he tells an employee that he doesn't have to put up with such abusive action on the part of the employer. It might have nothing whatsoever to do with the current dispute but might have to do with something else entirely.

• (2200)

Unless this amendment is accepted, we will still have this very severe, arbitrary, automatic and essentially unfair and unjust provision which does not allow for no discretion on the part of the court. If this amendment is accepted, the court will be able to respond appropriately to the cases that come before it. I would urge the Minister to accept this amendment as it sufficiently provides for his objectives without tying the hands of a judge who deals with real cases and real facts.

[*Translation*]

Mr. Guilbault (Saint-Jacques): Mr. Chairman, I do not wish to take any more time but I would like to indicate that all sides of the House seem to accept this amendment. I want to ask the Minister whether he will take this opportunity to revise the penalties provided for in the bill; as a matter of fact, he has the choice either to revise them himself or to leave to a judge's discretion the enforcement of the law and the setting of discretionary fines before a court. Could the Minister tell us whether he intends to take this opportunity that is given to him?

Mr. Cadieux: Mr. Chairman, I want first of all to thank my hon. colleagues for their very sincere representations and say that I appreciate their concerns; they are similar of course to the points that have been made during consideration of Bill C-85 and Bill C-24, so that—

[*English*]

I have had the occasion to discuss amendments on previous occasions. When we discussed Bills C-84 and C-24 we considered the severity, and they are severe, of these particular clauses and we considered the proposed amendments which were not accepted at that time. The amendments proposed this evening to this particular clause will not be accepted either.

Amendment (Mr. Guilbault (Saint-Jacques)) negatived on division.

The Chairman: Shall Clause 10 carry?

Some Hon. Members: On division.

Clause 10 agreed to.

The Chairman: Shall Clause 11 carry?

On Clause 11—*Additional punishment—union*

Mr. Guilbault (Saint-Jacques): Mr. Chairman, as if we did not have enough to say on the preceding clause with regard to the harshness of penalties, I must rise again to say that this five-year off-the-job penalty goes way beyond Clause 10 in its harshness and Clause 10 is harsh enough. This penalty comes on top of the penalties that are already provided for in Clause 10, penalties which we have already described as being too heavy.

We are certainly entering a new era of severity, of unusual and inhumane penalties. I do not think that I as a Member of this House can accept that. In some countries of the world they still cut off the hand of someone who has been caught stealing. Because they are still doing that in some countries does not

mean that we have to revert back to the Dark Ages in this country.

I do not know how to describe a five-year off-the-job penalty. Some have called it a sledge-hammer. Some have called it a whip with seven strands. Others have called it a shotgun. I think I will call it vengeance with passion.

I do not know what the union leadership or the officers of Canada Post have done to the Minister to make him react in such a vengeful way. I take it as my duty to move an amendment to this clause. I move:

> That Bill C-86 be amended in Clause 11 by striking out the words "five years" from line 28 on page 5 of the Bill and substituting therefor the words "three days" and by striking out the words "five years" from line 36 on page 5 and substituting therefor the words "three days".

This amendment is symbolic. In fact, my purpose is to move an amendment to strike out entirely Clause 11. Our rules do not provide for that, our rules say that if I do not like a certain clause, I simply vote against it. I wanted to move an amendment that would allow my colleagues and I to say what we think of this measure.

[*Translation*]

What is the purpose of this additional punishment? To enforce compliance? Obviously, that cannot be the case, since under Clause 10, an individual acting in the capacity of an officer of the Canada Post Corporation or the union who contravenes the Act is already liable to a fine of not less than $10,000 or more than $50,000 per day. It is clear that providing for an additional punishment of five years is not meant as a way to enforce compliance. There must be some other reason, but I can't find it, since the preceding clause is already so extreme.

So what is the point? As I see it, the fines alone are more than sufficient and even too severe. Is this supposed to hit the unions hard or intimidate Canada Post officials? Is it because, as I said previously in the House, the Government, desperate to improve its image, seems to think that a good way to do that is to act tough with postal employees? Maybe the Government thinks it would help improve public opinion polls. I don't know. I just don't understand. I would ask the Minister to answer the following question: What is the additional advantage? I ask this question because I cannot think of any other possibility.

A reasonable suspension period. Suspensions are included in certain kinds of legislation at the provincial, federal and municipal level in Canada. Policemen have been suspended for fifteen days or even a month. That is a fact. But suspending someone for a period of five years simply boggles the mind, since, as I said before, the purpose is not to enforce compliance, because that has already been amply taken care of by the preceding clause.

Do we want to put a person in a position where he might lose his home because for five years he would not be able to pay his mortgage? Do we want him to lose his car and have trouble feeding his family? I hardly think that is what the Government has in mind.

Mr. Speaker, even a person convicted of a criminal offense under the Criminal Code is pardoned if he files an application after two years. In other words, anyone who is convicted of assault or damaging somebody else's property can come after two years and apply for a pardon to the Office of the Solicitor General of Canada, and if his behaviour has been good, he will be granted a pardon every time.

• (2210)

[*English*]

According to our laws a person convicted of a criminal offence can be pardoned after two years. Yet, a person who has already paid a $10,000 fine would be suspended from doing his job as an officer of the union or of Canada Post for a period of five years. That is beyond me.

I have looked at the Charter of Rights and found at least three points in the Charter which this measure may violate.

[*Translation*]

I may remind Hon. Members that the Charter provides Canadians with legal guarantees. One of these guarantees is set forth in Section 12 of the Charter, which says that everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

Of course, it is debatable whether a five-year suspension is cruel or unusual, but no one can convince me it is normal, common or customary.

I would be concerned that people who are affected or threatened by Clause 11 might go before the courts to ask for a ruling on whether this particular clause contravenes the Charter of Rights and the legal guarantees I just read to you. I would not be surprised if those people won their case.

There is more. The Charter of Rights provides Canadian citizens with other guarantees as well. If I could find the other sections—here they are. Under fundamental freedoms, every one has the following fundamental freedoms: freedom of conscience and religion etc., and finally, the one I am interested in here, 2(d)—freedom of association. Sure, just because certain officers of the Union are suspended for a five-year period does not prevent union members from continuing to be part of an association. Of course that can go on. However, I maintain that an association whose officers have been suspended for a period of five years will be hard pressed to administer itself and to have a sense of direction. It merely opens the door to other union Members who would be only too happy to replace the former officers who were suspended and to take advantage of this opportunity to do so. This could lead to anarchy within a union, and I wonder whether that is the purpose of this clause. Because, as I said before, I do not see why the fines provided in the preceding clause should not be more than adequate.

There are other freedoms that are also guaranteed by the Charter. Under mobility and residence rights: Every citizen of Canada has the right to enter, remain and leave Canada, and so forth, and finally Article 6(b); every citizen has the right to pursue the gaining of a livelihood in any province.

Anyone whose right to pursue the gaining of a livelihood is guaranteed by the Charter and who is prohibited from working in his particular field, either as an officer or representative of the Canada Post Corporation or as an officer or representative of the Canadian Union of Postal Workers, that person is definitely deprived of a freedom and a right guaranteed under the Charter, namely, to pursue the gaining of livelihood. I agree, that person can work somewhere else, but as far as I know, the Canada Post Corporation is a monopoly.

[*English*]

There are not three, four, or five Canada Post organizations in the country, there is only one. If one is prevented from acting as an officer of Canada Post, as he used to, for a period of five years, where will he seek employment in his specialty? This is in violation of Section 6(b) of the Charter of Rights. The same thing applies to an officer of the union. There are not three or four CUPW organizations in Canada, there is only one.

The purpose of this amendment is to point out that this heavy-handed five-year off-the-job penalty is absolutely unacceptable. I do not know how the Minister will react to this amendment. He did not react very favourably to my amendment to Clause 10.

Mr. Nunziata: He is not being reasonable.

Mr. Guilbault (Saint-Jacques): I do not foresee my Party voting for legislation which contains such horrendous penalties as those contained in this Bill. I do not want to be associated with this legislation. I do not want to carry the blame if someone loses his house because the mortgagor forecloses. I want to be able to say for the rest of my life that I opposed such measures as this. I do not oppose it only because it is contained in back-to-work legislation. I would oppose it in any piece of legislation. What is unreasonable in this Bill would be unreasonable in any other Bill. That which goes beyond reason goes beyond my support.

The Chairman: The Member for Saint-Jacques has moved the following amendment:

> That Bill C-86 be amended in Clause 11 by striking out the words "five years" from line 28 on page 5 of the Bill and substituting therefor the words "three days" and by striking out the words "five years" from line 36 on page 5 and substituting therefor the words "three days".

The Chair finds the amendment to be in order.

Mr. Keeper: Mr. Chairman, I want to take a few minutes to make quite clear how we feel about this clause. This clause says that if workers do not comply with the law they will lose their position with the union or with the Post Office. These are very severe enforcement provisions.

Having introduced enforcement provisions of this nature one would think that the Government had done everything possible on the face of the earth to come to a negotiated settlement. It is clear that the Government has done just the opposite. It has followed a policy of confrontation. It developed its plan for the Post Office behind closed doors. It failed to involve the public or the union in the development of its plans for the Post Office. It kicked the union representatives off the board of the Post Office.

The Government's policy has made a negotiated settlement virtually impossible. In order to justify the penalties in this legislation the Government should have gone in the opposite direction. If it had done everything possible to arrive at a negotiated settlement it may have a case for such severe enforcement provisions.

If workers do not do as they are told they will lose their positions with the union and their jobs at the Post Office. This reminds me of the solidarity union experience in Poland, and the case of Louis Riel in Canada.

• (2220)

In Poland, people were living under a totalitarian regime that did not allow its people to have a voice in the quality of their life. They organized and developed a union to give them strength. Of course, they were crushed because the government of that country did not believe in hearing from the people and did not believe in the fundamental freedoms that lead to representation in a democratic society.

This legislation echoes that because it is telling ordinary workers, people who work at the Post Office, that they do not have the right to choose their own leadership. That is a very important aspect of democracy.

Mr. Turner (Ottawa—Carleton): Do not break the law!

Mr. Keeper: An Hon. Member says, break the law. One of the fundamental aspects of law is the concept of natural justice. Also laws in society are based on the concept of democracy. The removal of the right of people to choose representation removes one of the pillars that supports a democratic society. This legislation echoes the situation in Poland and brings to mind the struggle of the solidarity union.

It also reminds me of the case of Louis Riel in Canada. He was not allowed to sit in this Chamber because the government of the day did not want him here. He was elected by his people to serve them and give voice to their grievances. The government said no. Not only did it choose to see that he was hung, it did not allow him to claim his seat in the House.

This legislation reminds me of that situation because the Government is telling people that they do not have the right to choose their own representatives. That is anti-democratic and fundamentally wrong. The Government may want its legislation to be effective and obeyed, but it ought to have a good reason to justify this provision that will not allow someone to represent others if they do not do what the Government wants.

In fact, the Government has chosen confrontation every step of the way. It did not use the option of a mediator so that it could use this back-to-work legislation.

This provision is unacceptable. Before implementing this provision the Government should prove that it has gone as far as it can to seek an agreement. Instead, it has promoted confrontation and made it impossible to come to a negotiated settlement.

Mr. Nunziata: Mr. Chairman, I think it is obvious to everyone concerned that Clause 11 is, in effect, the Jean-Claude Parrot clause of this legislation. I could not help but think as I read Clause 11 that when the Minister was drafting this legislation he had one person in mind, Jean-Claude Parrot.

The Government wants to crush Jean-Claude Parrot and CUPW. It ought to admit its hidden agenda.

The purpose of the legislation is to get the mail moving again. Traditionally, Canadians have been fair and equitable. They have been understanding when it comes to legislation and punishment.

A minister of the Government of Canada could be convicted of corruption, could be convicted of conflict of interest, could be convicted of fraud, could be convicted of every offence in the Criminal Code of Canada and the very next day have the right to again run for public office. The Minister knows that. Why is that the case? If any Hon. Member of this House is convicted of corruption, some Canadians would ask why that person should be allowed to again run for public office. Not long ago there was a case in Nova Scotia where an individual was convicted of an offence and subsequently had the opportunity to run again. It was left up to the people, through a democratic process, to determine whether or not that person should sit again as an elected representative. That was a very basic and fundamental principle of natural justice of democracy.

If there is one law for politicians, one law for Ministers of the Crown, why should there be another law for union leaders? What is the hidden agenda of the Government?

If the purpose of this legislation is to get the 23,000 postal workers back to work, and the Minister, who purports to be a reasonable man, says that he wants a negotiated settlement because everyone believes that is the best possible solution, why is he provoking the union? Why is he provoking Jean-Claude Parrot to defy this legislation?

Not only has he decided in Clause 10 to provide for a minimum penalty of $10,000 a day, with no discretion whatsoever in the court, Jean-Claude Parrot will not be able to be a union representative for five years.

I want the Minister to stand up and deny that that is who he had in mind when he drafted this Draconian, cruel clause, Clause 11. Why does he not admit that it is the hidden agenda of the Conservative Government to crush CUPW.

It seems to me that the Prime Minister wants to be another Ronald Reagan. Just as Ronald Reagan did with the air traffic controllers, the Prime Minister of Canada wants to provoke the postal workers into a situation where 23,000 Canadians defy this law and are fined these excessive fines so that he can then fire them all.

Why does the Minister not admit to the hidden agenda of the Conservative Government? Why else would he have this clause in the legislation?

I challenge the Minister to show us one precedent that is similar to this law. I challenge him to show us some legislation in the Criminal Code of Canada dealing with politicians. He knows that politicians of his own Party stand charged with criminal offences. I would like him to stand up and tell us whether he believes the Criminal Code of Canada should be amended to provide that any politician convicted of a criminal offence should not be able to stand for public office for five years. That is absolutely undemocratic. It is unjust, unfair and inequitable.

• (2230)

If the Minister is honest and sincere in what he is saying in regard to trying to get the two parties back to together again, I would hope he would withdraw Clause 11. He knows we cannot move an amendment to strike Clause 11. We must simply vote against it or move other amendments that would serve to reduce the period of automatic prohibition for a person convicted under this Act to act as a union officer. Why does he not do the reasonable thing and completely withdraw Clause 11? In that way he will be in a better position to say to the union and to management that he wants a settlement? If he allows Clause 11 to stand, it is an open challenge to Jean-Claude Parrot and to CUPW to defy this legislation.

Mr. Cassidy: Mr. Chairman, I am very disturbed about Clause 11. What it proves is that if one wants to have good labour legislation one does not expect it to come from a Conservative Government. What you get from a Conservative Government is bad labour legislation and this is a good example of that. Clause 11 is completely unnecessary. It is vindictive. It has no place in labour legislation which is passed by the Parliament of Canada. It sets a terrible example for labour legislation in other jurisdictions. I sincerely hope that the Minister will in fact reconsider the inclusion of this clause in the Bill and will in fact withdraw it.

The reason one gets bad labour legislation from Conservatives is precisely because there is always a strong element within a Conservative caucus, and within the Progressive Conservative Party, that wants to bash unions, that wants to kick workers around because they think it is okay. The union is trying to have the opportunity to bargain collectively, to speak up for their rights and to exercise some dignity in the workplace. Here we have an example of the Government going even further and withdrawing rights which ought to pertain to any person, that is the reasonable right to be considered on a

reasonable basis and not to lose one's livelihood because of some set of circumstances which are laid out in Clause 11.

I would like to talk about the specifics of the clause. What it says is that if any worker is convicted of doing certain acts that are outlawed by the Bill he can be prevented from being an officer or a representative of the union for five years thereafter, and he can also be prevented from working for Canada Post for the next five years. A five-year loss of one's work is a penalty which in dollar terms is $150,000 or $125,000 in lost income, depending on the individual's wage rate. Of course, it works out to be far more than that because it may force the individual to move. He may not have other opportunities. It is, as other speakers have said, a Draconian penalty.

One has to ask what are the circumstances under which this might actually arise? I was thinking, for example, of what happens in a situation in Winnipeg, or in the Alta Vista terminal in Ottawa when an individual postal worker, who is a shop steward or an officer of the local CUPW executive, and who works in a situation which has been heating up because of unreasonable actions taken by a supervisor who has been harassing employees and giving orders that are unreasonable, or in other ways creating difficult situations, and the situation explodes and a bunch of workers walk off the job in a wildcat strike? The individual who was an officer of the local had no part in that but he is then in the situation that if he goes to the outside of the plant, even for five minutes, in order to persuade the workers that perhaps they had better come back in and cool off, he can be guilty of participating in the strike and convicted for that act of trying to maintain labour harmony in his particular workplace. He can not only be denied from working with the union for five years but can also lose his job for a minimum of five years. Of course, he will never get it back because he will be simply written off after that by Canada Post.

What kind of need is there for this? There are fines already in the Bill for violations of the Act. They have been used before in back-to-work legislation. They are objectionable but, nonetheless, at least there is an established precedent for them.

We are talking not of a matter of applying this to a short period of time when there might be some high tempers. In fact, the Government has already agreed to delay the back-to-work features so that there is a certain period of time, although not long, for people to get back to work rather than being forced back to work the minute the Bill is proclaimed tomorrow, or whenever that may happen to occur. Therefore, why add this clause? Why go with this needless provocation? Is it really because the Government wants to set RCMP undercover agents to work in postal terminals to harass the leaders of the postal workers union in different places, provoking them into calling a strike or taking some other action and then forcing them out of their job? Is that what the Government has in mind? We have seen this used in the Province of Quebec.

[*Translation*]

We have just seen in the Province of Quebec how the Government has used agents provocateurs who worked for a union and actually recommended or directed activities which proved to be illegal. Does the Government intend to recruit such agents who will work as agents provocateurs and find ways to oust from his position Mr. Jean-Claude Parrot and have him found guilty under the legislation for having violated the legislation.

[*English*]

Is that what the Government has in mind? I do not know. I cannot justify this particular part of the legislation being in force at all. The representative of the Liberal Party suggested we should take the five-year provision and cut it down to three days. If someone was convicted, they should be denied the opportunity to work for Canada Post for three days. There are provisions in the collective bargaining agreement for grievances, for suspension, for acts of discipline, to be exercised by Canada Post. There is a whole structure under which those disciplinary acts can in fact be grieved if the employee finds them to be unreasonable. Those disciplinary acts can include suspensions for certain periods of time. There is an established manner of procedure.

I do not mind that being in the practice of labour-management relations, but whether it is five years or three days, I do mind, and my Party objects as well to the idea that we enshrine this principle in the law through passing Clause 11. That is why, with regret, I say to the representatives of the Liberal Party that we cannot support that particular amendment. It is not a good amendment because it is not a good clause. It is not a good part of the Bill and it should be taken away completely.

I wonder what has led the Government to this desire to try and bash the postal workers by every device possible? We now know that even a free trade agreement cannot bring the Conservatives up in the polls. They are now trying to bash postal workers because they are old whipping boys for the Liberals and now for the Conservatives and perhaps that is what they will use in order to try to bring themselves up in the polls. But it is just not going to wash.

I know from the calls I am receiving that there are people who are concerned about postal services. That is a very natural concern. They are asking themselves what are the options? Why is it that Canada Post is so intent on eliminating 4,200 jobs over the course of the next few years? Why is it that Canada Post is trying to turn these jobs into jobs that pay only $4 or $5 an hour? Why has Canada Post refused to look at ways in which it can broaden and expand its services rather than limiting them?

Someone called me the other day and asked me what ideas I had in mind. I said, for example, that I would like to be able to go down to my neighbourhood post office or to the central post office in Ottawa and use a facsimile machine to send material to another post office anywhere in the country. I could phone

someone in an office there and say, "Look. I am sending you the material you want by facsimile. It will be there in 10 minutes. Go and get it". Within a half an hour I could take something from my desk and have it on the desk of someone with whom I am doing business anywhere in the country. That is a very valuable service. It does not now exist, but it could be offered through every main Canada Post terminal. But the Government says, "Let's close those terminals. We will put those services into neighborhood stores and close those terminals".

• (2240)

Over the course of the last century and a half we have had the postal service as one of the elements that has linked this country together.

The Government is now saying, "We want to run trucks, carry mail bags on airplanes, but we do not want to have Canada Post personnel actually relating to the customers and giving them service. That is something the Government should avoid. We are going to make this into an invisible service where people go to a supermailbox to get their mail, where they put there mail into a box, where the service is all carried out by machines or else by people who are franchisees or acting as agents for Canada Post".

I looked at the document about the commitment to all Canadians which was issued by Canada Post in the last few weeks as it was preparing for this confrontation with the postal unions. It is interesting that there is only one reference to employees. There is nothing in this document at all which is directed, as it should have been, to building up a sense of pride and commitment on the part of those Canada Post employees. They have had that sense of pride and commitment for a long time, but it is undermined when labour legislation such as this is brought in.

It states here that we have established a rigid delivery standard to which every employee is working. It says that we have new and tighter management controls. It says that Canada Post is going to continue to run the Post Office like it was the army rather than like a modern corporation here in the late 1980s.

Mr. Turner (Ottawa—Carleton): We are on Clause 11.

Mr. Cassidy: The Hon. Member for Ottawa—Carleton says that we are on Clause 11. That is the Hon. Member who has the Alta Vista terminal in his riding.

Mr. Turner (Ottawa—Carleton): You are wrong again.

Mr. Cassidy: He clearly supports offensive labour legislation, as do all of his colleagues. If the Hon. Member for Ottawa—Carleton wants to stand up with the postal workers, why was he not there on the picket lines the other day when I was there supporting the postal workers?

Some Hon. Members: Hear, hear!

Mr. Keeper: Why does the Hon. Member not participate in the debate?

Mr. Cassidy: One Member of the Hon. Member's Party was there with the postal workers, the Hon. Member for Plamondon. He had no problems being there. Why was this Member of Parliament not there supporting the rights of workers to be protected against offensive labour legislation? It is the duty of any Member of Parliament to stand up and speak out against legislation that contravenes the Charter of Rights. Why does the Hon. Member for Ottawa—Carleton not do that? Maybe that Hon. Member could get up on debate and say why he supports offensive labour legislation like this.

Mr. Turner (Ottawa—Carleton): Because my constituents have said, "Get them back to work".

Mr. Cassidy: Under any conditions? The Hon. Member says, "To hell with the Charter of Rights. To hell with labour-management relations. To hell with the labour law. Let us throw that all out the window." That is what the Hon. Member is saying. That is the kind of approach that I find offensive. It is the kind of approach that my Party finds offensive.

The Minister of management should have been acting as the Minister of Labour when he got up the other day. Instead, he stood up as the apologist for Canada Post, defending the fact that Canada Post had failed to bargain in good faith on the question of franchising. Day after day, week after week, month after month, Canada Post refused to talk about that particular issue with its employees who have said, "Let's talk about it. Let's look at it. Let's look at a number of different alternatives". The employees have indicated that they were prepared to look at that and now for their pains the union leaders in that particular case are threatened with being deprived of their jobs for five years under Clause 11, which is the clause we happen to be considering.

The Hon. Member for Gatineau also supports offensive labour legislation, unless she is able to get up right now and say that she wishes to stand aside from this particular thing and ask her Minister to withdraw that particular clause.

Mrs. Mailly: I support the unemployed who deserve to get their cheques. I support them in their wish to get their cards. That is what I support.

Mr. Cassidy: Does that mean the Hon. Member supports workers serving as strike-breakers? Is that what the Hon. Member is saying? I cannot support that, and a lot of Canadians cannot support that. I am opposed to Clause 11. I want to say to those workers who are watching, who are not directly involved and who may be saying, "Well, we would like to see the mails back", of course, we would like to see them back. But remember that we are talking about the principles of labour legislation that apply to every working man and woman across Canada right now. If it is okay for the Government to use this Clause 11, which would allow somebody to be driven out of his

or her job for five years because of an offence that could in fact be trivial, if it is okay for it to use that against postal workers, then it is okay for it to use it, as it did, against longshoremen, against workers in the communications area, and against railroad workers.

It is okay to have a precedent which can be used in provincial areas of jurisdiction. But, what diminishes one worker's rights diminishes the rights of all workers. What diminishes the rights of any worker diminishes the rights of any Canadian. When offensive legislation such as this is put into force, the rights of every worker and every man and woman in Canada are diminished. That is why this clause should be refused.

Mr. Boudria: Mr. Chairman, I listened with considerable attention to the Hon. Member for Ottawa Centre. He said in his closing remarks that he opposes Clause 11 of the Bill. My colleague, the Hon. Member for Saint-Jacques, has proposed an amendment which would effectively delete Clause 11. Yet he said he was against that amendment. I have some difficulty in understanding the position of the New Democratic Party as it pertains to our amendment to Clause 11.

I will explain to the Hon. Member for Ottawa Centre how it works. You see, Mr. Chairman, you cannot move to delete Clause 11 because it is against the rules of this House. So what we do is move an amendment which effectively removes the power from the clause, which is what my colleague, the Hon. Member for Saint-Jacques, did. I hope that the Hon. Member for Ottawa Centre has understood the purpose of the Liberal amendment, which is to effectively delete Clause 11 under the rules permitted by the House. How can one be against an amendment which negates Clause 11 and be against Clause 11 simultaneously? I am waiting for some further explanation in that regard.

If we can get back to the substantive issue here, in Clause 11 what we have in fact is a very harsh clause. The Hon. Member for Gatineau will have plenty of opportunity to speak later, Mr. Chairman.

Mrs. Mailly: I am supporting you, Don.

Mr. Boudria: We will certainly be here for sometime to come yet, and with the Hon. Member's assistance possibly even longer.

What I want to bring to the attention of the Committee of the Whole House is that my colleague from York South—Weston has pointed out quite well that what we effectively have of course is a clause which, if left unamended, would have serious consequences. What happens, I ask the Minister, if there was a technical breach of the collective agreement? Would that clause still apply?

If the Minister is to tell us that it does not apply, then I ask him which clause of the Bill permits a judge or anyone else from not applying that part of the Bill? I see no discretionary authority any where in the Bill which would allow us to remove that clause if it is not applicable. Again, I ask the Minister, would it not have been more fair and more reasonable to have left that to the discretion of a judge, even accepting, albeit reluctantly on my part, that the Minister would have said for a time of up to five years? At least let the judge do the job of judging.

I have some difficulty at any time that this House places us in the position where in fact we are imposing a minimum sentence. I recognize that it has been done before. There are certain cases in which perhaps it is warranted. But, in fact, when there is a minimum sentence and a maximum sentence which is the same number, and that is effectively what Clause 11 provides— the five-year feature being a minimum and a maximum of five years—then we are leaving no discretion at all to the judges. At least Clause 10, however repugnant it was, left some discretion for the judge, the difference between $10,000 and $50,000. That is still too high in any respect but, nevertheless, there is some discretion. In Clause 11 there seems to be no discretion at all. The minimum sentence and the maximum sentence is stipulated in the clause.

• (2250)

The Minister may say it is all right because the same type of punishment is put on the employer. My distinguished colleague for York South-Weston very eloquently pointed out earlier tonight that to expect that one would place that same type of fine on the management of Canada Post is somewhat of a remote possibility, to put it at best. We all know it will never happen. Instead, what will likely happen is that some day, six months or a year down the road, there will be a technical breach somewhere in the country and someone will be convicted of this offence. They will be punished in a manner which is most unreasonable, and it will not at all achieve what the Minister is attempting to achieve, that is to get the workers back to work.

There is a compromise available. My colleague, the Hon. Member for Saint-Jacques has demonstrated such a compromise—just remove the clause altogether. We will still have the main provisions of the Bill. Alternatively, the Minister could change the Bill to state, no less than six months and no more than five years, and leave some discretion to the judge. It still would not be a perfect Bill, but it would be better, or should I say not as bad as it is in its present state. I invite the Minister to address that section. Perhaps at the same time we could get some clarification from the folks to my left as to which side they are on in relation to Clause 11.

Mr. Skelly: I would like to express my absolute astonishment and concern over the situation expressed by my colleagues. We have to go back a number of years to when the Liberals were in power and remember their spirited defence of the postal workers union and its leader. It is amazing how those hypocrites can be converted on the road to Damascus. It was in fact the legislation of the Liberal Party that put Jean-Claude Parrot in jail. That was done by the Liberals when they were the Government.

The next thing to remember is that it was Liberal legislation that shut down the postal workers before the full extent of the collective bargaining process could work in 1978. The Liberals put them away before they managed to get out on strike, and before the full nature of the collective bargaining process had taken place. It is absolutely astounding that the Liberal caucus today can stand up in such a hypocritical manner and attempt to suggest that they are the salvation of labour rights in Canada. That is absolute nonsense. The President of CUPW was jailed by that Party, and in 1978 the rights of postal workers were trampled in the House by labour legislation that was as unjust and as repugnant as the legislation that we see before us today.

It is ironic that my colleague made reference to the Métis situation with Louis Riel. It is ironic that Sir John A. Macdonald and the group who hanged Louis Riel happened to be called the Liberal Conservative Party in former times. That was the name of that Party. We see in essence the same today with the false debate between the Conservatives and the Liberals on labour relations, with the Liberals on their feet in sanctimonious protestation protecting workers rights. They were the ones who actually wound up putting the leader of that union in jail, passing legislation in the House that was totally disgusting.

The problem before the House is that there is a clause in this legislation that is absolutely unacceptable. It breaks the principle of democratic trade unionism. It also breaks a principle of fair play in this country. When an individual has broken the law, the common practice is that a penalty upon conviction is served. Once the penalty established by law is served then the person is free to accept his place in society and continue on as a citizen. Once the debt is paid it is paid. A further penalty is not imposed that goes against basic principles of fairness, and the principle of democratic trade unionism.

Out of this misguided clause, a situation is created from which further conflict and dissension will evolve. If the Government attempts to pass this provision that bars an individual the workers feel represents their interests effectively and competently with management, who is involved vigorously in the collective bargaining process in attempting to extract benefits for workers, there is no doubt that they will elect that individual no matter what it states in the legislation. The basic unfairness of that particular clause will make workers re-elect those individuals.

The next thing that will happen is that the Government is forced to respond to that issue, not the nature of labour relations within the Post Office but to that single issue. What will it do? It will simply put up a trustee, or attempt to put a the union into trusteeship. What other option is there? The union is then put under trusteeship. In the final analysis, this particular clause is one of the stones on the road to breaking this union. That is what has to be read here.

This is another mistake made by the Hon. Member for Glengarry—Prescott—Russell when he stands up and criticizes the NDP for being unable to support any further imposition of penalty where a democratically elected individual cannot represent the group that he or she has been elected to represent. Three minutes, three days, five years, what is the difference? The thing is that it violates the principle and operation of a democratic trade union. Once the penalty has been paid, the offence is finished, and the individual should be prepared to make his way as a citizen. The Conservative Government is sowing the seeds of further conflict within the union.

It is our hope that the Liberals will fight with us to have the Conservatives withdraw this repugnant provision in this legislation. It is not needed. This legislation has the force of a hammer, far too large already. It is not needed, unless the wish is to break the union and bring more conflict within the postal union and management. If some day the Government wishes to place that union under trusteeship and break it altogether, then the correct thing is being done. Then the Government is totally exposing itself and violating the basic principles of democratic trade unionism in Canada. This is absolutely repugnant. It would be our hope that the Liberals would not attempt to mitigate it, and may perhaps even put an arrow in a future quiver for themselves. They have shown such negative approaches to the postal union before when they were in government. I am not talking about my colleagues who are new to the House. It is the Liberal Party that we all know and hold in such total contempt that I am referring to.

The basic issue is that this clause is absolutely unacceptable and it must be removed. The seed of future dissension is in that clause. The possibility of creating enormous conflict where people will go to jail to defend their democratic rights is sown by that clause. What we see here is the present Government's wish to break that union. In good faith, that clause ought to be removed.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I have already spoken on that clause and I did not intend to speak again, but I do not think that I can let the Hon. Member for Comox—Powell River get away that easy.

• (2300)

He based some of his accusations about my Party on facts that were wrong. Perhaps it is nice for him to attack the Liberal Party and to blame it for the fact that Jean-Claude Parrot was jailed a few years ago because of Liberal legislation. After listening to him, I am not sure whether he has read the legislation in question. I have a copy of it here.

Mr. Skelly: Bring it over. If it is different from mine, I would be glad to look at it.

Mr. Guilbault (Saint-Jacques): Mr. Chairman, I will be glad to tell him what is in it. I have done my homework. He will not find a jail sentence in that piece of legislation. If he

goes back in history, he may be able to find that the union leader in question was jailed because he refused to pay a fine. That is standard in Canada. If a person does not pay his fine, he winds up behind bars. The Hon. Member may want to make sure that he pays his traffic tickets. Perhaps he should get his facts right.

Since the Hon. Member seems to want to shoot arrows, I am going to ask him questions. I have been present in the House of Commons throughout this debate. In fact, I miss very few sitting days in a year. I have not heard his Leader raise his voice once in the House of Commons or ask one question of the Government about the strike. I have not heard him request mediation or try in any way to protect those involved. However, the Hon. Member for Comox—Powell River came into the House at the eleventh hour. Perhaps he had been relaxing in his office or somewhere else all evening.

Mr. Skelly: I watched you on television.

Mr. Guilbault (Saint-Jacques): If the Hon. Member has seen me on television, he has seen me moving amendments in an attempt to make this piece of legislation reasonable. I was unable to achieve that. If he sticks with me, he will see me vote against it because I think it is an unpalatable piece of legislation. However, I cannot take that trash from an Hon. Member who does not have the nerve nor the courage nor the competence to write his own amendments, to come to the House of Commons, to try to fight for them, and to convince his fellow Members to accept them.

There is another reason I am on my feet. While the Hon. Member for Comox—Powell River attacked us and I rebutted his points, I saw Tory Members laughing on the other side. I saw a grin on their faces. Frankly, I cannot stand seeing the Minister and other Tory Members rejoicing at the same time as they are forcing such a piece of trash through the House of Commons.

I say to NDP Members—and we have been working together on this to try to agree on amendments; we even got the Minister to agree on amendments—that now is not the time for war among ourselves. Now is the time to fight against an unacceptable piece of legislation.

Ms. Mitchell: Mr. Chairman, I rise to join with my colleagues on this side of the House and to say that I am particularly appalled by Clause 11. I am appalled by this Bill which is so punitive and unfair that it imposes heavy penalties, particularly on the postal union. In particular, Clause 11 imposes a heavy penalty on top of the heavy fines about which we heard when we were dealing with previous clauses. It deprives either a union leader or a manager of Canada Post of his or her livelihood for five years.

I cannot help but recall the legislation which we were studying and opposing about 10 months ago when the same Minister was imposing back-to-work legislation on longshoremen. At that time the legislation contained a similar clause, except that it was more punitive toward union leaders if I am not mistaken. I cannot say that the Minister is being more fair by saying that the same penalty will be imposed on management and on union leaders. That is not being more fair; it is only being doubly punitive. It is deplorable.

The Minister has brought in back-to-work legislation three times or so, if I recall correctly, in the period of his jurisdiction. Each time it gets tougher, tougher, and tougher.

It is not that this is a token plan. This measure takes away a person's livelihood for up to five years. It ruins careers, and one can see what that would do to families. It also takes away the right of unions to choose their own officials. We must not forget about that.

I should like to return to a point which was made in French a little earlier by the Hon. Member for Saint-Jacques. I think it was the point which Mr. Borovoy had also made, that the legislation is contrary to our Charter of Rights and Freedoms. I would like the Minister to comment on it and to explain it to us.

If my notes are correct, the Hon. Member for Saint-Jacques also said that Article 12 of the Charter provided legal guarantees that everyone has the right not to be treated to any cruel or unusual punishment, which this is. People have the right to freedom of peaceful assembly and association, which this certainly undermines. They have the right to pursue a livelihood in any province.

I would like the Minister to explain how he can bring in legislation with a clause such as this one which certainly appears to be contrary to the Charter of Rights and Freedoms. If the piece of legislation passes, I certainly hope that it will be challenged in the courts.

I would also like to say to my friends in the Liberal Party that we had prepared an amendment which I understand is out of order. It would do away with this clause altogether. We think that Clause 11 should be removed by striking out lines 22 to 37. We do not agree that there should be such a punitive clause in the Bill.

I urge the Minister to reconsider and to explain how he can bring it in when it contravenes the Charter of Rights and Freedoms.

[*Translation*]

Mr. Gagliano: Mr. Speaker, I would also like to add my own comments on Clause 11 which truly shows this Conservative Government's provocative spirit. They started with the hiring of strike breakers. All along, they refused to appoint a mediator in order to force the introduction of this shotgun bill that goes so far as denying an individual his democratic rights to be elected to a union or office job.

[*English*]

I would like to read into the record a quotation from page 3 of the conciliator's report of 1985. It reads: "If you believe in the collective bargaining system as I do, periods of economic retrenchment are not an occasion for management to beat

labour up but rather a time which requires the setting of realistic goals".

The conciliator at that time was the Deputy Minister of Finance. It was not a union member or union leader who said that; it was the Deputy Minister of Finance who was speaking about realistic goals.

Definitely the Conservative Government is not talking about realistic goals. It proposed in 1986 a business plan which the workers who are on strike are against because they are losing their jobs. Canadians in general are against it. Rural Canadians are against it because they are losing their post offices. Urban Canadians are against it because their mail is not being delivered to their doors. Many people are contesting it because periodicals and magazines will not be delivered to their homes at the same postal rate.

Canadians are against the new postal system which the Government of Canada wants. Clause 11 proves that the Government wants to break the union so that it can dismantle and privatize Canada Post.

The Government is bragging about Canada Post, saying that it has improved services. However, there are many places to which people must go to receive registered mail or parcels. One week it is one address, and the next week it is another. If they say that they are improving service by adding more outlets, why should they then reduce services at the Post Office? The intention is very clear. The Government wants to destroy the postal system the way we know it now. In order to accomplish that the Government has to destroy the union and Clause 11 does exactly that with a five year penalty.

• (2310)

Mr. de Jong: Mr. Chairman, I just wanted to make a few remarks in the debate. It seems that one of my colleagues wanted to speak on this amendment at the same time.

Some Hon. Members: Oh, oh!

Mr. de Jong: It has become quite obvious to most Canadians what the Government's agenda is. What we are dealing with in the postal dispute is more politics than wisdom. It is a not a real desire to settle genuine disputes and genuine concerns. There are concerns of the working people throughout Canada not just in the Post Office but in many industries as well, concerns about job security. People see their jobs going down the drain, causing them to have lower and increasingly lower standards of living. Statistics point this out. You can see that actual wages have declined in terms of the cost of living over the last number of years. You can begin to understand the concern and desperation of working people.

What is the Government's solution to this dispute? If it were really up to some of the Hon. Members across the way, I am sure they would prefer to call out the army. They see in this dispute an opportunity to win electoral support, at least they hope, by forcing confrontation. I learned early in politics that the Conservatives, the forces of the right, are not only concerned about who their friends are but who they can succeed in making their enemies. They feel that if they can get working people, particularly organized people and unions, to be their enemies, that will help their electoral causes. I have seen this type of thing in Saskatchewan where the Conservative Party very often goes out of its way to kick out at native people and the poor people on welfare in order to provoke them.

I remember working in a youth agency in Vancouver in the late 1960s and early 1970s. The mayor at that time was Tom Campbell. Tom Campbell as mayor used to provoke a riot around election time because he felt that that would create concern in the local citizenry and help him get re-elected. It is the politics whereby hate can provoke people considered unpopular, then you can help yourself politically. It is a disgusting type of politics. It is the politics of the right that we have seen Maggie Thatcher practice in Great Britain, that we see Ronnie Reagan practice in the United States and now we see the Conservative Government attempting to do the same thing. I suggest that it is not going to work. Canadians have seen though this Government. They have seen through its insincerity, its double dealing, lying and cheating and it is not going to work, Mr. Chairman.

Clause 11 is an attempt to provoke the labour movement and those who are involved in the trade unions even further. It is so obvious what the Government is attempting to do. Fair-minded Canadians will reject this Government, its policies and its legislation. It is phony and divisive and against the nature of the country. Surely the nature of the country is one of conciliation, co-operation and of working through, not the confrontation being practised by this Government. It is not a country where people condone the type of provocation practised by this Government. That is why we will see this Government in power for only a short period of time. It was elected with a very large majority. People wanted an honest change. But what they got was even worse than what they had before. This Government is a passing phenomenon. The Conservatives will be here today and gone tomorrow. This legislation with Clause 11 is another nail in the coffin of the Government.

The Tories are through for this generation, perhaps even for several more generations to come. I urge them as they approach the end of their mandate to begin to realize that the politics of Ronnie Reagan and Maggie Thatcher is not going to work in this country. I hope the Conservatives begin to realize that there are some real problems people face concerning job security. I hope that they come up with some genuine and honest solutions that are needed as we move into the 21st century instead of the type of legislation that we see here which is short-sighted and mean. It will just not work.

Mr. Nunziata: Mr. Chairman, I was not going to say anything more about Clause 11 but I have been provoked by the Member for Comox—Powell River.

Mr. Boudria: He is there in his rightful place with the Tories.

Mr. Nunziata: The Member who sits across the way with the Tories has the unmitigated audacity, nerve and gall to call Liberals hypocrite and to call the Liberal Party sanctimonious. The New Democrats are applauding.

There is a new song being sung by union people across the country. It goes as follows: "Oh where, oh where can Eddy be? Angus Reid has taken him away from me." Where, oh where, has Ed Broadbent been over the last number of weeks? The Member for Oshawa, the Leader of the New Democratic Party, the Party that prides itself as the Party of labour, has not said a thing over the last week. One would have thought, Mr. Chairman, that the NDP Leader who claims to be the leader of the Party of the working people—

Mr. Skelly: I have a point of order, Mr. Chairman. I am very reluctant to interrupt a speech by the Hon. Member. Could we give him a couple of minutes to regain his train of thought? We would be prepared to have a coffee while he gets himself together.

Mr. Keeper: Mr. Chairman, if my colleague had read *The Globe and Mail* this morning he would know that the Member for Oshawa is on the record with regard to this legislation. This kind of gratuitous attack which simply reveals the Liberal political agenda is not appropriate to this debate which deals with serious legislation.

The Chairman: I would ask all Members to speak on Clause 11, particularly the amendment.

Mr. Nunziata: Mr. Chairman, my, oh my, how sensitive the socialists are when we dare criticize their dear leader who has remained silent over the last several weeks. It is amazing what public opinion polls do to socialists. They have a little whiff of power and all of a sudden they lose their principles and morals. One would have thought that the Member for Oshawa would have stood up for the workers, the unions of Canada, including CUPW. Solidarity forever. But no, the Member for Oshawa has wimped out.

• (2320)

The Hon. Member for Oshawa has wimped out because he whiffs power. Enough about the NDP and their hypocrisy and how sanctimonious they are. The people and the unions of Canada know what the NDP and the Hon. Member for Oshawa are all about. The Hon. Member is not there when they need him. He ought to be in the House today speaking on this Bill.

In any event, I have one or two more comments to make about Clause 11. Clause 11 provides for a mandatory, automatic five-year suspension from union activity. It is extreme and Draconian. It is hideous.

When the Minister has an opportunity to rise, and I am sure he will have that opportunity in the very near future, I would like him to tell us whether or not he sought the advice of the Justice Department with regard to Clause 11, and if so, tell us if he is prepared to table in the House the opinion of the Justice Department on whether or not Clause 11 is in compliance with the Canadian Charter of Rights and Freedoms and in particular whether or not Clause 11 is in breach of Section 2(d), Section 6(b), and Section 12 of the Canadian Charter of Rights and Freedoms.

As the Minister knows, Section 12 of the Charter provides that everyone has the right not to be subjected to any cruel and unusual treatment or punishment. Cruel is defined in *The Canadian Law Dictionary*—

Mr. Horner: Is that *Black's*?

Mr. Nunziata: No, it is not *Black's* but it is from the Library of Parliament.

Mr. Boudria: So it has to be right.

Mr. Nunziata: It is reputable. It defines "cruel" on page 102 as follows:

> In R v. Buckler, the following definition from the Shorter Oxford English Dictionary of the word 'cruel' was cited with approval; 1. disposed to inflict suffering; indifferent to or taking pleasure in another's pain; merciless; pitiless, hard hearted. 2. Fierce, savage. 3. Severe, rigorous. 4. Painful, distressing.

That is what Clause 11 is all about. I know that many Members of the Conservative caucus do not support the Canadian Charter of Rights and Freedoms. Notwithstanding, it is the law of Canada.

Section 12 of the Canadian Charter of Rights and Freedoms provides that everyone has the right not to be subjected to any cruel and unusual treatment or punishment. I submit that to automatically suspend a union officer for five years after being convicted of an offence under this clause and after having been forced to pay a minimum fine of $10,000 per day is cruel and unusual.

Did the Minister ask the Justice Department for an opinion on whether or not Clause 11 of this legislation breaches in any way or offends in any fashion Section 12 of the Canadian Charter of Rights and Freedoms? Did he ask for an opinion on whether or not it offends Section 6(b) which provides that every citizen of Canada has the right to enter, remain and leave Canada to pursue the gaining of a livelihood in any province? Clause 11 which would prohibit someone from working for a union seems to me to breach Section 6(1)(b) of the Charter which gives Canadians the right to pursue the gaining of a livelihood in any province.

Not only does Clause 11 prohibit an individual from being employed by a union, it also prohibits someone from working for a union without being paid. If a union decided to appoint an individual who had been convicted of an offence under this legislation to represent the union in any fashion whatsoever, it would not be able to do so. Let us assume for a moment that a

lawyer or another individual who has expertise in labour law is asked by a union to represent it in some fashion but that person has been convicted of an offence under this legislation. He or she would not be able to represent that union for five years.

Surely the Minister has considered the hardship that that will cause for the individual and his family. It will be a real hardship for a person not to work for a union for five years if in his entire life he has known no other occupation.

Finally, has the Minister asked the Department of Justice to render an opinion on whether or not Clause 11 is in breach of Section 2 of the Canadian Charter of Rights and Freedoms and in particular Section 2(d) which provides that everyone has certain fundamental freedoms including freedom of association?

• (2330)

In my respectful submission, Clause 11 which automatically prohibits an individual from associating with the union would be in direct contravention of Section 2(d) of the Canadian Charter of Rights and Freedoms as well as breaching other Sections of the Charter.

If the Minister did not seek the opinion of the Department of Justice, can he explain to the House why? If he did, will he table the opinion in the House of Commons?

Mr. Manly: Mr. Chairman, we find Clause 11 to be the most offensive part of this very offensive Bill. We seem to forget at times that we are talking about a fundamental right of Canadian men and women to work for their wages and to fight for working conditions and against a punitive plan that will be imposed upon them by Canada Post, a plan which will see people who have spent long years working the night shift relegated to working the night shift again after they had established enough seniority to be able to have a day-shift job at a wicket.

The Government has established a plan that it hopes will eliminate the deficit. It will not do that, but it will destroy the Post Office by destroying the working conditions of the men and women who work for the Post Office. That is why we are opposed to this Bill and that is why we are basically opposed to Clause 11 which is absolutely punitive.

Clause 11 states that any union officer who is convicted under this Act will not be eligible to hold office in his or her union for a period of five years. This is a clear attack on the rights of working men and women to direct the affairs of their own unions and it is an attack upon rights of working men and women to bargain collectively. It attacks the basic freedom of Canadians as guaranteed by our Charter of Rights and Freedoms, the freedom of association.

This Bill is right in line with what many Tories think about unions. I recall that when the Hon. Minister of State for Science and Technology was a back-bencher, year after year he introduced a private Member's Bill calling for right-to-work legislation that would destroy unions. It goes back to the kind of attitude we saw under the leadership of R.B. Bennett. After Canadians had experienced the kind of Government that R.B. Bennett offered, the Conservatives were out for a good many years. That will happen again when the next election comes around.

R.B. Bennett, speaking 55 years ago in November of 1932, called for the iron heel of ruthlessness against any people who were speaking up for progressive social change in Canada. That was "Iron-Heel Bennett" and we have the same thing from this Government except some people might suggest that it is a different kind of heel, a "Gucci-shoe heel".

Clause 11 has no place in legislation dealing with labour. I am surprised that a Minister of Labour would bring in legislation which contains such a clause. It is repressive and provocative and will not lead to better relationships between the union and the Post Office. If the Government has any desire for better relations it will withdraw this clause immediately. I urge it to do so in the interests of the welfare of the men and women who work for Canada Post.

Mr. Fulton: Mr. Chairman, I take this debate far more seriously than I think many Members of the House do. When I first saw Clause 11 I, like many Canadians, thought for a brief moment that perhaps the Government was just looking for some headlines by seeking to impose $10,000 to $50,000 fines and threatening workers with the loss of their positions for five years.

However, when we take the mask off this issue and look inside to see what the Conservative Government's agenda has been on the Post Office, we realize that something quite different is in fact going on here. The Government is attempting to paint CUPW and its leadership as the creators and perpetrators of all the problems in the Post Office. That is hardly the case. The Minister responsible for Canada Post privatized many of the potentially money-making and more financially secure operations of Canada Post.

This is a self-fulfilling prophecy. The Government wants to look tough on these issues. It wants to give voters the impression that it is tough and is in control. Anyone who mucks around will get a fine of $10,000 per day and union leaders will be stripped of their right to represent working people. I do not think there are many trade unionists in this country who bought this. Fair-minded Canadians who have any dealings with a CUPW member, whether it be a neighbour, friend, daughter, sister or mother, know what the workers are like.

When one takes a close look at Clause 11 one sees other things trickling out. It just happens that the agreement which will be substantiated by this legislation will run out in the latest month in which there can possibly be a federal election. The Government has carefully calculated so that there is no opportunity for a strike or other such activity in the time leading up to the next election.

Clause 12 deems the entire union to be a person. I have seen this in legislation before, usually in far-right legislation. I think the Minister would like to withdraw this. I hope he does withdraw Clause 11. Situations will arise in the next couple of years in which the management will do things which are unacceptable and cannot be fed back into the mediation process properly. The problem will go to the officers of the union who will have to decide what to do.

Mr. Borovoy, a well known and nationally respected legal mind on the matter of civil liberties has pointed out in very clear terms that this is contrary to the Charter. It is unconstitutional. Many Members of this House were here five years ago when the Constitution Act of 1982 was enacted. The words included in that Act are there to protect collective rights, to protect the rights of trade unionists and their leadership. If such legislation were introduced in Chile or some other such place, the Minister of Labour would probably be the first to say that it was Draconian, that it was uncivilized to bring forward such concoctions.

When you strip away the mask you have some understanding of the strategy with which the Government has come forward. It has cut back on funds, refused to allow a real collective bargaining process to proceed, demanded franchising out, and gradually withdrawn services. In my own constituency we have seen the effects of reducing the numbers of workers. The lines of people coming in to pick up parcels have been lengthened. People are told that they have to buy their stamps and money orders elsewhere.

Mr. McDermid: Don't exaggerate. That's nonsense.

Mr. Fulton: Government Members are obviously out of touch with the postal service in their own constituencies. I know what has happened in my constituency.

The Government is trying to convince the public that an unruly union is the problem with postal service in Canada, that it is all the fault of CUPW and J. C. Parrot. In fact the incompetence lies on that side of the House and an awful lot of Canadians know that that is the case and will not lay the fault at the door of trade unionists or CUPW members.

The Minister of Labour must know the meaning of Clause 11. It is a call to arms to a union like CUPW. If they are going to take an action it will have to be a collective action which will really shut the operation down. They know that the moment they do something their leadership will be gone so any action would have to be much more vigorous, protracted, and prolonged than would otherwise be the case. The Government is setting up all kinds of straw situations. I would describe this as a gasoline clause. It is meant to incite ill feelings by the public toward CUPW workers and create situations in which very dramatic action will be required.

While listening to other speakers, I was troubled by the lack of serious thought which many Members of this House have given to the seriousness of what is being done in the House tonight. The Government may well want to consider why it would bring forward such an unworkable plan. It has put forward a firing squad situation for collective bargaining. CUPW had no possible opportunity to deal in a realistic manner with the proposals which Canada Post was putting forward.

The Government is still tonight attempting to blame its incompetence in providing proper postal service on CUPW which, of course, is preposterous. Through Clause 11 the Minister responsible for Canada Post is trying to isolate Jean Claude Parrot and the other leaders of CUPW and make it almost impossible for them to stand up for their collective and democratic rights. Clause 11 can be described as nothing other than dog vomit and it should be removed from the floor of the House of Commons.

Mr. Cadieux: Mr. Chairman, there have been some very strong opinions on this clause expressed here on the floor of the House of Commons in Committee of the Whole. Members used their time to speak as well on issues which had been discussed on other clauses. I would like to address two points with respect to Clause 11.

• (2340)

First, the same clause was in Bill C-24 that was adopted here in November, 1986. To my knowledge, Mr. Parrot was not a member of that particular union at the time so that the argument of the Hon. Member for York—South Weston that this clause was designed for Mr. Parrot is quite inaccurate.

With respect to the fact that this clause was used before, it is a favourite clause because I am using it again. I remind Hon. Members that there was an inaccuracy in Bill C-24 because, as first drafted, it dealt only with the union officers.

Ms. Mitchell: You refused to change it.

Mr. Cadieux: After debate in the House, it was amended to include the equivalent clause with respect to the employers. The exact clause is here. As a matter of fact, the Member for Skeena said that it would at least be a saw-off at the time to have the equivalent penalty for the employer. That is exactly what is here and he agreed with that amendment at that time.

I do not intend to either accept the amendment or to withdraw the clause. It will stay in this legislation.

I want to correct something that was stated by the Member for Ottawa Centre. I believe the Hon. Member for Winnipeg would agree with me that the clause in question does not prevent a union person from working for the corporation. It prevents the union representative or officer from acting in that capacity but not from working for the corporation since subparagraph 2 applies to the employer representatives or officers. I wanted to correct that. I believe Hon. Members will agree with it.

The Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Amendment (Mr. Guilbault (Saint-Jacques)) negatived.

The Chairman: Shall Clause 11 carry?

Mr. Harris: Mr. Speaker, I want to speak to Clause 11 because the Minister of Labour has called it his favourite clause.

Mr. Cadieux: No, you have.

Mr. Harris: It is a shameful admission by the Government that its favourite clause is the most heinous clause in the Bill. It proves the Government's attitude toward unions, its attitude toward freedom of association, its attitude toward freedom of assembly and the freedom of people in this country to elect representatives of their choice and hire people of their choice to work for their organizations.

An Hon. Member: Even temporary workers?

Mr. Harris: People do not defy legislation *en masse* unles it is so terrible that it cannot be obeyed. I am not talking about this particular legislation but about general principles.

The Member for Burin-St. George's, who is from Newfoundland, knows that recently in Newfoundland the members of a union defied legislation because that legislation was considered by the vast majority of people to be unjust and wrong.

Without any suggestion of a massive violation of legislation and before there was even a full scale strike, the Government is imposing back-to-work legislation which itself provoked a strike. But the legislation contains in it a terrible—

Mr. Lewis: Draconian.

Mr. Harris: The Minister considers it Draconian.

Mr. Lewis: I do not want you to forget the word.

Mr. Harris: I must agree with the Minister who considers it Draconian. Perhaps he will speak and tell us how bad it is. The Member for Burin—St. George's will also remember the IWA strike in Newfoundland in 1959, when the Government of Newfoundland outlawed a union and made it a crime to be a member of a union.

Mr. McDermid: It does not say that here.

Mr. Harris: I know it does not say that here. That legislation was decried from one end of the country to the other.

An Hon. Member: Speak to the Bill.

Mr. Harris: It is the same kind of legislation. We are talking about principles but they do not want to talk about principles. They want to talk about ordering postal workers back to work and trying to resolve a crisis that they created.

The Minister of Labour is very proud that it is the second time the Government has included his favourite clause. Perhaps the Government will now introduce amendments to the Canada Labour Code suggesting that members of a union who do anything contrary to the Canada Labour Code will be banned from being officers or representatives.

Now the Government has proposed an equality clause which prevents the employers from violating the legislation. It reminds me of a quote, by Anatole France who said the law in its majestic equality forbids both the rich and the poor from sleeping under bridges on rainy nights, from begging in the streets, and from stealing bread. That is the kind of equality we see in this legislation.

The rich do not need to steal bread. This legislation is designed to support the managers of Canada Post. Why will they violate the legislation when it is their legislation? The Government is simply introducing that provision to show how fair-minded it is. It is rank hypocrisy.

The Government is putting down the workers and saying that being an officer of a union is an illegitimate activity in this country. Unions were built by people who were trying to improve their lot. They were built to protect workers from employers like the people at Canada Post. Unions exist to fight against management that is inept and arbitrary and does not give them a say. The management says it will not let the workers negotiate important matters that concern their working conditions.

Matters of collective bargaining and contracting out are negotiated in hundreds of collective agreements throughout the country. Yet the Government says that Canada Post does not have to negotiate this because it will order them back to work. Not only will it order them back to work, it will use its favourite clause by which it will ban people from being members of unions if they do not obey the legislation.

• (2350)

The Government says it will ban people from being members of the union if they do not obey this legislation in every dot and tittle automatically. There will be no discretion or question. It will be totally arbitrary, following the dictates of the people who run Canada Post. That is what we have from this Government. That is what this clause represents. I said earlier that I was not sure what the worst clause in this legislation was. I am convinced now that this clause is absolutely the worst clause. It is the most horrendous clause because it takes away the rights of freedom of association and freedom of assembly. It takes away those rights from workers across this country. It sets a terrible precedent. We have the Government condoning, first of all, strike-breakers in a Crown corporation. That will set an example for private employers. We will follow Peter Pocklington who set the example for this Government. He did not make it as Leader of the Conservative Party but he is its ideological leader. He sets the example and the Government follows with this legislation. We have Peter Pocklington calling the tune and this Government following.

We have a very good example of the kind of attitude this Government wants to promote in the Crown corporation called Devco. The Cape Breton Development Corporation had a manager who recently resigned under pressure not only from this House but from the Nova Scotia Government, the New Democratic Party in Nova Scotia and the workers in Cape Breton. He is the man who is said to have said to the workers who complained about going to work underground under the conditions that existed in the coal mines: "You fellows should consider yourselves lucky. In South Africa we send—"and I think he used the word "niggers"— "those guys below ground in bare feet". That is the kind of Crown corporation attitude this Government has allowed to exist. Now we have the Government condoning the use of strike-breakers in the Post Office. We are passing legislation very much equivalent to the South African legislation which is imposed on journalists they do not like. A journalist is not allowed to work in South Africa if he says things the government does not like. We now have our Government saying: "If you break this law, we will not allow you to be a member of the executive of the union or a representative of the union or work for the union in any capacity. You cannot even sweep floors for the union". That is the legislation we have before us. That is the example this Government is setting as to how it thinks labour legislation should operate.

It is totally unnecessary. If this Government had any sense it would take this clause out of the legislation altogether. I am

afraid the Government does not have any sense. I am afraid the only response, unfortunately for the Government, the people of Canada will be able to make is to vote the Conservatives out of office. That is the only response the workers of Canada can have.

I plead with the Conservatives for their own sake, if not for the sake of the workers of Canada, to take this measure out because it is very bad legislation. It is a very bad measure. It ought not to be any part of a civilized country's legislation in the face of the Charter of Rights and Freedoms, freedom of association, freedom of assembly and freedom to elect the leaders of your choice.

This Government as a matter of course, says: "We used it once before. We will use it again and we will use it in every piece of legislation we have". It is the favourite clause of the Minister.

If that is his favourite clause, I would suggest to him that perhaps he ought not to be Minister of Labour. He ought to learn something about human rights and something about justice. He should not condone this kind of nonsense in his legislation, if he wants to have harmony in the Post Office, if that is one of his aims. Perhaps he does not want to have harmony in the Post Office, but let us assume he does. If he is a proper Minister of Labour and doing his job, what he will want is what all the people of Canada want and everyone in Canada wants to have a decent postal service, harmony in the Post Office and a postal service that is efficient and operates properly. If that is what the Minister wants, then he ought to pass legislation that is going to lead to that and not pass this sort of legislation which provokes workers and right-thinking people into believing this Government does not want to have harmony in the Post Office.

Many Canadians believe there is trouble in the Post Office and a lot of them do not know why. This is an opportunity for the people of Canada to understand why there is not harmony in the Post Office. We have two examples. First, we have rotating strikes and normal collective bargaining being carried on. The only major irritant up to then was the Government condoning the use of strike-breakers and scabs in the Post Office. Postal service was operating more or less as it had been before.

An Hon. Member: According to the managers.

Mr. Harris: Yes, according to the managers. The next escalation of this strike was not caused by CUPW. Who caused the escalation? The Minister of Labour caused the escalation by introducing this legislation. Now we have a full strike. Now we have the Government saying that because of this full strike we must pass this legislation. That is the kind of information the people of Canada need to know and understand. It is this Government and the management of the Post Office—which the Government has told what to do—who have caused the disruption of the Post Office.

It is they who do not want to have harmony in the Post Office because if they did, they would not have this clause in the Bill. They would not have the Bill at all. They would have a different Bill that would provide for proper negotiations and mediation, as we have suggested, and they would insist that the Post Office management discuss and negotiate on the major issue in the dispute, and that is the issue of franchising.

Mr. Fulton: Mr. Chairman, just briefly, the Minister of Labour was speaking a moment ago and I assume he did not want to leave the impression on the record that I had either voted for or supported the clause in the last go-round of the legislation because I voted both against the clause and against the legislation, against his favourite clause.

During debate I do recall pointing out the unfairness of the clause, but it only applied to the longshoremen. It did not apply to anyone else. I said there was an obvious unfairness in the legislation. I do not think that the Minister would want to leave the impression that I either supported or voted for it.

An Hon. Member: Even though he tried.

Mr. Cadieux: Mr. Chairman, I suppose that answer would demonstrate what has happened, but my recollection, and I stand to be corrected, of course, is that the Hon. Member supported the amendment that I proposed to make it applicable to the employer as well as to the union. I would doubt very much that the Hon. Member voted against that amendment. However, I stand to be corrected once we check the record.

Because Hon. Members are repeating arguments they had put before the House earlier this evening, that does not necessarily make the arguments more convincing. They become repetitious. We have heard them before and perhaps they will induce someone like myself to use one of their suggestions. For instance, using the words "favourite clause", I was repeating something that was said on the other side. If it is not a favourite clause, it is certainly a clause that has been used before. Unfortuntely, it would not be a clause that would have to be used if the parties came to a settled agreement, which are the best agreements, and which they should have achieved after 15 months of negotiations in this case.

• (2400)

Mr. Harris: Mr. Chairman, if the Minister of Labour is not convinced of the rightness of the cause, then perhaps he will consider that this particular clause, Clause 11, can also be applied in cases which have nothing to do with this dispute. We could have some event down the road a year or two from now in a small postal station or a small postal plant where one of the managers of the Post Office gets out of whack—and I am sure there are thousands and thousands of people in middle management in the Post Office, I do not know what they are doing and they probably do not know what they are doing themselves—but someone runs amok—

Mr. McDermid: Most of the management came up from the ranks of the union. So you are knocking yourself.

Mr. Harris: So we have all sorts of people who could run amok in the Post Office and there is a response, and a reasonable response, by the members of the union to refuse to work, to refuse to obey orders, to refuse to do things that are unreasonably requested of them, or to be provoked into doing something that has nothing whatsoever to do with this strike.

We do not want to give the managers of the Post Office a licence to run roughshod over the workers for the life of this agreement under pain of their being exposed to this type of clause and this type of legislation.

Clause 11 provides that a shop steward, or an official or representative of the union, in that situation does not even have to do anything at all. All he has to be found to have done by a court is not take what the court considers to be reasonable steps to prevent people from walking off the job. We have a brand new code here now for the behaviour of shop stewards who have to take reasonable steps to prevent people from going on a wildcat strike. A judge has to determine that after the fact. If the judge determines that, no, there were reasonable things that one could have done that one did not do, then that person is banned from holding office in the union for a period of five years and cannot work for the union for five years. All of those measures are brought in by this legislation.

If what the Minister wants to do is to get workers back to work, he should have legislation that is aimed at that, not legislation that sets a terrible precedent for labour legislation all across the country. If he has done it before, then shame on him for having done it before. He should realize his mistake and should not do it again. The fact that this clause or something similar to it was contained in a previous Bill is no excuse for continuing it on. I would ask him to do the proper thing and remove the clause.

Some Hon. Members: Question.

Mr. Nunziata: Mr. Chairman, it is with some trepidation that I make—

Mr. Jepson: He's crossed the floor. Call *The Toronto Star*.

Mr. Nunziata: —what a motley bunch across the way. Of course, Mr. Chairman, I am referring to the New Democratic Party.

Mr. Angus: That is because there are no Liberals to point to.

Mr. Skelly: Point of order, Mr. Chairman. Could the renegade from the Liberal Party indicate that he was in fact speaking about his own people on this side of the House.

Mr. McDermid: Well, look at the ragtag bunch.

Mr. McKenzie: Go and speak on your own side. Just go and speak on your own side. I will sit here and you sit here, Bob, and take that seat so he can't sit down. The day I will tolerate that stuff over here—

The Chairman: The Hon. Member for York South—Weston on a question of privilege.

Mr. Nunziata: Mr. Chairman, on a question of privilege. We are debating a piece of legislation here in the House of Commons dealing with back-to-work legislation. We are in Committee of the Whole. We are entitled to sit in whatever seat we wish to sit that happens to be vacant. I am not sitting in my regular seat, nor is the Hon. Member who assaulted me a few moments ago. Mr. Chairman, I would ask the Hon. Member to stand and to apologize. If he is not prepared to stand and to apologize, then I would ask that you take the appropriate action, Mr. Chairman.

Mr. McKenzie: I would suggest you never come over to this side again. Just stay on your side and you speak there and I will speak here, as will the rest of us.

The Chairman: The Hon. Member for Churchill.

Mr. Murphy: Mr. Chairman, we are in Committee of the Whole and I believe that this matter would best be dealt with when we return to the House in proper forum. I do believe it is a proper matter of privilege and that it should be dealt with by the full House.

Some Hon. Members: Hear, hear!

The Chairman: The Chair will report on this matter to the full House.

Some Hon. Members: Question.

The Chairman: On debate. The Hon. Member for York South—Weston.

Mr. Nunziata: Could I have some explanation as to what you mean by reporting to the full House, Mr. Chairman? I would ask that the matter be dealt with by the House. The Hon. Member assaulted me while I was speaking. It is an offence under the Criminal Code of Canada to assault another individual. It shows contempt, Mr. Chairman, for this Parliament for one Hon. Member to assault another Hon. Member while that Member is speaking. Obviously, the Hon. Member does not show any remorse for his actions and I would ask that he be properly dealt with by the House of Commons.

Mr. McKenzie: With the greatest of pleasure!

Mr. Guilbault (Saint-Jacques): Mr. Chairman, I believe also that you would be well advised to report to the full House about what happened, which was clearly a breach of privilege, mentioning clearly that when the Hon. Member for York South—Weston spoke from a seat other than his own, namely, from the seat of the Deputy Prime Minister, the seat was vacant. In that respect he was entitled to speak from that seat. By the way, while I am on my feet, I have come to realize that the seat is still vacant, as far as I am concerned, since the Hon. Member for Winnipeg—Assiniboine does not really appear to be with us tonight.

Mr. McDermid: That really helps the situation.

Mr. Guilbault (Saint-Jacques): You ought to take that into account, too.

Mr. Lewis: Mr. Chairman, you have suggested that you will report to the full House tomorrow. I can assure you that we will co-operate in those proceedings. I would suggest, that in the interests of all, that we proceed with the Bill.

Some Hon. Members: Hear, hear!

Some Hon. Members: Question.

Mr. Speaker: The Hon. Member for Essex—Windsor.

Mr. Langdon: Mr. Chairman, I must say that the Minister of Labour in his response to our Member, who outlined in considerable detail some of the inadequacies with respect to this clause, presented no sign of backing off, no sign of attempting to compromise. I cannot understand why it is that the Minister is not prepared to listen to what is obviously a

cogent argument, an argument which has been well put, an argument which clearly carries a great deal of weight. I ask the Minister to tell us why it is that he is not prepared to make those sorts of changes.

• (2410)

I also ask the Minister to tell us why he was not prepared to take the suggestion by the trade union involved to appoint a mediator separate from arbitration? Before we move to final consideration of this clause, I also ask the Minister to tell us what possible justification he personally feels that he can put forward for such a vicious action against members of legal trade unions as is suggested in this clause of the Bill? I ask the Minister to respond to those issues before we move to a vote.

Mr. Cadieux: With respect to the arguments that were put forward by the Hon. Member for St. John's East, I agree with the Hon. Member for Essex—Windsor that the arguments were well put, and I am sure well thought out. I am sure that the Hon. Member for St. John's East meant what he put forward. He is entitled to his opinion, and I respect it. I have already indicated to the House that he did not convince me, nor was I convinced during the debate on Bill C-24 when we discussed the same clauses which applied to both the employer and the union, not only to the union as there seems to be a temptation to indicate. I will not withdraw the clause.

Mr. Langdon: There were two other points that I raised that I would like to hear from the Minister on before we move to a vote on this crucial clause. This clause has somehow come to signify to people exactly how far and how hard the Conservative Party is prepared to move against the trade union movement in this country.

I ask the Minister if he will respond to the question which a great many people have asked in this country, and certainly a great many members of CUPW have asked me on picket lines, why was the Minister not prepared to appoint a mediator at least to explore the possibility of avoiding this Draconian piece of legislation?

Mr. Cadieux: With all due respect, I have answered the questions on the mediator-arbitrator when we dealt with Clause 7.

Clause agreed to: Yeas, 37; nays, 17.

Clause 12 agreed to.

The Chairman: Shall Clause 13 carry?

On Clause 13—*Coming into force*

Mr. Guilbault (Saint-Jacques): I wish to say that there is a problem with Clause 13. If one looks at the Bill, one will find in Clause 4 that both union officers and management have obligations. If Clause 13 is left as is, those obligations would have to be carried in a very short period of time. Clause 13 has to do with the coming into force of this Act, and it states:

> This Act shall come into force on the twelfth hour after the time at which it is assented to.

If one returns to Clause 4, it states:

> 4. (1) The union and each officer and representative of the union
>
> (a) shall, forthwith on the coming into force of this Act, give notice to the employees that, by reason of the coming into force of this Act, postal operations are forthwith to be continued or resumed—

When one reads Clause 4, one realizes that each and every member of the union, and each and every worker has to be notified by the union leadership and informed of the passage of this Bill. They have to be told that postal operations are to resume, and told to return to work. The Minister has agreed to this, and my colleague, the Hon. Member for Churchill has devised an amendment to correct this. He has also agreed that the 12 hour period is certainly too short for the mammoth task of reaching 23,000 card-carrying members across the country to give them the message. They are scattered all over the place, and the problem is all the greater since it seems that the coming into force of this legislation will happen over the weekend. We have negotiated with the Minister and the three Parties to find a solution and make this more reasonable.

My colleague, the Hon. Member for Churchill, has done a lot of work on this. I think that he would be happy to claim paternity of the amendment. I am willing to let him have paternity if he agrees to let me have maternity, because I had something to do with the gestation of this baby. I do not know if my friend has a copy of the amendment with him, or if he wants to read it into the record. I think that I have given the rationale for the amendment, and I will leave the floor to my colleague who represents the riding of Churchill.

Mr. Murphy: I thank the Hon. Member for that gracious introduction. I will move the motion:

> That Bill C-86 be amended in Clause 13 by striking out lines 41 to 43 at page 5 and substituting the following therefor:
>
> "13. This Act shall come into force on the day immediately after the day on which this Act is assented to, but not before the twelfth hour after the time at which it is assented to.

The Chairman: The Chair finds the amendment in order. Shall the amendment carry?

• (2420)

Mr. Murphy: Mr. Chairman it is not my intent to speak long on the amendment. It is obviously an amendment on which the two opposition Parties have come to agreement with the Government. It is one of the amendments which will allow the legislation to pass through the House of Commons today. We still do not believe that the legislation is good legislation. We made very evident tonight that we oppose it. There are many errors in the legislation and there is still a fundamental imbalance in it. In an attempt to get some amendments through the House to improve the legislation which the Government was willing to accept from the opposition Parties, I join my colleague in the Liberal Party in moving this amendment and in the other amendment we moved last night.

It is not my intention to speak on third reading. I will ask one of my other colleagues to do that. I would like to point out, however, that this House by passing legislation of this sort will leave a fundamental sense of unfairness not only among the people who work in our post offices but among a number of other people in society.

If people have heard some of the comments—I do not know whether they have been transferred by our electronic *Hansard* and through the media—by back-benchers who have never spoken in this House there will be a sense that this House does not treat all citizens equally. There is a basic contempt for some of our citizens by Members of this House of Commons.

I do not mean to lecture the House but I do believe that, when we are passing legislation about which so many Canadians feel strongly and which many Canadians believe offends and hurts them, this House and its Members should show more concern about how Canadians feel. I am not speaking about any individual clause in the Bill. We have done that as we went through it. I believe that the comments made by some Members of this House do offend the sensitivities of many Canadians and I do believe that was unnecessary and it will only create a further sense of unfairness.

[*Translation*]

Mr. Cadieux: Mr. Chairman, if I understood correctly, what is involved is the amendment put forward by the Hon. Member for Churchill (Mr. Murphy) concerning the coming into reflect of the legislation. We had discussions on the matter, Mr. Speaker, and of course we feel it is a worthwhile amendment, so much so that it uses the terms that appeared in Bill C-85—we in agree on that amendment. I would take this opportunity, despite our differences—

[*English*]

Notwithstanding the differences of opinion that we may have had through this debate, in the Committee of the Whole in particular, Mr. Chairman, I still want to thank my colleagues, the Hon. Member for Saint-Jacques, and the Hon. Member for Churchill. We had some discussions which perhaps did not please everybody involved but we had some serious discussions on the possible amendments. I thank them for their co-operation and I support this amendment.

Mr. Fulton: Mr. Chairman, I rise on a point of clarification for the Minister of Labour. I have obtained *Hansard* for November 17 and 18, 1986, regarding the point the Minister made earlier. When the Minister moved the amendment to Clause 13, it carried on division. There was not a recorded vote on that.

However, the remarks to which the Minister might have been referring appear on page 1265 of *Hansard* for November 18. They were in lock-out of the longshoremen. Referring to Bill C-24, this is what I had to say about that particular clause:

> Let me deal with Clause 13, particularly Clause 13(2). The Minister moved quickly on the suggestion made in the speech by my friend, the Hon. Member for Regina West (Mr. Benjamin). He agreed in principle that what is being applied to union officers must be applied to corporate officers as well. I am sure that everyone involved would have preferred that Clause 13(2) simply be deleted. I find no comparable precedent in the last decade of legislation before the House that was solely directed against a union. That is why the criticism directed against Bill C-24 as it now stands is correct. It is clearly anti-union.

I refer the Minister as well to the *Votes and Proceedings* for November 17, 1986 at page 198. The Minister is recorded as being in favour of it and I am recorded as being against it.

Mr. Cadieux: Mr. Chairman, I did indicate that I would stand to be corrected and I take the word of the Hon. Member. That is not the quote to which I was referring. I was referring to the one on page 1267 of *Hansard* for November 18 which reads:

> —I think the Minister has agreed in principle that, although he will not take the clause out as it applies to unions, he is prepared to apply it evenly to corporations as well as the union. It is a saw-off. I would prefer to see Clause 13(2) dropped.

It was a saw-off and that is what I was referring to.

The Chairman: Shall the amendment proposed by the Hon. Member for Churchill carry?

Some Hon. Members: Agreed.

Amendment (Mr. Murphy) agreed to.

Clause 13, as amended, agreed to.

Clause 2 agreed to.

Clause 1 agreed to.

Title agreed to.

Bill reported.

[*Translation*]

The Hon. Pierre H. Cadieux (Minister of Labour) moved that Bill C-86, an Act to provide for the resumption and continuation of postal services, be concurred in.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: When shall the Bill be read the third time? With leave, now?

Some Hon. Members: Agreed.

The Hon. Pierre H. Cadieux (Minister of Labour) moved that Bill C-86, an Act to provide for the resumption and continuation of postal services, be read the third time and do pass.

He said: Mr. Speaker, since last week we have been hearing many comments on the labour dispute and the legislation now before us. It is important in my view, at this stage, Mr. Speaker that we review the circumstances under which we introduced the Bill and that we put them into context.

[*English*]

We have been told that the Government acted prematurely, that we disrupted negotiations between the parties.

Let us review the record for a moment. The parties spent some four months in direct bargaining before notifying me of their dispute. I appointed a conciliation officer and the parties spent a further three months negotiating under his auspices. Because the dispute still remained unresolved I appointed a conciliation commissioner and the parties had another five months of third party assistance. When Commissioner Foisy's report and recommendations were released to them, both parties made encouraging noises that the stage was now set for meaningful negotiations. Their actions, however, did not demonstrate their intention to conduct such meaningful negotiations.

The assessment conducted by my Associate Deputy Minister informed me that the dispute could not be resolved through the collective bargaining process short of a lengthy test of economic strength. The Government was not prepared to sit by and watch the inevitable deterioration of the Canadian postal system while the parties engaged in their private battles. There were no negotiations going on and no prospect of such negotiations when the Government introduced this legislation. We had no intention of allowing a national emergency to develop while the parties implemented their respective strategic plans heedless of the effect on our postal system.

We have been accused of causing the escalation of an otherwise peaceful dispute. Every Member of this House is aware of the record of negotiations between these parties. The escalation of the dispute was inevitable as each side sought to enforce its will upon the other. It was precisely this escalation of violence that this legislation sought to avoid.

[*Translation*]

After reviewing the circumstances that obliged us to table this Bill, Mr. Speaker, I would like to address the substance of the Bill. The concept of mediation-arbitration has provoked a lot of criticism, especially from those who do not fully understand the process. Mediation-arbitration combines the best elements of mediation and arbitration. When the process is used properly, we do not have a weaker form of arbitration but a fortified or stronger type of mediation.

Mr. Speaker, our Government maintains its belief that the best settlement is a negotiated settlement. Including a mediation-arbitration process in this legislation as a mechanism for resolving the conflict makes it possible for negotiations to continue. Mr. Speaker, although we cannot guarantee the parties will settle all their differences through negotiation, we do not want to deprive them of that opportunity. For the parties, mediation-arbitration maybe the only chance they will have to establish a new basis for constructive labour relations, and I urge them to take advantage of all the benefits they will be able to derive from this process.

• (2430)

[*English*]

We have been criticized for the penalty clauses provided in this Bill. I can only respond with surprise to this criticism because in November of last year, the Opposition passed these very same provisions with alacrity in the case of the West Coast longshore industry.

The record of the parties to this dispute is well known. While we expect that persons who hold responsible positions will act responsibly, we wish to give a very strong signal to anyone contemplating the fines in this case that they do so at their own risk. Personally, I hope that this penalty will never be used. Nevertheless, it is there if it is necessary.

I must repeat that it is never a pleasant task for a Minister of Labour to have to introduce back-to-work legislation. It is an admission that the collective bargaining system has failed. In the case of Canada Post and CUPW, the Government had no alternative but to move to this option of last resort if there is to be any hope of a future for our national postal system.

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I would like to say a few words to summarize the position we have held throughout this debate on Bill C-86. We have said from the moment this Bill was tabled that there was no national emergency warranting the use of such harsh legislation.

At the time the Bill was tabled and in the days preceding its tabling, there was little violence on the picket lines. The mail was moving and the mail is still moving, as a matter of fact. That is what the Government has claimed throughout this period.

We said that mediation would have been the right approach for the Government to have taken. We called for it, the workers called for it, but the Government refused. It chose to use a tougher approach.

The Minister has just repeated that at the time the legislation was tabled, there was no more negotiation between the parties, but the Minister fails to recognize that even before the legislation was tabled, 75 per cent of the clauses in the collective agreement had been agreed to by the parties. One cannot say that the bargaining process was not working.

[*Translation*]

I think it is clear and should be clear to everyone that the score of the strike expanded as soon as Bill C-86 was tabled. What had previously been a series of rotating strikes, never on the same day and never in the same location, moving across the country, has now become a national strike. Violence has started to surface, and there is more and more of it. I think we will have to realize that the Government is at least partly responsible for events that have occurred since the Bill was tabled. We have discussed the use of strike breakers several times since the beginning of the dispute.

[*English*]

The use of scabs had the expected results. When the unemployed are pitted against regular workers who are trying to protect their livelihoods, their daily bread, their regular jobs, it is very hard to expect that violence will not take place.

Now that the Government has acquired experience and practice in using scabs, replacement workers, on two occasions, may I suggest that the Government put this experience into practice by appointing replacement Tory Members of Parliament to replace those Members who were speechless during the entire debate. I make one exception. I must give the Hon. Member for Gatineau (Mrs. Mailly) credit for rising in the House and at least reading a press release into the record. The rest of them were all watching, nodding and approving of the harsh, unusual penalties. Maybe what this country needs from now on is a herd of scab Tory MPs to represent the people of more than 200 ridings in Canada.

The Government has stuck to the hard line. Throughout this debate, the Minister has refused to amend Clause 10 which contains unusually harsh penalties and very heavy fines. He has refused to move on the five-year off-the-job penalty contained in the horrendous Clause 11. We think this is wrong. We think that this alone would be cause for us to vote against the legislation.

[*Translation*]

However, I must give the Minister credit for accepting two amendments from the Opposition, one to amend Clause 7 that will give the mediator-arbitrator a free hand and let him make his own decisions without considering the report by the conciliation-commissioner Foisy, which we think was not a fair report, and the Minister also deserves credit for accepting an amendment to Clause 13, which of course concerns the effective date of the Bill and will simplify the Union's task of reaching its 23,000 members. However, we still feel it is not enough, and I am sorry to say our Party will have to vote against the last stage of this Bill. My only hope is that when subsequent legislation is introduced in this House, the Government will have an opportunity to reflect on the inflexibility of the Bill before the House today, and I hope today's experience will not be repeated.

[*English*]

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, before I address the legislation, I wish to say a few words of thanks on behalf, I am sure, of all Hon. Members, to those who help us do our jobs, the staff of the House of Commons, for aiding us this evening. I wish to thank the security staff, the *Hansard* reporters, all of the pages, the Clerks, the officers of the House, the console operators, the bus drivers and the television operators. On behalf of all Hon. Members, I would like to thank them for their efforts to make this session possible.

Some Hon. Members: Hear, hear!

• (2440)

Mr. Keeper: I will come directly to the legislation because I do not want to speak too long. There are, however, a few key points which must be made. The Government has presented the notion that if only the parties to the dispute had negotiated in a reasonable fashion and come to an agreement it would not have had to act, that it would have sat back and allowed the natural collective bargaining process to take place. Is it accurate to say that the Government has been at arm's length from these negotiations, that it has not been at the table? Let us examine in brief what has happened in these negotiations to see whether that stands up to any objective test of reality.

When the Government introduced the legislation which we are presently debating the result was to turn a series of rotating strikes, during which the mail was being delivered, into a national strike. By introducing its back-to-work legislation the Government provoked a national strike. How can it claim to be at arm's length when the introduction of this legislation provoked the national strike and, having driven the working people to the wall, provoked the violence which we have seen on television during the last few days, violence for which the Government has sought to blame the Opposition?

Before the Government brought in this legislation it threatened, day after day, to introduce back-to-work legislation. The impact of that was to remove the incentive of the management of the Post Office to negotiate. It told management to sit quietly on its duff and do nothing, that it would bring in legislation to impose an agreement that management wants because management is trying to impose the Government's plan. How can the Government say that it is at arm's length from the negotiations when its constant threats of back-to-work legislation prevented negotiations?

There is more, Mr. Speaker. Did the Government use all of the options at its disposal in order to keep the mails moving until a negotiated settlement was arrived at in order to have good labour relations at the Post Office? Not at all. One of the Government's crucial failures in this situation was a failure to use a mediator. It failed to have an objective third party sit at the table to facilitate communications and attempt to solve the problems in order to arrive at a negotiated settlement. The Government threw that option aside and in its place put a new two-headed monster called a mediator-arbitrator, a concept which was originally introduced by the Liberal Party when it was in Government. That concept destroyed the notion of mediation.

Mr. Cassidy: An oxymoron.

Mr. Keeper: With regard to one of the key issues, the public policy with regard to franchising, the Government refused to be flexible. We are against the policy of franchising, not only because it threatens job security but because it also threatens service to the public. If the Government wanted to be pigheaded and continue with the policy, it did not need to be rigid. It

could have been flexible in order to arrive at a negotiated settlement.

During the negotiations the negotiator said categorically that he would not compromise on franchising. Taking that position on the cue of the Government he made a negotiated settlement impossible. How can the Government claim it was at arm's length from these negotiations?

Rather than being at arm's length it was the pupeteer pulling the strings on both sides of the table. It was ensuring that management was rigid and would not negotiate at the same time as provoking a national strike and promoting the violence which appeared on television. Rather than being at arm's length from the negotiation the Government was manipulating the situation. It was the pupeteer who led to this dispute.

The Government did that in order to impose its plan for the Post Office. Is that plan worth it? Its plan waters down the delivery dates of mail so that it will still take eight days to get mail across town. The Government's plan attacks rural service and the wages of women. It undermines the concept of bilingual service through the franchising out of postal service. It treats suburban residents in an arbitrary fashion by giving service to one street while a neighbouring street does not get home mail delivery.

The Government's claim that it was at arm's length and only intervened because the parties could not come to an agreement is hollow. We have made that case and it is evident to every Canadian who has been observing the negotiations that the Government was the pupeteer manipulating the situation. The Government created the false crisis in order to justify this legislation.

This legislation is unjustifiable. The Government should have been been preparing the climate for negotiations rather than seeking confrontation in order to justify bringing in back-to-work legislation.

Some Hon. Members: Hear, hear!

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Call in the Members.

The House divided on the motion (Mr. Cadieux) which was agreed to on the following division:

(*Division No. 281*)

YEAS

Members

Attewell	Hamilton	Moore
Blenkarn	Horner	Porter
Brightwell	James	Price
Cadieux	Jelinek	Redway
Caldwell	Jepson	Reid
Champagne (Champlain)	Johnson (Bonavista—Trinity—Conception)	Tardif (Charlesbourg)
Clinch	Joncas	Thacker
Cochrane	Lewis	Turner (Ottawa—Carleton)
Comeau	Mailly	Van De Walle
Dick	Marin	Warner
Ellis	Martin	White
Fennell	McCrossan	Wilson (Etobicoke Centre)—45
Fretz	McCuish	
Gagnon	McDermid	
Graham	McInnes	
Gray (Bonaventure—Îles-de-la-Madeleine)	McKenzie	
	Merrithew	

NAYS

Members

Angus	Guilbault (Saint-Jacques)	Nicholson (Trinity)
Berger	Harris	Nunziata
Boudria	Keeper	Riis
Cassidy	Langdon	Skelly
de Jong	MacLellan	Young—21
Fulton	Manly	
Gagliano	Mitchell	
Gauthier	Murphy	

• (0100)

Mr. Deputy Speaker: I declare the motion carried.

Bill read the third time and passed.

[*Translation*]

Mr. Deputy Speaker: It being 1.08 a.m., the House stands adjourned until later today at 10.00 a.m., pursuant to Standing Order 3(1).

The House adjourned at 1.08 a.m.

HOUSE OF COMMONS

Friday, October 16, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

SENATE AND HOUSE OF COMMONS ACT

MEASURE TO AMEND

Hon. Doug Lewis (for the Deputy Prime Minister) moved that Bill C-83, an Act to amend the Senate and the House of Commons Act, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, all Members of the House can be proud of the success of parliamentary reform. That parliamentary reform has taken place not only in terms of the changes to the Standing Orders, but also in terms of the duties which all Members of Parliament perform on behalf of their Party and on behalf of the House.

These additional duties refer to the standing committee chairmen, the panel of chairmen who deal with legislative committees, as well as to the House Leaders' offices, the Deputy House Leader, the Party Whips and the caucus chairmen.

Under those circumstances, the Government has brought forward Bill C-83 after full and complete discussions with the other Party House Leaders. This Bill was introduced in June of this year but was not proceeded with at that time. There has been full discussion with the other Parties and it is my understanding that all three Parties will support this Bill.

It is not our intention to debate it at any length and we would ask that there be unanimous consent that it go to Committee of the Whole and be dealt with expeditiously as soon as second reading is completed. It is also my understanding that no recorded division will be requested.

This Bill is recognition of the work-load that all Members of Parliament take on in addition to their duties as Members. It impacts on the time they have available for those duties and impacts upon the time they have in their ridings. For those reasons, it was the opinion of Members of all three Parties that they should be compensated for undertaking those duties. I commend this Bill to the House and appreciate the support and encouragement of my colleagues.

Hon. Herb Gray (Windsor West): Mr. Speaker, I can confirm what the Government House Leader has said with regard to the extensive consultation about this Bill among all the Parties. I also want to confirm that we are in agreement with the procedure that the Minister has proposed for dealing with the Bill.

It has become apparent that one of the results of parliamentary reform that was put into effect some months ago has been the development of not just a more extensive and active committee system but one that involves a large number of meetings. The committee chairpersons are required not only to preside over the committee meetings but to do a lot of the behind-the-scenes organizational work. The system created as a result of the parliamentary reform, which has been effective, has resulted in many layers, if I may describe it that way, which make demands of the committee chairpersons that were not made before.

• (1010)

It is clear that the development of the system of the House of Commons as a result of these rule changes has placed additional duties on a number of people. There are precedents for what is proposed in this Bill in what already exists in a number of the provincial legislatures.

Due to the intent or spirit of the reports on parliamentary reform, which have been well received in the House, due to the changes in the rules to which the House has agreed, and the additional work-loads that have developed as a result, and due to the precedents which exist in a number of the provincial legislatures, I think that the Bill presented by the Deputy House Leader (Mr. Lewis) should be supported. We are ready to concur with the procedure which he has suggested.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I, too, want to indicate, on behalf of my Party, support for Bill C-83. Although this Bill was introduced by the Government, as it should be, it actually flows from the recommendations of two committees of this House. A Special Committee of the Board of Internal Economy studied the matter for some time, particularly with regard to practices in various provincial legislatures and other parliaments around the world.

If we are to take seriously the recommendations for parliamentary reform we must recognize that the responsibilities of certain Members have increased tremendously, particularly those who chair committees. I believe that all

Members understand that putting more emphasis on the work done by committees has resulted in a significantly increased work-load for committee members as well as committee chairpersons. For those reasons the Board of Internal Economy felt that the provisions of this Bill were appropriate.

The provisions of this Bill flowed also from the recommendations of the Committee on Management and Members' Services which studied the involvement of Members as they assumed the role of chairpersons of committees and held special positions within their caucus organizations.

Discussions have taken place and Parties have examined this legislation and taken positions on it. I support the comments made by the two previous speakers.

Mr. Deputy Speaker: Is there unanimous consent that the Bill be referred to Committee of the Whole?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time, considered in committee, read the third time and passed.

* * *

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Monday, September 28, consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, allow me to get squared away because I am a little awkward on my feet.

Mr. Angus: Mr. Speaker, I rise on a point of order. On a previous occasion in this House when one of my colleagues was in a similar situation the House gave him permission to speak from his seat. If the Member is interested, perhaps we could give him the same opportunity.

Mr. Hawkes: Mr. Speaker, I thank the Hon. Member for the offer. I may indeed take advantage of it before my 20 minutes are up. Having spent eight years in this Chamber I am used to trying to deliver my speech while on my feet, and I would like to at least start that way.

I would like to tell Members of the House, the people in the Gallery, and those watching us on television that I am especially happy to be here today. Except for the benefit of a seat-belt on Sunday I am absolutely certain I would not have this opportunity to speak to this Bill. I commend the use of seat-belts to those who sometimes get a little lazy in that area, as I think we all do from time to time.

My accident occurred between Geneva and Lausanne. I was in Switzerland because I had spent the previous week as a member of the Canadian delegation to the Executive Committee of the United Nations High Commissioner for Refugees. This organization is made up of countries and delegations from around the world that are concerned about the issue of refugees and what this Parliament is about to do with regard to refugee legislation.

It was particularly exciting to be at that meeting in Geneva because once again, in keeping with the spirit of the UNHCR decision to award us the Nansen Medal a year ago, the Canadian delegation was in the forefront of changing patterns and changing trends. We are viewed in the international community as a leading nation, if not the leading nation, when it comes to humanity, compassion and concern for the refugees of this world.

There has been so much discord within our country. Very eminent Canadians have spoken out against this legislation. Members of the Opposition and, indeed, one or two members of my own Party have spoken with conviction, passion, and concern against the legislation.

• (1020)

I was able to spend hours in Geneva with those who are considered to be world-wide legal experts in the United Nations High Commission for Refugees. I spent time with the Commissioner himself, with the Deputy Commissioner, with delegations from every nation in the world concerned about the Canadian legislation. There is no other conclusion possible than that this is the finest Immigration Act, that these amendments proposed by Bill C-55 will give us the finest system in the world. Nobody else comes close. As one goes to those other people and asks them to show us another nation that will provide in legislative form the rights and privileges for true refugees, they cannot come up with one.

This Chamber during third reading debate and, hopefully, the members in the other place will put this legislation into place quickly. It is indeed the model for the rest of the world to follow.

How did we come to the discord? In part, the original drafting was flawed. It is a complex piece of legislation. It is part of an over-all Immigration Act. There were mistakes made in the original drafting. People have not caught up with the reality that Members of this Chamber called the most expert witnesses in the country, questioned them, listened to them and amended that original drafting. Well over 50 amendments were made. The Bill that we will be voting on shortly, I hope, and sending to the Senate, has to be seen not in its original form but as an amended Bill.

We have to pay tribute in the House to the members who served on that legislative committee with diligence, compassion, caring and skill. We have to pay tribute to the non-governmental organizations in the community which took the time and the trouble to come to tell us what they saw or did not see in the Bill. The group we often overlook is the task force itself, some of whose members have worked on this

problem for four or five years, through two different Governments, trying to arrive at changes that would work. They have worked long, hard and with great skill.

But in the process of consultation discord was created. Many members of the NGO community have a great deal of difficulty trusting the bureaucracy, the civil servants in the Immigration Department. With the passage of time many people in the Immigration Department have a great deal of difficulty trusting those leaders in the NGO community. The relationship has degenerated into a slanging-match. A lot of unkind things are said privately, and sometimes publicly.

I would like to say that I fail to see how any of that advances our humanitarian and compassionate consideration for the refugees of the world. It is a luxury that we enjoy a democracy in Canada where we do have freedom of speech. But what purpose is served by using ugly words, by calling others down and by spreading false rumours?

It has been a difficult process to arrive at Bill C-55. But that process is now behind us. It is time, I think, and it is time, I hope, for all those people who care about refugees in the world to come back together and begin to work together. The cause is just.

If one looks at the world today one will see that not every country enjoys a democracy. Very few countries, perhaps as many as 35 or 36, have systems of Government that we would recognize as democracies. That is out of 160 countries. Even democracies can be guilty of persecution. But in those countries that are not democracies it is almost a guarantee that persecution does occur, based on political beliefs in many cases, based on race, based on religion, based on social groups.

I think we have a particular obligation as one of the world's finest democracies, today, tomorrow, and forever to have an open-door policy, to welcome the victims of persecution. If we want the world some day to enjoy our kind of democracy and our system, then we have to offer sanctuary to those who fight for it in repressive regimes, those who are victims of that kind of behaviour in repressive regimes. If we offer sanctuary, and if other western and other democratic nations offer sanctuary, then the struggle will continue and the world will change. It will be a better place. But the failure to offer sanctuary could spell the death-knell of progress of that kind.

What about our legislation? Why do I say it is a model? Why do others say it is so terrible? I think the biggest difference between us is probably the degree of understanding we might have about the entire system. It is a complex system and it is difficult to understand. Most of the criticism comes about because people look at a piece of the system. They do not have the knowledge to see that piece in the context of the whole.

In 1978 the Immigration Act came into effect. Lying at the core of our current Immigration Act is the responsibility, the power, for the Minister of Immigration to act in a humanitarian and compassionate manner in any individual case. Much of what we have done in the last decade for refugees, and in the decade before that, has been based on that principle in the Immigration Act. Nothing we are about to do in Bill C-55 changes that. That power is there today. That obligation is there today. That power and that obligation will be there tomorrow. It will be exercised.

We heard testimony that today the Minister exercises that power at the end of a chain. When somebody faces deportation from Canada it is exercised. In the new world it will be there from the first day of arrival until the day somebody leaves. There will be instructions to utilize it up front. So when someone who is clearly a refugee arrives undocumented at our border point, having fled persecution, what I think people fail to understand is that it is the intention of the Government, the bureaucracy, and it is the power within the Act, that in that initial interview with the immigration officer a ministerial permit simply has to be issued and the person is inside Canada.

There is a bogyman out there that we will put every single arrival at the border through inquiry. That is ridiculous. It would be an enormous waste of resources. It would serve no purpose to proceed in that fashion. Humanitarian and compassionate considerations will be the first thing taken into account. People will be given permits and landed in Canada when it is clear that they have a legitimate claim to our protection.

• (1030)

An inquiry is based on a decision by an immigration officer at the border point, agreed to by that person's supervisor, that there is no good reason to admit this person to Canada. Two people have to reach the decision not to admit, and then our legislation takes over.

The legislation before us today states that we immediately assign a barrister and solicitor to the applicant paid for at taxpayers' expense. An inquiry will be held in front of an adjudicator, who is like a judge, and a member of the refugee board. There are two decision-makers. The claimant has a lawyer. No country in the world does that. This is still at the point of admission.

In most European nations an officer at the border says, "No", and there is no protection, there is no appeal, there is nothing.

In our system two officers have to concur. When the claimant does not agree, a lawyer is provided, and two people are provided to make the decision. If they agree with the two bureaucrats that the person does not need protection according to the clauses in the Bill, then entry cannot be denied for an additional 24 hours. This piece of legislation provides a lawyer to prepare an appeal to the Federal Court of Canada, a leave application, and a period of 24 hours for an additional appeal to the Minister.

Six people representing five organizations all must agree that this person should not be admitted to Canada. We are

talking about quality of protection for legitimate refugees. Is it conceivable that six people representing five different organizations who all agree that this person has no basis to the claim to need protection would be wrong? They do not have to decide that the claim is legitimate and that the person is a refugee. They simply have to decide that there is absolutely no evidence to suggest that the person could be found to be a refugee. That is the manner in which the decision not to admit must be upheld.

I hear somebody state that is very fair. It is more than very fair. It may be too much protection. But it is clearly the most protection in the world, by a country mile. No country provides that protection to a claimant for potential entry into a country.

Once inside the country, as people move through the determination process, there has been a lot of concern about what people call the lack of an appeal. What is overlooked in the discussion is that we have an informal hearing with two members of a refugee board, both of whom have to say that the person is not a refugee before the status is denied. This is an informal hearing which can go on for hours. It is done in a relaxed atmosphere. Claimants may bring anyone to testify on their behalf. They can introduce any evidence. The Crown must provide evidence on past decision-making related to people of this characteristic. The statute requires that that must be part of the evidentiary base.

Let us assume that they conclude that the person is not a refugee. There is no immediate removal. There is a leave application to the Federal Court to have the case reconsidered. The estimates are that it will take at least two months for the court to decide. In the interim, we have the Act itself. There is a humanitarian and compassionate obligation on the Minister, and two months for the NGO, for the church, for a brother or a sister, for a Member of Parliament, for a barrister and solicitor familiar with the case to go directly to the Minister on appeal of this decision. That exists in the scheme of the Act and it is not being taken away. Therefore, there are two types of appeals which flow from a negative decision in terms of the statute that we are providing to the House and to the nation.

Nowhere else in the world today are there those types of conditions; the provision of a barrister or solicitor, the different levels, the humanitarian and compassionate grounds. I ask myself, why do we have such anger and turmoil? Why are such statements made? The answer is that we have lived through a period of history, and we have gone through close to 10 years of the current Immigration Act. The scheme of the Act as it sits without these amendments requires employees of the Immigration Department domestically to keep their hands off refugees. They never sit in on the hearings.

The Department is currently charged with the administration of the Act and whether the person has a legal right to enter Canada. If they decide that he or she does not, they send the matter to inquiry. In inquiry the person makes a claim to be a refugee, and it must be adjourned. Therefore, all the employees of the Department are screened out. The only other relationship that the Department has is one person does an examination under oath. Two, three, or four months later that transcript then goes to RSAC, it is appealed to the Immigration Appeal Board and to the Federal Court of Canada. But the immigration employee, the line officer, today has no compassionate power at the border, and no direction to act on behalf of refugees. They do not sit through the inquiry and hear the refugees' stories on credibility and so on.

Mrs. Finestone: Where is the refugee right now?

Mr. Hawkes: Where is the refugee right now? We have some hollering from across the way as to where the refugee is. Some are inside the country on ministerial permits, some are in detention at border points.

I would say to the parliamentary committee, to the NGO community, and to the Minister that now is the time for the dialogue to be commenced. There is a watch-dog rule on the administrative implementation of this Act. The barristers and solicitors, and the NGO communities have a big role to play. The parliamentary committee through its investigative powers can ensure that the entire scheme of the Act is administered with sensitivity.

We as parliamentarians can urge the Minister to provide that type of direction to the bureaucracy, and we can pass legislation. This legislation is a model for the world to follow. We may reach a day in five or ten years time when we may find some manner to improve it. But it is far ahead of any piece of legislation that presently exists in the world in terms of its capacity to provide real protection to real refugees. I urge this Chamber to move it forward this day. I urge members in the other place to look at it, but do so quickly. Let us pass this legislation and regain our rightful place in the world as the leader in terms of legal protection for legitimate refugees.

Mr. Manly: Mr. Speaker, the Hon. Member for Calgary West (Mr. Hawkes) stated that the committee heard a wide variety of witnesses, and that it made amendments following their representations. The point that has been emphasized by our Party, and by the Hon. Member for Spadina (Mr. Heap), is that the Government absolutely refused to deal with the fundamental concerns brought forward by the majority of those witnesses.

• (1040)

I would like to read to the Hon. Member the letter which was sent to concerned Members of Parliament from Donald Anderson, General Secretary of the Canadian Council of Churches, dated September 21. I ask him to comment on the substance of the letter concerning Bill C-55. It reads:

> We appreciate government work to try to improve Bill C-55. Unfortunately our deep concerns remain. How can we know if a person claiming to be a refugee needs our help if we do not hear their problems? Each person claiming to be a refugee should have a right to have their individual circumstances

assessed and their case decided on its merits before competent independent decision makers. To us, this is the intent of the Convention and Protocol.

Immigration programs may legitimately choose who comes on humanitarian grounds and may set priorities on countries they may come from. We understand the attractiveness of this approach. Bill C-55 provides for exclusion of people not on the basis of their individual circumstances, but by a political cabinet decision that the country they transitted before arriving in Canada is deemed to adhere to Clause 33 of the Convention, that is, it is deemed the transit country will not return the person in any manner whatsoever to a country where he or she may face persecution. This is a far shot from our obligation to give an individual who arrives in Canada a fair hearing of his or her claim to need our protection.

Also, there is no meaningful appeal to any of the critical decisions made which can remove claimants from Canada in proposed inquiries or hearings.

We cannot accept legislation which sets aside a claimant's right to just procedures in the name of administrative convenience. We urge you to reconsider, to abandon this Bill C-55 and to speedily replace it with one conforming with the principles of allowing every claimant a hearing on the merits and a meaningful appeal. There are alternative processes we can surely all support.

I urge the Hon. Member to consider the import of the letter and the evidence of other witnesses who appeared before the committee. How can he possibly say that the committee and the Government responded to their very legitimate concerns?

Mr. Hawkes: Mr. Speaker, I thank the Hon. Member for reading that letter, and I thank him particularly for referring to the date of it, because it clearly identifies the problem about which I spoke. The Bill was not through the House on September 21. What the Hon. Member has is a letter dealing with the original drafting, not with Bill C-55 as amended. It could not be, simply because of the date. That is the first problem.

Expressed in the letter is the concern about returning people to what has become known in the popular press as a safe third country. That whole section was amended dramatically and drastically in its wording both in the House and in committee.

First, under statute law the Cabinet of Canada is prohibited from naming a safe country unless it complies clearly with Article 33 of the Convention, which is *non-refoulement*.

The second major feature of the set of clauses is that the return can only be to the country from where they came, nowhere else in the world.

Let us say that people came here from France and France will not take them back. France has been where they were protected; they were not in the country of persecution. If France will not take them back, they proceed in our system. That is what the clause is all about.

One could not go to the world body and sit with those delegations without coming back to Canada with a very deep concern about the refugee claimant in the orbit phenomenon.

Refugees do not abuse the system of any nation, but bogus claimants do. Bogus claimants have a lot of resources in many cases. They take advantage of legal loopholes and they begin to swamp the generosity of people who care about refugees. It was particularly disturbing to see in the Chamber so many amendments being moved by the Opposition which provided advantages for bogus claimants, not for legitimate refugees.

Our obligation as a nation is to legitimate refugees. Our obligation, in world terms, is to kick bogus claimants out of Canada and to encourage France and Sweden to do likewise.

There is a generosity of spirit which is alive and well, but they cannot continue to abuse it, or it will disappear. The willingness of generous nations to help refugees will go down the tubes world-wide if we do not have a system to differentiate between a real refugee and a bogus claimant. We cannot provide an endless series of loopholes for bogus claimants and expect that they will not use them. The people who will not use them are legitimate refugees, because they do not have the resources.

That indeed may be a potential misunderstanding between Mr. Anderson and myself, to some extent. I know that when our enforcement people in immigration catch people who are in the country illegally and bring them to an inquiry, at the rate of about 1,000 per month, suddenly 75 per cent of them claim to be refugees. It is a magical transformation to avoid enforcement of our law. Bill C-55 corrects that. Bill C-55 is necessary to perfect our collective will to do what needs to be done for legitimate refugees.

Mr. Manly: Mr. Speaker, I would point out that it still depends upon the Minister's discretion and it is still at the discretion of the Minister's staff. Furthermore, the Hon. Member did not address the second question which I raised, that is, the whole question of some kind of appeal process.

The appeal process is still based upon questions of law rather than upon questions of fact, so that questions of merit are not able to come forward. I would like to hear the Hon. Member's comment on this vital concern of witnesses.

Mr. Hawkes: Mr. Speaker, I will try to give even more clarity. People arriving at one of our border points who have fled persecution have no documents, no papers, nothing. They can tell their entire story to the immigration officer they first encounter. Any action taken in relationship to that arrival must be approved by a supervisor. If it is a positive feeling that they are really refugees, they simply issue a ministerial permit and the persons are inside the country. The only people they take to inquiry, common sense tells us, are those to whom they wish to deny entry. That is what the legislation says. It is time the nation looked at what the legislation says, not at what other people say it says. That is the scheme of the Act and the amendments in Bill C-55.

If we have 3,800 people arriving from Portugal, claiming to be refugees, and telling their story to the immigration officer, it is difficult to believe the story because there is no available evidence that there is persecution in Portugal. When these people arrive at our borders, under the current situation they are here for two years or three years because of all these wasted appeals.

Under the new system these people will go to inquiry and within seven days—perhaps it will be as few as 72 hours—they will have told their story and, if there is nothing to their story, they are gone. They have had appeals. They can appeal to the Minister and move for leave to appeal to the Federal Court.

The inquiry itself is an appeal of an administrative decision made by an officer at the border point. The legislation deals with nothing except appeals and levels of appeals. Six different groups have to concur in the decision not to admit before that person is not admitted. The person has a lawyer throughout, paid for at our expense. No country in the world comes close to the degree of protection offered by Bill C-55.

• (1050)

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I rise to speak to Bill C-55, an Act to amend the Immigration Act of Canada. The Bill is an extremely important piece of legislation. It reflects, or is supposed to reflect, the heart, the soul and mind of a country made up of so many people who came to these shores either under refugee or immigration status. It sets the future policy of our nation.

I listened to my hon. colleague across the way. I know he is a sincere and well meaning individual and I hope his health improves very quickly. As I see him hobbling out on his crutches, I appreciate the effort he has put forward.

I still remain unconvinced that there is a sense of humanity and sense of consideration for the true, real refugee coming to our shores. That is why I feel so strongly and say to the Minister that if this Bill goes through I hope he will watch it with great care. I hope he will bring the proper kinds of amendments to the Bill so that the three major areas of serious concern; the prescreening; the safe third country and the appeal process, will enable us to be sure that real refugees not bogus refugees will receive proper consideration.

The Member was pleading and discussing the Portugese situation, which only indicates in the strongest way the need for us to reform the immigration guidelines and the need for us to expand the definitions and the kinds of classes that we are prepared to accept in terms of general immigration, namely, the family class and the family rejoinder class.

I do not know what has happened to us in this country. I come from the Province of Quebec where large families were a way of life and only enriched the fabric of society. We have dramatically changed that concept of family in Quebec as we have done elsewhere in North America. That has not been the case in many of the European countries, the eastern countries, the South American and other countries from which immigrants come, and as a result of whom this country is much enriched. In other countries the concept of family is a much larger one. It includes nieces, nephews, aunts, uncles and grandparents.

The sooner we separate out the concerns surrounding refugee Bills, refugees coming to this country and the immigration stream, making it very clear that we are talking about two separate procedures and two separate groups in Canada the better it will be. It may seem as clear as motherhood and apple pie to Members of this House, but it certainly is not clear to the ordinary Canadian citizen.

Mr. Skelly: What about fatherhood and apple pie?

Mrs. Finestone: Fatherhood and apple pie. If the Member becomes a good baker, then that is fine with me. We could trade recipes, but that is not the point.

Some Hon. Members: Oh, oh!

Mrs. Finestone: The issue is how to bring the important concerns that are addressed in this Bill and remove the confusion found in the immigration stream and that stream which is called the refugee stream.

I find it rather ironic that we are dealing with this Bill in 1987, this being the United Nations International Year of the Homeless. What could be more relevant at the time of the world's focus on homelessness than a group of people, tens of thousands, maybe millions and millions, who are homeless not because of choice but because of instability in their home countries? They are looking for a decent home, a place to set down roots and a place to start a new life for themselves and their children.

This Bill does not answer the needs in the way that it should. Nor does it meet our responsibilities on an international scale. It is not only ironic but it is Machiavellian that we have allowed confusion to exist in the minds of Canadians. People who ask for immigrant status for their extended family but are blocked, who then see this large mass of refugees, who seem by the way in which this issue has been handled to be taking the place of nieces or nephews, it raises anger and ire on the part of our new immigrants. Confusion continues. We need a Government that will educate, lead and articulate that difference between a landed immigrant and those who come to our doors as refugees, allowing the kind of openness to those who have reached our shores in that kind of a situation.

I would suggest that the Minister of Immigration (Mr. Bouchard) should take a good look at the statistics with respect to the amount of family rejoinders that have taken place in Canada. Given the turmoil in the international world, we have far from kept our commitment, both in terms of the economic migrant and immigrant and the immigrant coming for family rejoinder. I would like to see the family rejoinder category enlarged and I am sure the Minister would too. I am sure there are ways in which that can be done and I hope it happens sooner rather than later.

From a historical perspective I think it is important to take a look at what Canada has done. In the 1960s and 1970s Canada was essentially selecting refugees from around the world and we were doing a very good job. We were very concerned and

manifesting a humanitarian approach as we went to refugee camps and selected immigrants. In recent years, during the 1980s, things changed. People are creative and when there is tremendous pressure around them and there seems no way out, they find alternative ways and means to enter a country. Those alternate routes are not always the most effective and efficient routes, but human beings who are looking for a new way of life and freedom in this world do accept terrible risks. That is something with which we need to concern ourselves.

In the early 1980s, as the Liberal Government saw this increasing growth of refugees, some of them bogus, some of them coming here using disreputable representatives, Rabbi Plaut was called upon to do a study and to undertake a serious examination of the needs of having an updated and new refugee Bill. A backlog of refugee claimant cases was aggravated by inaction. Rabbi Plaut said at the end of 1984 that the Government should have acted in an expeditious way to meet the growing concern. Did the Government do that? No, Mr. Speaker. What we had was no less than four different Ministers of Immigration, the Hon. Member for Kingston and The Islands (Miss MacDonald), the Hon. Member for Waterloo (Mr. McLean), The Hon. Member for Dollard (Mr. Weiner) and the Hon. Member for Roberval (Mr. Bouchard)—do I have 10 minutes or 20 minutes, Mr. Speaker?

Mr. Deputy Speaker: The Member has 20 minutes. She may continue her speech after Question Period.

Mrs. Finestone: Do you want me to terminate now, Mr. Speaker.

Mr. Deputy Speaker: Yes.

Mrs. Finestone: I will come back on a historical retrospective after the Question Period.

[*Translation*]

Mr. Deputy Speaker: It being eleven o'clock, pursuant to Standing Order 19(4) the House will now proceed to Statements by Members pursuant to Standing Order 21.

• (1100)

STATEMENTS PURSUANT TO S. O. 21

[*English*]

EDUCATION

MARC GARNEAU COLLEGIATE INSTITUTE

Mr. Alan Redway (York East): Mr. Speaker, tonight Overlea Secondary School in my riding will be officially renamed Marc Garneau Collegiate Institute in recognition of Canada's first astronaut in space.

The school, which serves both North York and East York students, will specialize in mathematics, science and high technology, including computer science and space technology. It will be working in co-operation with the nearby Ontario Science Centre, NASA, the National Research Council of Canada, the Science Council of Canada, the National Museum of Science and Spar Aerospace.

The name Marc Garneau Collegiate was chosen not only to highlight the specialized teaching program but also to provide a role model for the students. It should remind us all that this is the twenty-fifth anniversary of Canada in space, that 50 per cent of the engineers at NASA during the first days of the American Gemini program were Canadians, and that Canadians built the communications antenna and the lunar landing legs for the Apollo program.

Canadians have established themselves as world leaders in science. The students from Marc Garneau Collegiate will be our leaders of the future.

* * *

ABORTION

CALL FOR AMENDMENT OF LEGISLATION

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, this weekend, women across Canada will demonstrate their strong opposition to Canada's unjust and discriminatory abortion law. Statistics Canada figures show that access to legal abortions is declining dramatically and 18 per cent of therapeutic abortion committees which should be approving legal abortions have approved no abortions at all.

The current law only allows abortions which are performed in hospitals with permission from a panel of three doctors who determine if continuing the pregnancy would endanger a woman's life or health. Section 251 of the Criminal Code forces women to endure unnecessary and dangerous delays. The tragic consequences of this intolerable law fall most heavily on young women, immigrant women, rural women, working-class women and women of colour.

One male columnist expressed what many women feel. To compel a woman to bear a child against her will or to force her to abide by what others define as adequate or inadequate reasons for an abortion is a form of naked authoritarian violence. It is ironic that in this developed nation women must engage in constant struggle to obtain a fundamental right while an international conference on family planning has called on Governments throughout the world to liberalize abortion laws.

I call upon the Government to repeal Sections 251 and 252 of the Criminal Code, to decriminalize abortion, and to introduce a preventive holistic health care system including public community health clinics offering a complete range of health care services, including family planning and access to abortion for women and their families.

S. O. 21

EXTERNAL AFFAIRS

IRAN-IRAQ CONFLICT—SUPPORT URGED FOR UNITED NATIONS RESOLUTION

Mr. Bob Corbett (Fundy—Royal): Mr. Speaker, a couple of days ago the Iran-Iraq conflict began affecting more of the innocent civilian population in urban areas. An attack on a school in the Iraqi capital of Bagdad resulted in the deaths of 32 and the wounding of 218 innocent civilians, mostly children.

Iran has persistently ignored repeated pleas by various international organizations to put an end to all hostilities. In view of the existing explosive situation highlighted by this incident, and the prevailing concern of possible involvement of non-belligerent third parties, I wish other Members of this House to join me in expressing sympathy to the families of the victims in Bagdad and expressing in strongest terms support for the efforts of our Government to urge the parties to the Iran-Iraq conflict to abide by the terms of the UN Security Council Resolution 598 of July 20, 1987, which will help restore the much desired peace and stability in the region and put an end to the kind of incident that was witnessed in the senseless slaughter of the children of Baghdad.

* * *

THE CENSUS

ALLEGED RELEASE OF CONFIDENTIAL MEDICAL INFORMATION

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I urge the Minister responsible for the Census to refer the Young case of Powell River immediately to the RCMP for investigation. It is apparent that the Minister's staff is not prepared or competent to undertake an investigation.

The charge that confidential medical information taken during the Census was systematically released by Census staff to commercial drug company salespeople must be investigated. The release of this confidential information obtained in the Census is unconscionable criminal behavior and must be stopped. Not only does it violate the basic rights of the respondents, but it seriously undermines the Census and the integrity of all Census takers.

The Minister must refer this case immediately to the RCMP for investigation, and if action is not taken the reasonable course would be to counsel constituents to refuse to participate in the Census.

[*Translation*]

THE LATE WILFRID MICHAUD, FADOQ REGIONAL CHAIRMAN

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Mr. Speaker, I wish to pay tribute to Mr. Wilfrid Michaud, Regional President of the Fédération de l'âge d'or du Québec, who passed away suddenly Monday night. With his wife, Thérèse, we mourn the loss of a dear friend and husband. Thérèse was proud of Wilfrid, a man of great dedication and firm convictions. Saturday night, he joked about the Senators' astonishment at his support for Bill C-22, the proposed legislation on drug patents. This from the man who lead the fight against de-indexation and who worked for St-Laurent, Pearson and the Right Hon. John Turner!

I promise to pursue the plans for a senior citizens' centre in Gatineau, one of his pet projects. The centre will be named the Wilfrid Michaud Centre. Wilfrid deplored the fragmentation of his army, as he said. We must unite. There are 18 senior citizens' clubs in the riding of Gatineau. Since some of them have few resources, we must pool the resources we have.

* * *

[*English*]

AGRICULTURE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON SUPPLY-MANAGEMENT SYSTEMS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, the free trade deal is no deal for the farmers of the constituency of Glengarry—Prescott—Russell. Contrary to promises made by the Prime Minister (Mr. Mulroney), the Secretary of State for External Affairs (Mr. Clark) and others, supply-managed agriculture has been affected by the free trade deal. It is quite evident that the win for the Americans is a loss for Canada.

Canadian chicken imports from the United States, for instance, will increase by 20 per cent. Chicken is a supply-managed commodity. The Canadian dairy policy will be affected as well because, of course, Canadian dairy producers will now have no tariff protection for yoghurt and ice cream, products which will be free to come into Canada and will affect the livelihoods of those constituents I represent in the House of Commons.

Very clearly, the people of Canada were not told the whole truth by the Prime Minister and by the Government one more time. They will remember. Yes, they will remember.

EMPLOYMENT

CREATION OF JOBS IN SCARBOROUGH—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mrs. Pauline Browes (Parliamentary Secretary to the Minister of the Environment): Mr. Speaker, Scarborough continues to lead all of Metro Toronto in economic growth and job creation. In the past year, over 8,600 new jobs have been created in Scarborough, and 7,600 of those were full-time jobs. Over 450 new businesses opened last year, and in the past three years 26,000 new jobs have been created. The largest single employment increase occurred in the manufacturing sector which now employs close to one-third of all Scarborough workers.

Those manufacturers and the workers they employ know that, thanks to the Canada-U.S. free trade agreement, their economic future looks very good indeed. Free trade means that Scarborough's businesses will have greater access to the U.S. market and a chance to compete for some $300 billion worth of U.S. federal government contracts.

Free trade also means that consumers in Scarborough will pay lower prices for the goods they buy and have a wider selection to choose from. The President of the Scarborough Chamber of Commerce welcomed the agreement by saying that free trade will give Scarborough an opportunity to compete in a larger market and, over time, that will help them expand and create new jobs.

Business people, workers and consumers in Scarborough welcome the free trade agreement because they know it will help our city to continue to be one of the most prosperous and industrious communities in Canada.

* * *

FORESTRY

CALL FOR REMOVAL OF SOFTWOOD LUMBER EXPORT TAX

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, Canadians associated with the Canadian forest industry were shocked and experienced a sense of betrayal when they found that the federal Government had decided to adhere to the American request to impose a 15 per cent softwood tax on exports going to the United States. They were doubly surprised when they found this 15 per cent softwood tax was now entrenched in the Canada-U.S. trade deal.

• (1110)

In some provinces such as British Columbia the provincial Governments have increased stumpage rates at the same time. Mr. Ike Barber, spokesperson for Slocan Timber Products Clearwater Mill indicated that the B.C. Government increased charges to that company more than 1,000 per cent.

Mills in provinces such as British Columbia are now getting it two ways—the 15 per cent surtax on exports to the U.S.; and now significant increases in stumpage and other charges. As a result, forest companies such as the Ainsworth Mill in Savona and the Balco Mill in the North Thompson Valley of British Columbia have had to close down their operations in the last few weeks.

The federal Government should get its act together. First, it should remove the 15 per cent tax which has now been entrenched in the trade deal with the U.S. Second, it should put in place programs to assist those workers who have lost their jobs and are unable to provide for their families as a result of provincial and especially federal government initiatives.

* * *

[*Translation*]

NEW BRUNSWICK

PROVINCIAL ELECTION—LIBERALS' SUCCESS

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, "Fifty-eight for the Liberals, nothing for the Conservatives and nothing for the New Democrats, in other words, 58-0 for the McKenna team". Incredible but true, that was the score after a campaign conducted by a terrific leader and his team. New Brunswick is now entering the McKenna era, and the energy and determination of the Premier Elect will give the province a new lease on life.

Nothing could hold back this tidal wave, not even the millions of dollars worth of projects announced by the federal Minister for Tourism and Small Businesses. The federal announcements during the campaign only strengthened the resolve of the people of New Brunswick to get rid of the Conservatives.

[*English*]

What if a federal election were called? My bet is that in New Brunswick it would be another wipe-out; 10 to nothing for the Liberals. Of course, we could not be so lucky as to have a federal election called in the coming year.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON SERVICE SECTOR OF ECONOMY

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, the Economic Council of Canada did a study which indicated the free trade agreement would increase jobs in Canada by 350,000. It did not take into account the service sector which

provides 70 per cent of employment in Canada. Some 80 per cent of those jobs are held by women.

We ask the Government to stop any further confirmation of the free trade agreement until it starts to look at the implications, not just for the service sector but for women. They will be left without jobs, and that is intolerable. If the Government does not act quickly and stop selling our country down the drain we are going to be in terribly destitute straits.

* * *

HUMAN RIGHTS

U.S.S.R.—ISSUANCE OF EXIT VISAS FOR REFUSENIKS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, it was wonderful to watch last evening a TV broadcast of Ida Nudel, a long-time Soviet refusenik, receiving her citizenship in Israel. I met her in Moscow in May of this year, along with well over 100 Soviet Jews who have been struggling for many years to leave the Soviet Union. One such individual was Valdimir Slepak. His ordeal and struggle to leave the U.S.S.R. lasted 17 years. Again it was wonderful to hear that two days ago Mr. Slepak was finally allowed to leave.

Before we overly applaud the U.S.S.R. for the release of those two people, let us remember that it is simply living up to its basic human rights obligations. Many thousands of Soviet citizens are still being denied exit visas. I wrote to Mr. Gorbachev this week asking for special consideration for Professor Naum Neiman and Dr. Benjamin Charney. Both have cancer and both have been waiting many years to leave the U.S.S.R. and receive better medical attention in the West. Is *glasnost* really working? Is it fair?

* * *

APARTHEID

SOUTH AFRICA—COMPLETE BAN ON TRADE ADVOCATED

Ms. Sheila Copps (Hamilton East): Mr. Speaker, we have seen in British Columbia this week a battle over the question of apartheid. It seems to me the Canadian Government's words would ring far truer if it would follow up on the all-Party resolution calling for a complete ban on all trade with South Africa.

The Prime Minister (Mr. Mulroney) is no doubt aware that, notwithstanding our commitment to collective sanctions, in the first six months of 1987 we saw a 37 per cent increase in trade in non-sanctioned goods. We have seen an increase of over 3,000 per cent in the trade in textiles between 1984 and 1986. It is clear that selective sanctions are not working.

Notwithstanding the Secretary of State for External Affairs' (Mr. Clark) comments about "sanction fatigue", now is the time to move ahead with full and complete sanctions to let South Africa know that no country in this world is going to tolerate that apartheid racist regime.

* * *

PROVINCIAL AFFAIRS

BRITISH COLUMBIA—ROAD BUILDING—STATEMENT ATTRIBUTED TO MINISTER OF TOURISM

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, the lowest form of pork-barrel politics is alive and well in the Social Credit Party in British Columbia. On Wednesday night, at a meeting in my constituency, Minister of Tourism Bill Reid spoke to a group of Socreds and said:

> You know that until you get a Socred in here you're not going to get a road through.

When he was interrupted by groans and laughter he said:

> Well, I mean, that's a fact of life. I'm talking to friends, I hope. I mean, that's a fact of life.

The facts of life in British Columbia, as the Socreds interpret them, are that unless people vote for that Government they are not going to get the services they are paying for in their taxes. The facts of life under a Social Credit Government are that unless people support them the whole democratic process has been rendered meaningless.

They would like a one-Party state as there is in New Brunswick. But, that is not going to happen because the NDP in British Columbia is not going to accept the plan of that Government which is to try to turn British Columbia into a system with a centralized Government, and eight satrapies responsible to the Premier but not to the people who elect the MLAs.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—MINISTER'S SIGNATURE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a question or two for the Minister of Finance. Yesterday, as reported at page 10,000 of *Hansard*, the Minister said:

> I signed one document. That document was tabled in the House. If there was an error made in the distribution of documents in the embassy, I cannot control that.

I have in one hand a document tabled in the House bearing the signatures of the Minister of Finance and his negotiating team colleagues. It makes no reference to Bill C-22, the drug legislation currently before Parliament. In my other hand I have a different document bearing the signatures of the

Minister of Finance and his negotiating colleagues. It was produced in and by the Canadian Embassy in Washington and given to the media. It refers specifically to Bill C-22 and the drug legislation as part of the negotiations material.

These documents are not the same. The signatures are different. The texts are different in so far as one refers to the drug legislation and one does not.

The Minister said yesterday: "I signed one document." Can he explain why his signature appears in different calligraphy, different writing, on two documents?

Hon. Michael Wilson (Minister of Finance): That is a very easy answer to give, Mr. Speaker. The Hon. Member is a lawyer and knows that normally there is more than one signing page for a document like this. There is one document, the document that was signed and tabled in the House a week ago Monday, but there are two signing pages. One was for the United States and one was for Canada. Copies of those two signing pages obviously have been used in the material to which the Hon. Member has referred in the House today.

• (1120)

Mr. Turner (Vancouver Quadra): The Minister still has not explained why the documents are different. Either the Minister signed twice, is suggesting that he did not know what was in the document he signed, or he is suggesting that it was changed after he signed it.

[*Translation*]

REQUEST FOR CLARIFICATION OF SECOND DOCUMENT

Right Hon. John N. Turner (Leader of the Opposition): In any case, Mr. Speaker, for two years the Government maintained here in the House that its drug patents Bill had no connection with the free trade talks. Now we are being told in the House that the day before the final version was signed, senior Canadian officials were still negotiating on the inclusion of this Bill in the trade agreement with United States.

First, the Minister told us he did not sign the document. Then he told the House he signed only one document. Now we have two documents, and the Minister has failed to explain why. As I said earlier, these documents are not identical. The signatures are not identical. One document refers to Bill C-22 and the other one does not. The notation of the date on the documents is different.

If the drug patents Bill was never part of the negotiations, and if the Minister only signed one document, who gave Canadian Embassy employees the second document with the signature of the Minister of Finance, mentioning this particular Bill? Perhaps you could explain that.

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker we are getting into the same sort of area that we covered at great length yesterday. I will not reply to the same questions for, I think, the fifth or sixth time.

I will say that the Leader of the Opposition has distorted what I just said in my first answer to this question. I said that I signed one document. There were two signing pages, as I indicated in my first response, one for the American side and one for the Canadian side. That is normal. He should know that as a lawyer.

Mr. Turner (Vancouver Quadra): Mr. Speaker, as a lawyer I always insisted that my client read the document before he signed it.

REQUEST FOR MINISTER'S RESIGNATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we have two different documents here. The signatures are different. Either the Minister did not first read the document on an important matter affecting the trade relationship between Canada and the United States or it was changed afterwards, or he signed both. We have not yet received a satisfactory explanation.

We have one signature on one document, we have a second signature on another document. I suggest perhaps we should have a third signature on a letter of resignation.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, here we go again. I do not have anything to add to what I said yesterday or to what I said in the first two answers I gave to the Hon. Member. There were clerical errors, as he can understand. As people were collating documents, a lot of loose pages had been taken from the document that they signed, and that I read. I read it very thoroughly because I was intimately involved with much of it.

The Hon. Member is clearly reaching a new low. He is trying to deflect the attention of people from the benefits of this agreement and the fact that it will create jobs across the country, create better jobs throughout the country, reduce prices for consumers, result in a greater variety of goods, result in a great deal of economic benefit, and result in the continuation of our social programs because they are not touched by this agreement. It will reinforce the unique identity of Canada—

Mr. Speaker: I hesitate to interrupt the Minister but the answer is getting well beyond the question.

MINISTER'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, my question is directed to the Minister of Finance. The Minister told the Leader of the Opposition that normally there is more than one signing page for a document like this. Those were his exact words.

I take it that the Minister of Finance is saying that he affixed his signature to more than one signing page without first making sure that that signing page was attached to a series of pages representing the agreement which was reached. If that was the case, how could he have been so careless as to

allow that to happen? How could he have simply put his signature on signing pages without making sure that the underlying document reflected the whole agreement? Is this not a symbol of the way the Government handled this whole matter so carelessly and sold out Canadian interests?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, now they are really groping.

Mr. Turner (Vancouver Quadra): We are groping for the truth.

Mr. Wilson (Etobicoke Centre): They are really groping, going to this length. I signed the document. I signed the document that was tabled in the House a week ago Monday. I think I have said that about eight or nine times now.

All that I can presume from the way the Leader of the Opposition and the House Leader of the Liberal Party are waving this red herring across the trade agreement is that they are not capable of challenging the importance of this agreement. They know that this has protected our social programs. They know that this has protected our culture. They know that this has strengthened the Auto Pact and that this has strengthened a number of other industries across the country. They know that this will increase regional development.

[*Translation*]

NEGOTIATIONS CONCERNING CANADA-AMERICAN AGREEMENT—INQUIRY WHY MINISTER ACTED SO CASUALLY

Hon. Herb Gray (Windsor West): Mr. Speaker, the Minister of Finance has not explained why he signed a document distributed by our ambassador to reporters in Washington. The document included a clause in which the Government promised to pass Bill C-22, despite the fact it had promised the House the Bill would not be on the table.

I ask the Minister to explain why he has been so offhand about this matter, when he himself said that he was in charge of these negotiations. Why is he being so offhand about the negotiations and the agreement? Why did he give the Americans a blank cheque and sell out to the U.S?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member is groping again. He does not really know what he is after, he is just trying to deflect information.

I am holding a press release from the Canadian Embassy, dated October 13, which says in part: "At a press briefing held in Washington on October 5, concerning the results of the U.S.—Canada trade negotiations, the Canadian Embassy issued documents which contained an incorrect version."

It goes on to say that:

"The incorrect version of this text had come forward as a draft from one of the many working parties focusing on the major elements of the agreement and had been rejected by the Canadian negotiators. At no time did the Canadian negotiators agree to the inclusion of this text as part of the Canada—U.S. agreement."

Upon discovery of this error—; clerical error:

"—the Embassy immediately issued the correct documentation."

I do not know what else I can say. We are going over and over again that which has been carefully set out by me, by the embassy, and by my colleagues a week ago today.

BRIEFING OF UNITED STATES SENATORS—REFERENCE TO BILL C-22

Hon. Edward Broadbent (Oshawa): My question for the Minister of Finance concerns the same subject. Yesterday when I raised in the House the question of briefing notes that were prepared for the U.S. Treasury Secretary, that made a specific link between the free trade agreement and the passage of Bill C-22, the pharmaceutical legislation, the Minister of Finance on behalf of the Government of Canada again denied the connection. He did so again just a minute ago, saying that the Canadian Embassy in Washington issued a statement on October 13 which said that the so-called connection between the drug legislation and the package was only in an earlier document.

This morning it was confirmed by three U.S. Senators that the briefing they got last week after the final agreement was produced included, as part of the package as described to them, Bill C-22. The offices of at least three U.S. Senators who are on the key Finance Committee are now saying that they have been told by U.S. officials that this was part of the agreement. Is the Minister of Finance now saying that the U.S. Senators are wrong as well?

• (1130)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have in my hand a press release that was issued this morning by the Office of the United States Trade Representative.

Mr. McDermid: Read it.

Mr. Wilson (Etobicoke Centre)): Thank you very much. I will. It reads:

The document printed in *Inside U.S. Trade*—

—which I believe is the document to which the Leader of the New Democratic Party was referring yesterday—

—was a draft, uncleared, staff-level document that was prepared prior to the end of the negotiation and obviously does not reflect the final results.

I think that speaks for itself.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, all this proves is that members of the Government of Canada have been on the phone in the last 24 hours talking to their U.S. equivalents.

Some Hon. Members: Oh, oh!

CONTENT OF AGREEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I want the Minister of Finance to listen to the question for once and answer it. The question I asked a minute ago was about the final document, not the interim document.

I want the Minister of Finance to explain to the House and the people of Canada why three U.S. Senators—and that is all we had time to contact so far this morning—who were briefed on the basis of the final document were told that Bill C-22 was part of the package? Is he saying that the U.S. Senators are lying?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Leader of the New Democratic Party has been known to—and I choose my words very carefully—

Mr. Broadbent: You had better.

Mr. Wilson (Etobicoke Centre): —misinterpret what some people have said to him. I said yesterday and on Tuesday of this week that what was tabled in the House of Commons is the final document. That is the agreement. That is a fact.

If the Leader of the New Democratic Party is not going to accept that as a fact, I suggest that he stand up and tell us what he is going to accept. That is the fact.

Mr. Broadbent: Mr. Speaker, the Minister's little homily was indeed touching.

Some Hon. Members: Oh, oh!

INFORMATION PROVIDED TO UNITED STATES SENATORS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, no one is saying that what was signed and what was tabled is not the agreement. We all understand that. What is at stake here, and has been raised by both opposition Parties, is whether, in addition to what was signed in the final form, there was a side agreement which has been made clear to the U.S. Senators and U.S. officials.

Is the Minister of Finance telling us that the U.S. Senators were misinformed when they were told that as part of the overall package, including the final agreement, the Government of Canada has agreed to pass Bill C-22? Will the Government for once be fully honest with the people of Canada on this matter?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I will be fully honest with the Leader of the New Democratic Party. Yes, we are saying that we are going to pass Bill C-22. We passed it once and passed it a second time. I will tell any Senator or any member of the U.S. administration that we have passed it twice.

The Leader of the Opposition should try to pull his appointed Senators into line and not try to weasel out of his responsibility as Leader of the Opposition—

Mr. Gray (Windsor West): Just do your job.

Mr. Wilson (Etobicoke Centre): —to get that legislation passed, under the pretext of some change in the trade agreement. If he is trying to weasel out of his responsibility he should stand up and tell us why he is weaseling out.

WORKING PARTY'S REFERENCE TO BILL C-22

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I would like to remind the Minister that the only political Party that is operating on pretext is the Party opposite, the Conservative Party.

The Minister of Finance has made an incredible admission this morning in the House. In answer to the question of my Leader he said that up until the eleventh hour, only hours before the document was signed, the working party was including the issue of the drug Bill in the final package. He said this morning that the working party included the drug legislation.

How can he say that here in the House when for a year and a half he, his colleague the Minister for Consumer and Corporate Affairs, his colleague the Minister for International Trade, and the Prime Minister have insisted that the drug Bill was never part of the negotiations? What was the working party doing in the eleventh hour with any mention of the drug Bill in any working copy?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, at any time in the negotiations the Americans can bring up any issue they want. That is part of negotiating. I have never said that that did not come up in the negotiations during the weekend of October 3 and 4. What I did say was that as far as Canada is concerned that is not a part of the negotiations, that is not going to be agreed upon as part of any agreement. That is why it was rejected out-of-hand as soon as it came to the table.

MINISTER'S POSITION

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I gather that the Minister has finally admitted that it was in fact part of the negotiations. Is he asking the Canadian people to believe that in the eleventh hour, three hours before the final document was signed, the Americans came forward with new propositions and the Canadians were entertaining new propositions on an area as critical as the drug laws of our country?

If that is the case, this free trade agreement will give us even more trouble than we thought it would. He cannot even run his own secretarial services.

Mr. Speaker: Order. The Hon. Minister.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the other side is sinking to new depths of despair. If the Hon. Member for Hamilton East has ever been a part of negotiations she will know that things come up at various stages in

negotiations. Sometimes they are things which have been discussed right from the start and sometimes they come up at a very late hour.

Ms. Copps: I thought you said it was a clerical error.

Mr. Wilson (Etobicoke Centre): This is another attempt to deflect the interest of Canadians from the benefits of this. We are trying to carry forward the benefits that we have brought to this country. We have been number one in job creation, number one in economic growth among industrialized countries, and number one in productivity performance. We want the free trade agreement to continue that very good record of success into the next century.

Some Hon. Members: Hear, hear!

FILM DISTRIBUTION LEGISLATION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I talked with three U.S. Senators' offices this morning. Each confirmed to us what Senator Baucus' office stated quite specifically, that not only was Bill C-22 part of the free trade negotiations but the film distribution question also came up during briefings and the Canadian Government's proposed legislation was part of the free trade negotiations on that issue.

I will direct my question to the Minister of Finance. Given this reality on top of the reality with regard to the drug legislation, will the Government finally come clean and tell Canadians what it has agreed to do to "solve Mr. Valenti's problem"?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the answer is that nothing was done to solve Mr. Valenti's problem. That was not part of any agreement, not the agreement that was signed here or any other elements of the agreement.

[*Translation*]

GOVERNMENT POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, according to the U.S. Senators, the Bill on film distribution was discussed. Is the Minister prepared to inform the House what he is going to do for Mr. Valenti? Is he going to tell Canadians what he wants to do about a major problem for Canadian culture?

• (1140)

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, nothing.

ACCESS TO INFORMATION

GOVERNMENT ELECTION PROMISE

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question concerns the Access to Information Act and, in particular, the Government's rejection of over 90 per cent of the recommendations of a unanimous report of a committee recommending major changes to the Access to Information Act.

As you know, Mr. Speaker, in the promise-filled summer of 1984, in its thirst for power, the Conservative Party made over 338 promises. One of those promises was for a more open Government. The Prime Minister, the Leader of the Conservative Party at the time, promised that he would overhaul the Access to Information Act.

He said in August, 1984: "The present (Liberal) Government believes you have only limited rights to know... Conservatives believe you have every right to know". The Prime Minister promised to "end the obsession with secrecy". My question to the Government is very simply this. Why was this promise broken?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, in the absence of my colleague, the Minister of Justice, who is away on official business, I would like to advise the Hon. Member that yesterday the Minister of Justice in a scrum outside the House, following the tabling of the response said: "We are committed to the principle and we are, in fact, by our response, indicating immediate action to make it a more effective and a more efficient vehicle for the average Canadian to get information on government operations".

GOVERNMENT POSITION

Mr. John Nunziata (York South—Weston): Mr. Speaker, is it any wonder that the Conservative Government is at 23 per cent in the polls? Is it any wonder that this is the least popular Government ever in Canadian history?

Mr. Speaker: I know that the Hon. Member may well want to put a preamble to his question and, of course, the Chair would accept that. But I do not think that those comments were properly a preamble. Would the Hon. Member put his question, please?

Mr. Nunziata: Mr. Speaker, the Government is refusing to provide the public with more access to government information, notwithstanding the promises it made during the last election campaign. The Government will recognize that more information makes for a more honest Government. My question to the Government is this. Why is it refusing to provide more information to the public? What is it trying to hide?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, again, I can only repeat my earlier answer to the Hon. Member. I would advise him that we will ensure that the

Access to Information Act is carried through in spirit, as well as in fact, by changing the attitude of Government on openness and accessibility.

Mr. Jelinek: It is more than the Grits ever did.

COMMITTEE'S RECOMMENDATIONS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also directed to the Solicitor General. The present Minister of Justice on November 27, 1984, had this to say:

> The people of Canada have a right to information and the preservation of that right is one that we in this Party and the Government regard as the most serious undertaking we have.

Mr. Speaker, we have just learned that with respect to the unanimous set of 108 recommendations by the justice committee the Government has decided to ignore 97 of those recommendations in terms of opening up access to information.

My question to the Hon. Minister is simply this. Why did the Government go against that unanimous set of recommendations in an effort to cover up and to keep invaluable information from flowing to the people of Canada?

Some Hon. Members: Hear, hear!

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I have already answered that question in response to another Hon. Member. Again, I can only repeat what my colleague, the Minister of Justice, said yesterday. "We are committed to the principle and we are, in fact, by our response, indicating immediate action to make it a more effective and a more efficient vehicle for the average Canadian to get information on government operations".

PRIME MINISTER'S STATEMENT

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I have before me a quote by the present Prime Minister that he uttered on August 13, 1984, just before the last federal election. He said that the difference "between the present administration", that is the Liberal administration, "and a new Conservative Government is simply this: The present Government believes you only have limited rights to know; Conservatives believe that you have every right to know".

Very clearly, the implication of the Prime Minister was that a new Government would change in terms of its approach to access to information. Will the Minister indicate why there is absolutely no difference at all and why the Prime Minister has gone back on his promise to the people of Canada?

Some Hon. Members: Hear, hear!

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I want to assure the Hon. Member that we are not a Party that goes back on its promises.

Some Hon. Members: Oh, oh!

Mr. Kelleher: There is only evil in the mind of the beholder, Mr. Speaker.

I would like to quote again from the Hon. Minister of Justice. He said: "We are expanding substantially the protection to the individual. We are curtailing substantially the use of the social insurance number as a single identifying number. We are looking after protecting the concerns of the average Canadian, and I think we are doing an effective and a good job in that regard".

* * *

AGRICULTURE

SUPPLY MANAGEMENT SYSTEMS—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for Canada's loose-leaf negotiator, the Minister of Finance, concerning the free trade agreement with the United States. On December 2, 1985, the Secretary of State for External Affairs said in response to my question concerning the protection of supply management systems in agriculture: "We do not intend to place agriculture at risk in any negotiations".

Given that statement and other statements by the Prime Minister to that effect, why were tariffs dropped on dairy products, a supply management commodity? Why were tariffs removed on chicken? Why are imports of chicken from the United States increased by 20 per cent? Is this another broken promise?

Hon. Michael Wilson (Minister of Finance): No, Mr. Speaker. I have a quote here somewhere by someone who is intimately involved in that industry who supports the agreement.

The tariffs are down. But the key element of the supply management system, the quantity restrictions, the import restrictions, remain in place. There have been some adjustments in the feather industry, but those adjustments are in line with the growth in the markets over recent years.

REMOVAL OF CHICKEN IMPORT TARIFFS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, the Minister has just referred to import restrictions. Does he not realize that one of those import restrictions making supply management work was the tariff restriction? How can he reconcile what he has just said now with the statement by a representative of the Canadian Chicken Marketing Agency who stated: "We do not agree that the chicken industry should be undermined by eliminating one of its very necessary underpinnings, tariffs". How can he reconcile his statements with what the chicken agency is saying, as well as other farming groups?

Is it not true that the Government has broken another promise to the farmers of Canada? Why does it not come clean now and admit that it has done so? It has sold them out. Was this another sheet that was in the wrong place in the negotiations?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the rhetoric does not improve the presentation one little bit. The point that I made is that the key element of the supply management system is not tariffs; it is the import restrictions. Those import restrictions have been adjusted in a very minor way, consistent with the size of the economy and the growth in the economy in recent years.

* * *

• (1150)

ADMINISTRATION OF JUSTICE

COMMITTEE'S EXAMINATION OF PAROLE SYSTEM

Mr. Bill Attewell (Don Valley East): Mr. Speaker, my question is directed to the Chairman of the Standing Committee of the House of Commons on Justice and Solicitor General.

Regardless of their views on capital punishment, I think virtually all Canadians agree that, in a good number of instances, jail sentences are not severe enough in relation to the crime committed. Many people believe that paroles or conditional releases are too lenient.

I wish to ask the Chairman is his committee actively dealing with these vital issues now, and when can we expect a report and recommendations?

Mr. David Daubney (Ottawa West): Mr. Speaker, I thank the Hon. Member for his question, and his long-standing interest in this area. I particularly recognize his work in the area of the young offenders legislation.

I can advise the Hon. Member that the committee has started work on this major review. For example, next week we will be hearing from the Chairman of the National Parole Board. The committee hopes to respond to the concerns of the public in a thoughtful and dispassionate way, and to suggest reforms perhaps as early as the end of June, 1988.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—REGIONAL DEVELOPMENT PROGRAMS

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is for the Minister of Finance on the trade deal. On October 4 on CBC the Prime Minister stated that regional development programs were "untouched and unchallenged" because of the trade deal. On October 9 the Minister of Transport stated: "There aren't any of our regional development programs that are affected by this agreement".

I wish to ask the Minister of Finance whether he sees any contradiction between what was stated by the Prime Minister and the Minister of Transport, and what was stated yesterday by the Deputy Minister of Finance, Stanley Hartt, in his appearance before the Public Accounts Committee when he stated: "We are going to have to think differently in terms of ways to promote economic development", and that some of the regional subsidy programs cannot be used in the future, such as the Michelin arrangement.

I wish to ask the Minister of Finance whether he can square that circle. Can he inform the House who is telling the truth?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, it has been known for quite some time that deals comparable to the Michelin deal are liable to action and countervail in the United States. I believe that the Michelin deal was the subject of a countervail action. Nothing has changed on that.

What we have at this point is a dispute settlement mechanism that ensures that the rules for that countervail are properly administered.

I point out to the Hon. Member that on Wednesday or Thursday there was an announcement made by my colleague, the Minister of Regional Industrial Expansion, on the project in Matane. Clearly we are able to move ahead with regional development policies that will bring ahead projects like the Matane project that are fully consistent with the trade negotiations for the specific position that we are in today.

Mr. Broadbent: Clean up our law, make it consistent with U.S. law.

Mr. Nystrom: Continue our regional development programs as long as they are consistent with American trade law, from the way I understand the Minister.

Mr. Riis: Right on, that is what he said.

[*Translation*]

INQUIRY WHO IS SPEAKING TRUTH

Mr. Lorne Nystrom (Yorkton—Melville): We had Mr. Hartt and his comments on Michelin last night, and on October 13, the Minister of regional development said in the House, in answer to one of my questions, and I quote:

> I can say categorically that federal programs aimed at resolving disparity have not in any way been compromised by the Agreement signed by our two Governments.

Mr. Speaker, yesterday, Mr. Hartt, the Deputy Minister of Finance, said the exact opposite.

The question is, once more: Who is telling the truth, Deputy Minister Hartt or the Minister of regional development?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, there has been absolutely no change in our abilities to deliver regional development programs that is affected in any way by the free trade agreement. Mr. Hartt was referring to projects like Michelin which was undertaken a number of years ago, which are subject to countervail law, as the same type of program in the United States, if it was exporting into Canada, would be subject to our countervail law. So nothing has changed.

The Leader of the New Democratic Party has a great big smile on his face.

Mr. Riis: It is you we are smiling at, Michael.

Mr. Wilson (Etobicoke Centre): The Leader of the New Democratic Party is not quite sure exactly what trade law is, and he is laughing in an inane way because he does not understand the import of the question.

* * *

[*Translation*]

ATLANTIC CANADA OPPORTUNITIES AGENCY

IMPACT OF FREE TRADE AGREEMENT

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, my question is directed to the Minister of Finance, following the statements made by the Deputy Minister. When we get several versions of the facts, it is often hard to tell what the truth of the matter is. My question concerns these statements, and I would ask the Minister how the free trade agreement will affect the activities of the Atlantic Canada Opportunities Agency. Are regions like New Brunswick and the rest of the Atlantic Region doomed to get only minor projects, the crumbs, while major projects will be directed to the more prosperous regions of this country?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, there will be no effect whatever on the ability of the Government to deliver regional development programs to Atlantic Canada. In terms of the last part of his question, there will be no bias at all in the Government redirecting major projects to other parts of the country outside Atlantic Canada. That is in no way affected by the free trade agreement. Our ability to deliver regional development programs to all parts of Atlantic Canada will remain absolutely unchanged and unaffected by this agreement.

[*Translation*]

REQUEST FOR DETAILS OF STATEMENTS BY MINISTER AND DEPUTY MINISTER

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, how does the Minister explain the comments made by his Deputy Minister, ramely that we will have to change our perspective on our regional development programs? Where is the truth in what the Minister said just now and in what was said by the Deputy Minister yesterday before a committee of the House?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have answered that question twice in reply to the member of the New Democratic Party.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—INFORMATION PROVIDED TO UNITED STATES SENATORS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Minister of Finance. There have been very real contradictions between what the Government has been stating and what the American officials have been stating on both the written and unwritten components of the trade package, and I refer specifically to Bill C-22 as well as the film distribution industry.

If the Conservative Government's version is the accurate one, will the Minister of Finance now call the American trade officials and ask them, in fact demand, that they stop misinforming the American people through the Senators in the United States? Will the Minister of Finance do that?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have a note that was given to me from my staff that indicates that Mr. Yeutter spoke to some member of the New Democratic Party and told him absolutely that Bill C-22 was not part of this agreement.

Some Hon. Members: Oh, oh!

REQUEST FOR INTRODUCTION OF FILM DISTRIBUTION LEGISLATION

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, we have said clearly in the House, and we recognize, that it is not part of the official document, but clearly it is part of the deal that was made. It was a side deal by this Government to sell out the rights of Parliament to make decisions on behalf of the people of Canada.

I ask the Minister to show some good faith. If his version of the truth is the factual one as it applies to Mr. Valenti's problem, at the appropriate Order of the Day today will the Minister table the Bill with regard to the film distribution industry in order that we can see what is in it?

Mr. Riis: Of course not.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, on a number of occasions I have stated the facts on Bill C-22. I

stated them on the film distribution policy. Yesterday, I think I stated them three times. I stated them also in response to my colleague from Mount Royal. That is a fact. I cannot do more than state the facts. If the Hon. Member has some integrity himself, he would accept what I say as the facts.

Mr. Murphy: Table the Bill.

BILL C-22—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Yeutter may be correct in suggesting that the drug Bill is not in the final text.

• (1200)

It certainly was in one of the final documents signed by the Minister, and it was certainly actively—

An Hon. Member: Look at the facts.

Mr. Wilson (Etobicoke Centre): It was not in the document signed by me. You are twisting the truth again, John.

Mr. Speaker: The Right Hon. Leader of the Opposition has the floor. I would ask Hon. Members to give him the appropriate courtesies.

Mr. Turner (Vancouver Quadra): It was certainly actively negotiated during the course of the trade negotiations with the United States despite disclaimers in this House.

Would the Minister give me and Members of the House an undertaking by way of a clear statement that there was no understanding, verbal or written, given either in public or in private to the United States administration or the United States Congress by the Government of Canada, that this Government would facilitate or arrange passage of Bill C-22, the drug legislation before the House?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have said that in the House in response to, I believe it was, the Leader of the New Democratic Party.

I will go down and I will speak to Mr. Baker, I will speak to Mr. Yeutter, I will speak to any Senator or any Congressman and tell him that it is the intention of the Government to see that Bill passed.

If the Leader of the Opposition would not weasel out of his responsibilities to control the non-elected Senate, the Senators from his Party who are holding up passage, holding back the will of Parliament, the will of the elected House of Commons, we would be able to move that legislation along.

Mr. Turner (Vancouver Quadra): It is not my duty to facilitate the passage of a bad Bill, I tell him that.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

QUERY CONCERNING POSSIBLE EXISTENCE OF OTHER UNDERSTANDINGS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we now have a clear statement from the Minister respecting the drug Bill, and we will have that on the record.

I want to ask him for another statement. Would he declare to the House of Commons that there has been no understanding, verbal or written, private or public, given by the Government of Canada to the United States administration or to Members of the United States Congress relating to any matter not specifically contained in the final text of the agreement, signed by him, between Canada and the United States?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am not quite sure I understand the question. Is that the same question as the first question the Hon. Leader of the Opposition asked?

Mr. Turner (Vancouver Quadra): No. I think we want it right on the record here that the final agreement contains the total agreement and that there is no understanding, which was given by the Minister or his colleagues or the Canadian negotiating team on behalf of the Government of Canada, either verbal or written, public or private, to either the United States administration or the U.S. Congress, on matters not specifically contained in that agreement.

Mr. Dick: So help you God.

Mr. Turner (Vancouver Quadra): Yes, so help him God. That is what we want.

Hon. Michael Wilson (Minister of Finance): I have made that statement before in the House, Mr. Speaker.

Mr. Turner (Vancouver Quadra): Just make it again, quite clearly.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): For the record.

Mr. Wilson (Etobicoke Centre): I will make it again quite clearly that I do not know what the Hon. Member is digging at here.

Mr. Turner (Vancouver Quadra): We will see.

PASSAGE OF BILL C-22—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a single supplementary question on the same matter to get absolute clarification.

The Minister has made it clear that in terms of the final document we have all seen there is no reference to Bill C-22. There is no dispute about that.

What there is an important dispute about is the understanding that has been conveyed, for example, to at least three Senators in the U.S. Senate who have to make a decision on

this, that as part of the package agreed upon there is included in that a commitment—I repeat, part of the agreed upon package by the Government of Canada—to pass Bill C-22.

Was there a specific undertaking, as specific as that, made to the U.S. administration? Yes or no?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is exactly the same question which has just been asked by the Leader of the Opposition. We have made no commitment.

Mr. Broadbent: You made no commitment.

Mr. Wilson (Etobicoke Centre): We cannot make any further commitment than what we have actually done in the House of Commons.

We passed Bill C-22 twice. The problem is with the Liberals in the Senate who are ignoring the fact that Bill C-22 will produce about 3,000 jobs, $1.4 billion in research and development spending, and tremendous benefits across the country, which will get us into the mainstream of industrialized nations in research and development, and better health care for Canadians right across the country.

* * *

HOUSE OF COMMONS

TENTH ANNIVERSARY OF TELEVISION BROADCASTING

Mr. Speaker: I wish to make a statement about the tenth anniversary of the House of Commons television broadcasting.

[*Translation*]

I would like to bring to the attention of all Hon. Members and our television audience that today is the tenth anniversary of television broadcasting of the proceedings of the House of Commons. On October 17, 1977, the proceedings of this House were broadcast for the first time on a daily basis.

Perhaps not all Hon. Members are aware that Canada was the first country to provide this kind of daily service. Since then, a number of provincial legislatures and many other legislatures throughout the world have followed suit.

[*English*]

I am sure all Hon. Members will want to join with me in taking this opportunity to thank the management and staff of the House of Commons Broadcasting Branch and Electronic Services Branch for their continuing efforts in ensuring that House television broadcasts are of the highest technical quality.

Some Hon. Members: Hear, hear!

PRIVILEGE

DECORUM IN THE HOUSE

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question of privilege, of which I gave you notice last evening, arises out of a rather unfortunate incident in the House of Commons involving the conduct of the Hon. Member for Winnipeg—Assiniboine (Mr. McKenzie).

Shortly after midnight when the Committee of the Whole was considering Bill C-86, the back-to-work legislation, I was recognized by the Chairman to speak. While I was speaking I was physically assaulted by the Hon. Member for Winnipeg—Assiniboine. I should add that the Member in question appeared to be seriously impaired by alcohol.

Some Hon. Members: Oh, oh!

Mr. Nunziata: The Member was given an opportunity to apologize—

Mr. Speaker: Perhaps the Hon. Member could understand that imputations or accusations are probably not appropriate in the Chamber. Certainly an incident happened of which the Chair has been made aware. I would ask the Hon. Member to conclude his comments and take some care in the words that he uses.

Mr. Nunziata: Mr. Speaker, the Member in question, the Hon. Member for Winnipeg—Assiniboine, was given an opportunity to apologize but refused to do so.

I would ask, Mr. Speaker, that you take the appropriate disciplinary action.

Mr. Dan McKenzie (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, in the wee hours of this morning during the postal strike debate I ejected the Hon. Member for York South—Weston (Mr. Nunziata) from this side of the House to the other side of the House.

I was unaware that the rules allow a Member to speak from any seat in the Chamber during committee of the Whole debate. I know that the Hon. Member for York South—Weston is a very respected Member of the House, a very effective debater, and I apologize to him. At no time in the future would I ever attempt to stifle him from entering into debate.

I apologize to the Hon. Member and to the House.

Some Hon. Members: Hear, hear!

• (1210)

Mr. Rod Murphy (Churchill): Mr. Speaker, whether or not the Hon. Member for Winnipeg—Assiniboine (Mr. McKenzie) is aware of the rules in Committee of the Whole, he certainly is aware that he is not the Sergeant-at-Arms in the House of Commons.

Some Hon. Members: Order.

Mr. Keeper: He physically assaulted the man.

Mr. Speaker: The Hon. Member, without any equivocation at all, has given an absolute apology. I wonder whether the Hon. Member for Churchill (Mr. Murphy) feels there is any necessity to continue. The Chair is in this position. Clearly an Hon. Member has said frankly to the House "I was wrong".

Mr. Keeper: He assaulted him.

Mr. Speaker: Once that is done, it seems to me procedurally that that is the end of the issue. However, the Hon. Member for Churchill is a well respected Member of this House and I would ask him perhaps to conclude his remarks, taking into account what I have just said.

Mr. Murphy: Mr. Speaker, I will certainly take your advice at its real value. I do think that there is no more important right for a Member of this House than the ability to get up and state his or her case on legislation before us. Any effort by any Member of this House to impede that right is completely unacceptable.

Under the rules in this House we cannot use certain words against each other. Certainly when a Member goes beyond that, he infringes on the rights not only of that one Member who is physically assaulted but of the entire House itself.

I would like to remind you, Mr. Speaker, that at the time this occurred we were dealing with legislation ordering people back to work. The Government was talking about violence on the picket lines and yet at the same time we had violence in the House of Commons.

Mr. Keeper: It is true.

Mr. Murphy: I would also point out that what we were dealing with in the House of Commons at that moment was very stiff penalties to be levied on anyone who broke the law of this land, penalties which would impede elected people from seeking election for the ensuing five years if they broke that law.

Mr. Speaker: The Hon. Member for Churchill, who I repeat is a responsible and well respected Member, knows that this is not the place to redebate the debate of last night. I see the Hon. Member accepting that. Perhaps he could close off his remarks.

Mr. Murphy: I agree, Mr. Speaker. I do believe it was necessary to point out for people who were watching the debate—obviously a great number of Canadians were—that they will see a double standard if we treat this issue lightly.

I accept the apology given by the Member. I do not think it was given overly graciously but it was given and we have to accept it in this House. I believe all Members are concerned that we have strict penalties for ourselves, just as we have for others, should this ever happen again in the future.

Mr. Speaker: The Hon. Member for York South—Weston (Mr. Nunziata) raised a point of privilege. The Hon. Member involved is a very senior Member of this place and he has stated quite clearly to this House, as is appropriate, "I was wrong. I am sorry".

I think that all of us can accept what the Hon. Member for Churchill (Mr. Murphy) has said, that this incident ought not to have happened and that it ought not to happen again. I think that closes the matter, and I thank Hon. Members for their co-operation.

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[*Translation*]

TENTH ANNIVERSARY OF TELEVISION OF THE HOUSE OF COMMONS PROCEEDINGS

POSSIBLE TELEVISION COVERAGE OF PARLIAMENTARY COMMITTEES

Hon. André Ouellet (Papineau): Mr. Speaker, I would like to add a few words to your comments on the tenth anniversary of television broadcasting of the proceedings of the House of Commons.

Perhaps I may remind the House that all parliamentarians gave their unanimous approval to the McGrath Report and recommended that the proceedings of our parliamentary committees be televised as well as those of the House.

On this tenth anniversary, it would have been appropriate for the Government House Leader to announce that the Government had finally accepted this unanimous recommendation by committee members, unanimously supported at the time by all Members of Parliament, and that it would proceed as soon as possible with also televising the proceedings of our committees, where increasingly, back-benchers are doing useful and important work that is of interest to the people of this country.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure, pursuant to Standing Order 106, to present a petition from a number of people from British Columbia who have been watching the debate on Bill C-55.

They draw our attention to the fact that the Standing Committee on Immigration has proposed a new procedure for refugees which, if adopted, would fairly and effectively solve the problems of backlogs and the unsubstantiated claims being

made. This particular initiative has widespread support among not only all Parties in Parliament, as reflected by the committee's report, but also the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and many of the groups and individuals very knowledgeable on refugee issues.

Therefore, they ask the Government of Canada to withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims for refugee claimants before a refugee board, independent of the Immigration Commission and to provide universal access to such hearings for every applicant in Canada along with the right to appeal on the basis of fact.

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I have the duty and honour to present two petitions, both of which have been certified correct according to Standing Order 106.

The first one comes from a good cross-section of the Canadian public in Mississauga, Bramalea, Toronto, Etobicoke, Willowdale, Scarborough, Agincourt, Ottawa, Gloucester, Saint John, New Brunswick, Hull and Aylmer. The petitioners call on Parliament to change Bill C-55, the Immigration Bill, to correct some very real problems which they see in it.

The second series of petitions are also on Bill C-55. The petitioners call upon the Government and Parliament to withdraw Bill C-55 and substitute legislation employing the principles of fair and quick oral hearings of refugee claimants before a refugee board, independent of the Immigration Commission, among other things.

• (1220)

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have a petition from a good cross-section of Canadians. Bill C-55 threatens Canada's traditional commitment to assisting refugees and sets out measures designed to keep most refugee claimants out of the country as opposed to ensuring that genuine refugee claimants are given protection.

Bill C-55 will result in many, perhaps most, refugees who reach our borders being turned away without having their claim heard on the merits of their cases and by limiting the right of appeal to points of law. This legislation ignores the reality that most refugee claims are questions of fact and credibility.

The concept of safe third country has no foundation in law and no definition and therefore subjects to the refugee process undue political and diplomatic pressures. The Standing Committee of Parliament has proposed a new procedure for refugees which if adopted would fairly and effectively solve problems of backlogs and unsubstantiated claims. That alternative has wide-spread support among all Parties in Parliament as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Conference and most other groups knowledgeable on refugee issues.

Therefore your petitioners humbly pray and call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute the legislation embodying the principles of fair and quick oral hearings of refugee claims before a refugee board, independent of the Immigration Commission universal access to such hearings to every applicant in Canada and the right to appeal on the basis of fact.

Ms. Margaret Mitchell (Vancouver East): I too have a series of petitions mostly from cities of Toronto, Windsor and Ottawa. It is asking that the Government withdraw Bill C-55 and substitute legislation which embodies the principles of fair and quick oral hearings of claims of refugee claimants and that this be done before a refugee board independent of the Immigration Commission with universal access to such hearings for every applicant in Canada and the right to appeal on the basis of fact. The petitioners state a number of very serious complaints about the present legislation.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I have a duly certified petition from a number of Canadians pointing out the problems that exist with Bill C-55 and pointing out that a Standing Committee of Parliament has proposed a new procedure for refugees which would fairly and effectively solve problems of backlogs and of unsubstantiated refugee claims and that this alternative has wide-spread support among groups involved with refugees.

Therefore the petitioners call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principle of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada and the right to appeal on the basis of fact.

Mr. Jack Harris (St. John's East): Mr. Speaker, I have the honour and duty to present a petition from Canadians from Edmonton in the Province of Alberta, Windsor, Ontario, Vancouver and Halifax. These petitions have been duly certified in accordance with Standing Order 106 and they are concerned with Bill C-55's threat to Canada's traditional commitment to assisting refugees. It recognizes the Standing Committee's alternative that has been proposed which has wide-spread support from the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and most other groups and individuals knowledgeable on refugee issues.

The petitioners call upon Parliament and Government to withdraw Bill C-55 and to substitute legislation embodying proper principles of fair and quick oral hearings and claims for refugee claimants based on a refugee board independent of the Immigration Commission.

Mr. Speaker: The Hon. Member for St. John's East (Mr. Harris) has managed to do something that most Hon. Members are very unlikely ever to be able to do in this Chamber

and that is to speak from a seat other than his own. However, the Chair exercised a great deal of latitude and consideration. Because the Hon. Member for St. John's East is of course well and honourably known to us all, it was perhaps appropriate not to interrupt him, but I would not want what just happened to be any example of what the Chair might be prepared to permit under other circumstances. As all Hon. Members know, they are to quite a degree rooted to their seats.

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, I have a petition here from citizens of Edmonton and Toronto and these have been duly certified. These people are urging the Government to withdraw Bill C-55 because by limiting the rights of the appeal to points of law, this legislation ignores the reality that most refugee claims are questions of fact and credibility.

Whereas the concept of a safe third country has no foundation in law and no definition and therefore subjects the refugee process to undue political and diplomatic pressures and the alternative has wide-spread support among all Parties in Parliament as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and most other groups and individuals knowledgeable on refugee issues, therefore, the undersigned have asked to have this Bill withdrawn.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all questions be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I am pleased to have an opportunity today to participate in debate on Bill C-55 which provides for amendments to the Immigration Act. My colleagues and I have just tabled a number of petitions. As the House knows and perhaps the people watching do not, Hon. Members were not allowed to read the petitions at the time of presenting them, so as part of my speech on Bill C-55, I would like to read into the record one of the petitions just so it is there for public consideration. It is entitled "Petition to the Honourable House of Commons, in Parliament Assembled.

> The petition of the undersigned residents of Canada who now avail themselves of their ancient and undoubted right thus to present a grievance common to your Petitioners in the certain assurance that your honourable House will thereby provide a remedy, humbly sheweth
>
> Whereas Bill C-55 threatens Canada's traditional commitment to assisting refugees, and sets out measures designed to keep most refugee claimants out of the country as opposed to assuring that genuine refugee claimants are given protection, and
>
> Whereas Bill C-55 will result in many, perhaps most, refugees who reach our borders being turned away without having their claim heard on the merits of their case, and
>
> Whereas by limiting the right of appeal to points of law, this legislation ignores the reality that most refugee claims are questions of fact and credibility, and
>
> Whereas the concept of "safe third country" has no foundation in law and no definition and therefore subjects the refugee process to undue political and diplomatic pressures, and
>
> Whereas the Standing Committee of Parliament has proposed a new procedure for refugees which, if adopted, would fairly and effectively solve problems of backlogs and unsubstantiated claims, and
>
> Whereas the alternative has widespread support among all parties in Parliament as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and most other groups and individuals knowledgeable on refugee issues,
>
> Therefore we the undersigned, your Petitioners, humbly pray and call upon the Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a Refugee Board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

That is the petition that has been circulated across Canada and been signed by hundreds if not thousands of Canadians who are very concerned about the impact of this legislation and about the manner in which those seeking to come to this land are treated.

The Bill revises the Immigration Act of 1976 mainly as it deals with people who claim refugee status in Canada, either when they arrive at a port of entry or when they are already here with visas as immigrants, students or visitors. The great majority of claimants are those arriving at a port of entry, usually without a visa. The Government, particularly the Canada Employment and Immigration Commission, has over a half dozen years tried to twist the system against refugee claimants by screening out ones they consider bogus and not letting them be examined by the body authorized to determine whether or not they are refugees.

• (1230)

A refugee, according to the UN Treaty we signed 20 years ago, is a person outside of his country and unable or unwilling

to return through a well-founded fear of persecution on account of race, religion, nationality, political outlook, or membership in a particular social group.

Canada's present law, the 1976 Immigration Act, provides a system for examination of claimants and decision by the Refugee Status Advisory Committee and Immigration Appeal Board. The system is cumbersome and it broke down two or three years ago because the number of claimants increased faster than the staff provided by the Government.

Once it had broken down, and a claimant might wait two, three or five years for a final decision, the so-called consultants and bogus refugees moved in. For a fee of several thousand dollars per head, consultants arranged to bring people in, coached to make a refugee claim which, given our strong human rights law and broken down processing system, could give them several years to earn Canadian wages before being removed from Canada. The worst example was that of Portuguese claiming to be Jehovah's Witnesses who feared persecution by the Roman Catholic Church in Portugal. The Government delayed imposing visa requirement for 14 months after the scam was known, allowing in 3,500 bogus claimants. Later came the Turks, Brazilians and others.

Quite clearly the law needs revision. The Standing Committee on Labour, Employment and Immigration, as a result of a study directed to it by the then Minister of State for Immigration and the House, tabled in November, 1985, its fifth report with a proposal for a swift and fair system of refugee status determination.

The committee proposed that a refugee claimant be sent directly to a refugee board without a lot of immigration procedures first. The board would decide yes or no, being trained and authorized to do so, and Immigration would take over from there; either admitting the person on refugee grounds or, if there were no other humanitarian grounds, expelling the person.

The Government was required to reply within four months but it has never provided this House with what we consider a comprehensive response to that report. Instead, it responded with Bill C-55, tabled in May of this year.

Briefly, this Bill sends a refugee claimant first to an immigration inquiry to determine whether there is any reason to not remove him or her from this country. The immigration adjudicator, a member of the refugee division at this inquiry, examines only the eligibility and credibility of the claimant. This means they do not judge the merits of his or her claim but only whether or not that person would be safe in another country which they passed through and should be removed to that country, or whether the country that the person indicates they are fleeing from is in fact a country that does not produce refugees. On either of these grounds they may prohibit him or her from going to the refugee division to state the whole claim and have it determined by that body.

Although the Bill has a few good points we have opposed it essentially because of the way it will prevent most claimants from having access to an otherwise good refugee determination system, that is the refugee division. We also oppose the harsh restrictions on time provided to find a lawyer, except for the ones provided and paid for by the Minister, and the severe restrictions on the right of appeal to the courts.

The restrictions on access violates the UN Convention which requires that everyone be accorded the right to make a refugee claim, and the UN Charter of Human Rights which says every persecuted person has the right to seek protection of another Government. It also violates the Supreme Court of Canada decision in the Singh case in April, 1985, that on the basis of the Charter everyone physically in Canada who makes a refugee claim has the right to be heard in person by the body that will decide on the merits of his or her claim. The Charter also guarantees the right of access to counsel. The right to appeal is implicit in Canadian law and may be defended on Charter grounds.

The Bill was tabled in May. We had an emergency session this summer, which is still going on and on and on, to deal with a separate but similar immigration Bill. However, because there was such urgency in dealing with C-55 the committee work was rushed through. There were only seven meeting days and some 40 witnesses were crammed into 44 1/2 hours. Clearly what the Government was trying to do was prevent a groundswell of opposition. It knew once the groups involved in immigration, whether it be the ethnic groups themselves who provide support for the people of their former nationality, or the churches, or labour groups or what have you, got an idea of what this Bill would really do they would develop the kind of groundswell that would be necessary to convince the Government to defeat it.

As we have seen, thousands of people have signed petitions asking the Government to change this. I get calls on a regular basis from churches in my riding who want an update and want to know what they can do, who they can write to, how they can put pressure on the Government to change this legislation. I have a copy of one such letter dated September 21 of this year from Donald Anderson, General Secretary of the Canadian Council of Churches. That is a very well respected body which has as its basis for being, aside from religion, the humanitarian aspects of our society. He writes:

> We appreciate government work to try to improve Bill C-55. Unfortunately our deep concerns remain. How can we know if a person claiming to be a refugee needs our help if we do not hear their problems? Each person claiming to be a refugee should have a right to have their individual circumstances assessed and their case decided on its merits before competent independent decision makers. To us, this is the intent of the Convention and Protocol.
>
> Immigration programs may legitimately choose who comes on humanitarian grounds and may set priorities on countries they may come from. We understand the attractiveness of this approach.
>
> Bill C-55 provides for exclusion of people not on the basis of their individual circumstances, but by a political cabinet decision that the country they transitted before arriving in Canada is deemed to adhere to Clause 33 of the Convention, that is, it is deemed the transit country will not return the person in any manner whatsoever to a country where he or she may face persecution.

This is a far shot from our obligation to give an individual who arrives in Canada a fair hearing of his or her claim to need our protection.

Also, there is no meaningful appeal to any of the critical decisions made which can remove claimants from Canada in proposed inquiries or hearings.

We cannot accept legislation which sets aside a claimant's right to just procedures in the name of administrative convenience.

We urge you to reconsider, to abandon this Bill C-55 and to speedily replace it with one conforming with the principles of allowing every claimant a hearing on the merits and a meaningful appeal. There are alternative processes we can surely all support.

Let me spend a few moments going into some detail on the elements I have already referred to; first, the denial of the right to be heard which was not corrected during many attempts in committee by my colleague, the Hon. Member or Spadina (Mr. Heap). I would just like to compliment him for the work he has done over this long summer and fall. I want to compliment the Member for Spadina for the many hours he has spent in Ottawa and out on the hustings working with the network that developed opposition to this legislation, working with witnesses and his colleagues on the legislative committee in an attempt to convince the Government of the need to make positive changes to the legislation. He has done an excellent job. I not only compliment him, I thank him on behalf of my constituents and all those who are concerned about immigration matters.

• (1240)

The denial of the right to be heard has not been corrected. The main fault in Bill C-55, quite unchanged by scores of amendments attempted in the legislative committee and at report stage, is that it denies Canada's obligation to let a refugee claimant at our border state his or her case. This is called "universal access", and is supported by the Supreme Court and the Charter of Rights and Freedoms. The UN Convention and Protocol relating to the status of refugees, which Canada signed in 1967, states unequivocally in Article 33:

No country shall expel or return (*réfouler*) a refugee in any manner whatsoever to the frontiers of territories when his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular group or social opinion.

The recognized logic of this is that Canada has solemnly agreed not to *réfoule* anyone inside our borders who claims to be a refugee unless and until Canada has decided that that person's claim is unfounded. The present 1976 Immigration Act reserves to the Minister, on advice of the Refugee Status Advisory Committee, or to the Immigration Appeal Board, the power to decide whether a claimant is or is not a real refugee. For several years, senior officials of the Immigration Commission illegally rejected certain claims without letting the Refugee Status Advisory Committee or the Minister see them, until the former Minister stopped them. Since then, they appear to have dragged their heels—by taking many months to arrange typing of the transcript of a claimant's statement under oath for example—until the system became hopelessly backlogged.

Bill C-55 is a renewed drive by the senior officials to exclude most claimants either on the ground that they could have claimed elsewhere or on the ground that they do not have a claim worth listening to. They are to be screened out before coming to the refugee division, which will have the legal authority to decide claims, and deported. This device not only violates Article 33 of the Convention, endangering real refugees, but will also waste time on cases that do go forward to the refugee division. That is the very fault laid against our present refugee determination system.

Let us deal with the safe third country. Is there a real safe third country in the world? The first test is to decide whether the claimant spent any time, other than at an airport in transit, in a country where he or she might have been safe. This is to be decided by looking at a list, made by the Cabinet, of countries that comply with Article 33 of the Convention.

That sounds reasonable at first. However, since Canada refused to hear that person's claim, Canada has no right to assume that the other country will hear it either. Therefore, the other country may do as Canada did, and expel the claimant to somewhere else which could bring the claimant who may be a genuine refugee back to the country of actual persecution. That would violate Canada's Convention obligation not to *réfoule* a refugee even indirectly.

We have seen an example of this only in the last couple of weeks. An individual was sent back to the safe third country, where he was immediately deported. That safe third country was our neighbour to the south. We have been talking about a continental energy policy, but I think we have a continental immigration policy to make sure that certain people do not get into the northern part of North America.

Let me turn to the credibility test. If a claimant passes the safe third country test, he or she is then required to demonstrate a credible basis for the claim. This, defined as having credible and trustworthy evidence upon which the refugee division might find a claim well founded, really means that the refugee division's work is to be done first at the screening, hastily, without a fair chance for the claimant to prepare, and by a panel including an adjudicator who is not competent to decide refugee claims.

If I had to decide for some reason that I must leave Canada because of my political or religious beliefs, I do not believe it would be something I would plan to do for some months, and therefore be able to arrange all the documentation I needed to support my claim to the country to which I was fleeing. Rather I would be probably lucky to flee with the clothes on my back. Most legitimate refugees do not have the opportunity to bring their documentation.

When I was a provincial member, I recall having a case of a citizen from the Ukraine, who was visiting Thunder Bay. She wanted to claim political asylum but there was a catch to the situation. She was divorced, but the divorce papers were in the hands of the Soviet authorities and therefore she could not use

the option of marrying a Canadian as a means of staying in Canada.

The point is that it is very easy for non progressive countries that are bound to create refugees of some type to ensure that their citizens do not have the proper documentation available to them. Furthermore, a person is a legitimate refugee likely because his political views differ from those of a fascist or military dictatorship. What assurances are there that such a government would give the Canadian Government accurate information about the refugee?

There must be a process by which each case can be examined on its merit rather than referring to a shopping list of safe third countries to which these refugees can be returned.

Canada has supported some very questionable governments in South America and other parts of the world over the years. We have seen those governments overthrown.

I see that my time is up, Mr. Speaker. I thank my colleague, the Member for Spadina for his efforts. We will continue to speak to this Bill to give the Government time to reconsider it, and realize that what it is doing is wrong.

Mr. Boudria: Mr. Speaker, does the Hon. Member agree that in some measure part of the abuse of the refugee system lies in the fact that it seems on occasion to be the only way to have access to this country? Perhaps if we could even meet the targets that are set, which we have not done for a number of years, there would be a system in which people would at least think they have a chance to have access to this country.

I agree with the Member when he says that there are many bogus claims of which he does not approve. I do not think any Member of the House approves of that activity. Frustration exists because the system has been bogged down by red tape, which I suppose is necessary in some measure in an immigration system but has been carried too far in our system and has put it into a state of inertia. Would the Member comment on that.

• (1250)

Mr. Angus: Mr. Speaker, I want to thank the Member for Glengarry—Prescott—Russell (Mr. Boudria) for his comments and his question. I agree that not only in terms of structure but in terms of philosophy we must open up this country. A number of years ago I listened to an individual, whom I will not name but who was a member of the big blue machine out of Queen's Park. He appeared on *Canada AM* every now and then with two other individuals, representing other political parties, who will also remain nameless. He spoke to a conference in Thunder Bay and argued very forcefully about the need to increase drastically the number of people coming to this country. The traditional family in Canada has 1.2 children, not enough even to sustain the existing population. We must, therefore, open up legal immigration.

Ours is a vast country which was populated by immigrants. My father's family came to Canada in the 1790s from the United States, having gone there from the British Isles. Successive generations of my mother's family came directly from Scotland and Ireland to Canada. My family was part of the group that opened up the west. My grandfather homesteaded in Manitoba in a village called Angusville, appropriately enough. I am the son of an immigrant. With the exception of our native Canadians, we are all sons and daughters of immigrants.

The country is changing because the individuals who come here are no longer primarily from Europe. People from the Caribbean, Asia, Africa and all parts of the world come here now. We need those people to work in our factories and to buy the goods which the factories produce.

It is important to develop an immigration policy which allows people to enter the country. As the Hon. Member said, we cannot even meet our quota. We cannot even reunite families to the extent that we would like. Every week constituents of mine come into my office and tell me, for example, that they have been trying for years to get their brother out of country x or their sister or son our of country y. The red tape which they must go through is extremely frustrating.

We need a system which will ensure that those people who want to come to Canada of their own free will to start a new life and look for opportunities are able to do so. In addition, we have a responsibility to accept those legitimate refugees who are forced to leave their homeland for whatever reasons. We need a process which will ensure that the legitimate ones get through and the bogus ones do not. The process must be carried out in a timely and humane manner, in the Canadian way.

Mr. David Berger (Laurier): Mr. Speaker, as I begin my comments I am reminded of a question asked by Rabbi Gunther Plaut at a meeting in Montreal in the spring. He simply asked why the Government does not tell Canadians the truth. It is a pertinent question which should be asked by all Canadians, and I will come back to it during the course of my remarks.

We are debating today a most shameful piece of legislation which illustrates more than any other Bill before this House the duplicity and hypocrisy of the Government and the Prime Minister (Mr. Mulroney).

Mr. Deputy Speaker: Order. I ask that the Member not use those types of words when referring to a specific Member of the House.

Mr. Berger: I will try to heed your admonishment, Mr. Speaker.

Most important, and regrettably, as a result of the actions of the Government, lives will be at risk and human beings will suffer. In the process Canada's international reputation is being torn to shreds.

Canadians were deceived by the Government. We were told that there was an emergency. Parliament was called back on August 11, several weeks after 174 Sikhs arrived on the shores of Nova Scotia. The Government held them in detention for several weeks. Extraordinary measures were implemented. Canadians were led to believe that we were subject to various threats to our security. In the final analysis every single person was released by an adjudicator who came to the conclusion that the Government had no grounds whatsoever for holding these persons in detention.

It is laughable to suggest that we are in an emergency situation when we compare our situation to that of other countries. I understand that the Government of Canada was embarrassed recently at a meeting of the executive committee of the United Nations High Commissioner for Refugees because of its attitude toward refugees. Observers from the refugee-producing countries attend the meetings of this organization.

At this particular meeting there were observers from Pakistan and the Sudan, each of which receive millions of refugees. There were representatives from Somalia, Mexico and Thailand which receive hundreds of thousands of persons seeking asylum or temporary shelter. Not one of those countries are taking restrictive measures. Not one of those countries even mentioned restrictive measures. They simply asked the western countries for help by way of food, medicine, or other goods, in order to cope with the hundreds of thousands, if not millions, of refugees on their borders.

• (1300)

If you can believe it, Mr. Speaker, Canada complained about the 30,000 or so asylum-seekers who have accumulated in our country over the past several years. We almost got booed out of the place. When the International Council of Voluntary Agencies in its statement on the protection of refugees complained about the restrictive measures and the inadequate appeals in the Bill that we are studying here today, quite understandably, the faces of the Canadian delegation turned red.

Is this the international image that we want to keep? Is this in keeping with Canada's humanitarian traditions which we have established over the past 25 or 30 years?

Where was the mellifluous Prime Minister (Mr. Mulroney) this past August with his words of generosity and compassion? I remind the House that only one year and several months ago now, in August of 1986, he said the following. These are the words which he uttered as reported in the press on August 18, 1986. He said, "It is not the presence of 155 frightened human beings searching for freedom and opportunity that is going to undermine Canada or our immigration policies". He was talking about the Tamils who had arrived in the summer of 1986.

What happened in the year? In 1986, the Prime Minister was generous in his attitude toward refugees. A year later, in 1987, he was silent. He had not a word to say. He left the dirty work to the Minister of Employment and Immigration (Mr. Bouchard) and to the Minister of State for Immigration (Mr. Weiner), who is sitting here in the House today.

The Prime Minister piped up recently and actually had the audacity to say that refugees are the wave of the future. On September 25 of this year, again as reported in the press, he said that accepting more refugees is going to be the wave of the future. May I suggest that the Prime Minister's words ring hollow when compared to the restrictive actions that this Government is taking? But how typical, I would suggest as well. The Government and the Prime Minister promised generosity and compassion, but we get harsh, unconscionable actions. It is no wonder that the people of Canada do not believe a word that he says. It is no wonder that the Government has sunk to such a low standing in the opinion of Canadians.

I come back to the question I asked earlier today at the opening of my remarks. Why not tell the truth? The Government and its spokesmen have misrepresented what honest, well-meaning individuals mean by the concept of universal access. They suggested that we would open the doors to all the refugees in the world, to the 15 million or 20 million of them. They even went so far as to say that we were suggesting that five billion people ought to come to Canada, if one can believe that.

I would like to refer the House to the words of the Parliamentary Secretary to the Minister of Employment and Immigration (Mr. Friesen) who, in debate in the House on August 13 of this year, as reported at page 8036 of *Hansard*, stated, "What I said was under the Singh decision," that being the decision of the Supreme Court of Canada a year or two ago in 1985, "with respect to the protection under the Charter, there is a possibility of five billion people. Anyone around the world could land on our shores . . . Therefore, potentially every person in the world can come here and claim refugee status. That confirms the numbers I quoted".

The Minister of State for Immigration now has his head buried in his papers. On that same day I was engaged in an exchange with the Minister of National Health and Welfare (Mr. Epp) who said that he did not believe in the concept of universal access. The Minister, in reference to me, said, "He is saying to Canadians, and they have to understand this, that everyone who decides to come to Canada and claim refugee status should have access". The Minister of State for Immigration piped up and said, "Five billion people". "Five billion people", the Minister of State for Immigration said, as reported at page 8043 of *Hansard* for August 13, 1987. What kind of nerve does he have to make that type of irresponsible statement? What type of nerve does he have to suggest to Canadians that five billion people may come to our shores?

Are those the actions of a responsible Minister of the Crown? Are those the actions of a responsible Minister of State for Immigration who flouts these kinds of fears and this

kind of ridiculous notion before Canadians? Five billion people, he said. It cannot be repeated often enough.

Universal access simply means that we give all people who claim to be refugees and who manage to come to Canada a right to be heard on the merits of their claims. That does not mean that we accept them. Our only obligation—

Mr. Deputy Speaker: I regret to interrupt the Hon. Member. We will have to go to the other place. The Hon. Member will be able to continue his speech when we come back.

* * *

[*Translation*]

MESSAGE FROM THE SENATE

Mr. Deputy Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-86, an Act to provide for the resumption and continuation of postal services.

[*English*]

I have the honour to inform the House that a communication has been received as follows:

Rideau Hall,

October 16, 1987

Sir,

I have the honour to inform you that the Honourable Gérard V.J. La Forest, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 16th day of October, 1987, at 1:00 p.m., for the purpose of giving Royal Assent to a Bill.

Yours sincerely,
Anthony P. Smyth
Deputy Secretary, Policy and Program

THE ROYAL ASSENT

[*English*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Mr. Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the Chamber of the honourable The Senate.

Accordingly, Mr. Deputy Speaker with the House went up to the Senate Chamber.

[*Translation*]

And being returned.

Mr. Deputy Speaker: I have the honour to inform the House that when the House went up to the Senate chamber, the Deputy Governor General had been pleased to give, in Her Majesty's name, the Royal Assent to the following Bill:

Bill C-86, an Act to provide for the resumption and continuation of postal services—Chapter 40.

• (1310)

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. David Berger (Laurier): Mr. Speaker, prior to my comments being interrupted by Royal Assent, I was explaining that the concept of universal access simply means that we give all people who manage to get to our shores and claim to be refugees a full hearing on the merits. Those who are in favour of this concept believe that we must give all persons a chance to prove their case. That does not mean that we have to accept all claimants. Indeed, under the UN Convention the only obligation we have is not to return them to a country where their lives would be in danger. Therefore, we can simply accept people on a temporary basis. If the situation in the country from which they fled corrects itself, we can return them to that country at that time.

It is totally misleading and incorrect to say that we are being flooded by millions of potential claimants. Millions of refugees are not coming to Canada. They have no desire to come here. They wish to return to their own countries. At the meeting of the United Nations High Commissioner for Refugees executive committee in Geneva, representatives from Somalia, Thailand, and Mexico did not ask Canada or western countries to resettle those refugees. They asked for our aid. Second, we have slammed on visas for most refugee producing countries. Third, we have imposed tremendous fines on transportation companies, so that the vast majority of refugees in the world will be left to struggle in refugee camps, to starve, to be shot at, and to be trampled on. It is misleading to suggest that those refugees in any way pose a threat to the peace of mind and way of life of Canadians, or to suggest that they are arriving in numbers which we cannot handle.

• (1320)

The following questions have been asked by Tory Members. Why should we help those who have managed to come here? Why not choose more from the refugee camps? They have said that they are the deserving ones, as if to say that those who come here on their own are not deserving, are not in need of our protection, or are breaking the rules to come here.

There is a very clear answer to these questions. It is precisely to allow refugees to move spontaneously on their own to a safe haven that the UN Convention exists. It was adopted after World War II when hundreds of thousands of people became victims because they had nowhere to go, no country would accept them. The UN Convention was established to

permit refugees to move spontaneously to seek salvation on their own. It was not to require them to stand in line or to apply at embassies abroad. The Convention was a deviation from the principle that sovereign states had total control over their borders.

Again I remind Hon. Members that it is incorrect, therefore, to suggest that under the UN Convention we are somehow subject to being flooded by hundreds of thousands of claimants from around the world.

Another great promise of the Government was to consult with Canadians. Not a single witness before the legislative committee supported the Bill. I remind the Minister of that fact. I would also suggest that Hon. Members read what the witnesses said.

In particular I should like to quote Professor William Angus from Osgoode Hall, an expert authority on administrative law. He referred to how the Government, in this Bill, was trying to limit access to the courts and to the traditional remedy which people have to apply to the courts for review of a decision made by a government agency or government board. In this case it would be the refugee division.

If we read his testimony before the committee, we see that he referred to the legislation as being unprecedented. He said that he had not seen before a situation where, in order to get the courts to review a decision made by the refugee division, one needed the permission of a judge or needed to apply for leave. Normally one does not have to ask the court for its permission; one has the right to have the court review the decision of an administrative tribunal. It is a long-standing remedy available to citizens which was developed in common law going back hundreds of years.

He went on to say that the provision in Bill C-55 was a most extraordinary provision which might be appropriate for an authoritarian state but completely inappropriate for a democracy such as we have in Canada which has the system of the rule of law. Is that not quite a statement for a professor of law to make before a parliamentary committee?

I have struggled to find words to express the abhorrence I feel for this wicked, unjust Bill for I do not believe that it belongs on the books. We were told by witnesses that court challenges were already being prepared, that it offends the Charter, that it offends human dignity, that it offends Canadians' sense of fairness, and that it offends human nature which will not submit to arbitrary, heavy-handed measures.

In conclusion, I am reminded of the words of the poet Robert Frost who wrote the following in the poem *Mending Wall*:

> Something there is that doesn't love a wall,
>
> That sends the frozen-ground-swell under it,
>
> And spills the upper boulders in the sun;
>
> And makes gaps even two can pass abreast.

As long as human beings have a breath of life, as long as they have a will to survive, they will find ways around the walls built by bureaucrats. They will find ways to save their lives. They will not linger in refugee camps.

Mr. Boudria: Mr. Speaker, I congratulate the Hon. Member for Laurier (Mr. Berger) on his excellent and very thoughtful presentation to the House this afternoon.

For the benefit of all Hon. Members, could he tell us what he thinks in greater detail about the so-called safe third country concept? We know that although certain countries may be a safe haven for individuals coming from certain destinations, they are not necessarily a safe haven for those who come from other countries or countries with different political beliefs.

Further, perhaps the Hon. Member could inform us on what he thinks of the particular provision and what he thinks will be the long-term effect of such a clause, were it to stand up to court challenges. We recognize that there is a distinct possibility that it will not. However, in the unlikely event that it will withstand a court challenge, what does the Hon. Member think will be the long-term effect of such a clause, both in terms of what the direct result would be for individual claimants and in terms of our status as a nation, recognizing that we have been an award winning nation? I am referring to the Nansen Medal which our country merited not long ago. How does he think we will fare in that regard with this new policy?

Mr. Berger: Mr. Speaker, I thank the Hon. Member for his question. The safe third country provision in the Bill sets up a screen. It is a way to screen claimants out of the system. It violates the principle of universal access about which I spoke earlier.

In essence it means that a good many claimants who come to Canada will not have the right to make a claim.

Since Canada happens to be a country which is fairly remote from most refugee producing countries, in essence it means that very few refugees will indeed be eligible to make claims in Canada. Estimates have been made that as many as 80 per cent of claimants will be ruled out as a result of this provision. The only ones who might be eligible, for argument's sake, are people from eastern bloc countries and Warsaw Pact countries who are on holiday to Cuba and deplane when the airplane lands to refuel in Gander. They will be eligible.

However, Afghans who spend some time in Pakistan or other countries prior to coming to Canada will not be eligible. Salvadorans who have spent some time in the United States will not be eligible to make a claim under that provision.

• (1330)

We are putting up a wall around our refugee determination system. For all intents and purposes we are excluding the vast majority of the refugees of the world. Furthermore, the Member will note, if he reads the provision relating to a safe

third country, that these countries will be prescribed by Cabinet. In other words, if a person is on a list prescribed by Cabinet, that person is refused, denied, access to the refugee determination system. There is no discretion whatever given to the adjudicator or the member of the refugee division at the hearing to look at the individual situation of the claimant. If the claimant is on a list, he is out of the system, excluded, and not entitled to make a claim. I understand that this is at variance with the practice in many of the European countries which have tried to implement this kind of a system. In France and West Germany there is room for individual determination, even if a person comes from a so-called safe third country.

The Member asked me to speak to the question of effect. I said earlier this summer in this debate and in an article that I wrote that tragic mistakes will be made, undeniably tragic mistakes will be made. I tried not to exaggerate the impact that this would have because we were trying to have a civilized debate. However, what do I mean by saying that tragic mistakes will be made, Mr. Speaker? Very simply, lives will be lost. Human beings will suffer as a result of this particular provision and this legislation. What does it do to Canada's international reputation? As I said earlier, our international reputation is being torn to shreds. Again, I have talked to people who attended the meeting of the executive committee of the United Nations High Commissioner for Refugees in Geneva recently where Canadian officials were all but booed out of the room.

Mr. Hawkes: Mr. Speaker, I was at the meeting and there was no booing. Canada was applauded for its stand. The Member might like to get his facts straight. As for the situation in Europe today, in most cases people from other European countries are turned away at the border with no appeals. They have none of the kinds of protections we see in Bill C-55.

When the Member speaks and writes articles about a safe third country, perhaps he should read the legislation and discover its accuracy. If the Member looks at the amended Bill, as part of the eligibility requirements in an inland hearing there is absolutely no notion of a safe third country being a consideration. The notion of a safe third country will occur at a border point when, in the judgment of the immigration official, there is no need for protection in Canada. That judgment is then appealed to an inquiry with an adjudicator and a refugee board member. It can further be appealed to the Federal Court of Canada, and it is always appealable to the Minister. There are three levels of appeal in the Canadian system in those few cases which will occur at border points.

Ms. Mitchell: You are kidding yourself.

Mr. Hawkes: There are three levels of appeal from an administrative judgment, Mr. Speaker. The European system has no appeal in most cases from similar administrative judgments. People are sitting across the way shaking their heads. They are dead wrong.

Ms. Mitchell: Look at reality. What about the person who doesn't speak any English?

Mr. Hawkes: This system provides protection that no other place in the world provides. The Member opposite is dead wrong when he talks about what the safe third country concept will do. When he thinks it applies to inland claims, it does not, in statute, as amended, and in the Bill that we have before us today it is deliberately excluded. I was part of the group who made those amendments.

Mr. Berger: Mr. Speaker, the Member has a lot of gall to stand up in this House and make those kinds of statements when he says that the notion of a safe third country will be applied at the border and a judgment will be made that a person is not in need of protection. There have been articles in the paper in the last few weeks. I have spoken to lawyers who told me that there are circumstances today already under the administrative measures introduced by the Government last February 21—

Mr. Redway: Name one.

Mr. Berger: —in which people have been returned to their countries—

Mr. Redway: Name one.

Mr. Berger: —where their lives are in danger.

Mr. Redway: Name one.

Mr. Hawkes: Name just one.

Mr. Berger: The hon. gentlemen are shouting,"Name one". There was an article in *The Globe and Mail* a week ago where Mendel Green, the very experienced Toronto attorney, was referring to a Filipino whose name I am afraid I cannot recall, but I would ask them to read this article. As I say, I have been in touch with some lawyers in Toronto in the past couple of days who have told me that there are other cases which they have not yet had the opportunity to document. There was a case I believe of a Salvadoran woman who was returned to the United States and subsequently returned to El Salvador.

I would say to the Member, it is perhaps unfortunate to say, that he has absolutely no credibility to stand up in this House and to speak on this question. He has lost his credibility among all of the people who work in this area, among church groups, humanitarian organizations, Amnesty International and knowledgeable immigration lawyers. I invite him, if he is so confident of his facts, to speak to the Minister of State for Immigration (Mr. Weiner), as well as the Minister of Employment and Immigration (Mr. Bouchard) and ask them to attend some debates that have been scheduled over the course of the next few weeks and to respond to some of the invitations they have received but which they are too afraid to attend.

Mr. Deputy Speaker: Resuming debate with the Hon. Member for Vancouver East (Ms. Mitchell).

Immigration Act, 1976

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, yesterday I met with a representative of an organization in Vancouver, in fact, in my riding of Vancouver East. I am very glad the Minister of State for Immigration (Mr. Weiner) is in the House because I will be seeking his help with this matter. The representative from Casa Latin Americana, as the organization is called, is a volunteer who gives many hours, as do other Latin American people who work in this centre providing assistance for Spanish speaking refugees from Latin America. They have quite a number, I think up to 20 volunteer teachers, who are helping with English as a second language. They have 10 or so volunteer lawyers who are helping refugees and new immigrants with legal questions, including refugees and their problems. They provide a lot of mutual help and support from each other. It is a place where people can meet and speak their own language.

Beginning over the last few years many people have come to Canada largely over the British Columbia border. This centre has unfortunately been refused ISAP federal funds. One of its main purposes is to assist in the settlement of Latin American people coming to Canada, and it has a lot of volunteer support. However, it would like to have at least one staff person, but it has been refused funds. It has also been refused funds from the Canada Employment and Immigration Department for any job development programs. I mentioned that the group has very strong support from churches, from the Spanish-speaking community, from many agencies and from many individuals in Vancouver. The Minister, I hope, will speak to me about this personally.

• (1340)

When I met with my friend yesterday, I asked him about some of the recent experiences he had with people coming from Latin America and he told me about a medical doctor from Guatemala for whom he had been serving as interpreter. This doctor when he was in Guatemala was performing his normal duties as a physician. At one point, he was called by the guerrilla groups to provide medical services to some of their people who were injured and dying. He went as a physician, of course, with no particular political commitment.

As a result of doing this, he was blacklisted politically by the Guatemalan Government. His wife and his daughter were subsequently killed and he was the only survivor. He himself was unconscious for about a week and it was guerrillas who took him to the hills to look after him.

Eventually he was able to leave that country and to go first to Mexico with his sister and then to the United States. Of course, his objective was to come to Canada. He arrived in Canada about four months ago, spoke very little if any English, and of course is now registered as a refugee claimant waiting to be recognized as an official refugee and to be allowed to remain permanently in Canada.

This man is seeking sanctuary in Canada as a political refugee. I am sure the Minister and the officials will probably approve his claim. There is no question that he will face danger and perhaps death if he returns to Guatemala.

Under the present system, as I understand it, he goes to the bottom of a very long waiting list of applicants, and it could be several years before his claim is processed by the refugee determination committee. Meanwhile, of course, his future is insecure. He cannot practise his profession, but at least he is here in Canada and he is safe. He has people around him, particularly the people at Casa Latin Americana, who care about him and are willing to give him all kinds of support and help.

I would think that if this man had not arrived at the Canadian border already and were to come to the border in the future after Bill C-55 was implemented, it is highly doubtful that he would have gotten past the border point. He did not speak English, he would not have had anyone there to speak for him. I doubt if he had many documents. It would be very difficult for him. I want to return to this example a little later in my remarks because I think it illustrates a pretty typical kind of refugee situation that we are seeing very frequently now in my part of Canada and I am sure in other parts as well.

Why are we so concerned about Bill C-55? I think this is the third or fourth opportunity I have had to speak very strongly and very sincerely about my concerns and the concerns of my Party about this Bill. We all agree that it has become very obvious that there are serious flaws in our refugee system. There is no question at all that changes are needed to make it more fair and more efficient. I think the long waiting list to which I just referred is certainly one that we have all been very concerned about. I know the Minister has been concerned about this as well.

In 1985, Rabbi Gunther Plaut outlined in his report an effective and fair refugee determination system. We have all referred to this report. The main points that he advocated were also included in the report of the all-Party Standing Committee on Labour Employment and Immigration, which was a very effective and active committee that looked into these matters.

All of these proposals for reform, it seemed to me, were very, very practical and sound and based on a lot of expert evidence. They would expedite refugee procedures while also maintaining full rights to a fair hearing and appeal. They were supported, of course, by church groups, by immigration lawyers and civil rights groups and by refugee organizations right across the country.

Unfortunately, as we have all said, and this is now history, it remains most regrettable that this Conservative Government refused to consider or implement either the Plaut recommendations or those of the parliamentary committee. Instead, it introduced Bill C-55, an amendment to the Immigration Act, which is intended to establish a new refugee determination process in Canada, a process which we believe will be unfair and inhumane and will contravene both UN requirements and our Charter of Rights.

Many Canadians who are knowledgeable about the refugee situation and who have given a great deal of their time in assisting refugees have appealed repeatedly to the Government to withdraw this Bill. Even in this very final stage of debate, we appeal again to the Government to do this.

We think that it is very unfortunate that in a country with Canada's strong humanitarian traditions, we are likely to be taken backward by this Bill. I do not believe that the Minister, who I know has a very strong heart and feeling for people, wants to do that, but I cannot understand why he does not see the severely restrictive aspects of this Bill.

I want to refer to some of the points which concern us most which I had mentioned previously so I will not go into them in detail again. Legal experts and humanitarian groups that work closely with refugee claimants agree that Bill C-55 may lead to genuine refugees being forcibly removed from Canada to face arbitrary detention, torture or execution in their homelands.

As was stated by my colleague who spoke previously, one of the most offensive aspects of the Bill is the safe third country concept. I am afraid that my friend from Calgary has not convinced me to the contrary. Nor has he convinced our immigration critic who is much more knowledgeable about this and has sat through all the hearings and heard all the amendments that were referred to.

The Bill allows the Cabinet to create a list of safe countries to which refugee claimants may be removed, even without having had a chance to explain why they are seeking sanctuary in Canada. Refugee claimants will be detained at our borders or airports and can be sent back to a safe third country by only two officials, two people who will undoubtedly, as we all have, have subjective biases. They will not have a great deal of time to go into detail and will probably not speak the language of the person who is applying.

It seems quite logical to expect that that kind of a review would be a superficial one and these two persons would decide whether or not claimants do qualify then to take further steps to be processed through the Canadian refugee determination committee. Undoubtedly, many people would be culled out at that stage. I do not think there is any real protection in the process since these people are not guaranteed interpreters, legal counsel or appeal nor do they have full rights to a hearing at that stage.

We can expect that those, like the doctor from Guatemala, could very well be returned to the U.S. and from the United States could be deported within 24 hours to their countries of origin, which in many cases may be dangerous for them. In cases of refugees such as the Guatemalan doctor who spoke no English, had no lawyer or visa, the applicant would have no real opportunity for appeal. It is quite possible that that doctor would have been refused admission to Canada and that he would have then been returned by the U.S. to Guatemala and certainly to possible death and if not death, then certainly severe danger. I was talking just about Guatemalans. But what happens if we have Salvadorans who face the same kind of discrimination? We know that the U.S. accepts only about 2.6 per cent of refugee applicants from El Salvador. We also know that some people in the U.S. tracked 50 people who were returned to El Salvador and found that most of them are now dead. I was told by my friend in Vancouver that there are death squads operating in Los Angeles.

• (1350)

Another thing that occurs to me is the question of why we are shifting responsibility for helping refugees who want to come to Canada to these so-called safe third countries? Why are we not welcoming people ourselves and processing their applications in an efficient and fair manner in Canada? Do we not have more resources and less population pressures than Mexico, for example, which has no choice but to take people from the countries I have mentioned? I am ashamed to say that Canada has an unfortunate history of leaving refugees in refugee camps in Third World countries, or in other countries for that matter, while we cream off a few of the healthiest people. I do not think this is good enough and I hope most Members of this House agree.

Since I am sure Members have had enough of my direct quotes I would like to quote some relevant criticism in an article by Michael Schelew, a Toronto lawyer and spokesman for Amnesty International on refugee affairs. This was published in *The Globe and Mail* on August 13. He says:

> —humanitarian groups that work closely with refugee claimants have condemned Bill C-55 because it may lead to genuine refugees being forcibly removed from Canada to face arbitrary detention, torture or execution.
>
> One of the bill's more offensive aspects is the "safe third country" concept.
>
> This bill contains no guarantees that genuine refugees will not be returned to their country of persecution after being sent to a so-called safe third country.
>
> The power given the Cabinet to choose safe countries will add politics to the process, seriously damage the integrity of the system and possibly put genuine refugees at risk.
>
> Furthermore, what will become of claimants who are returned to Canada having been refused entry to a safe third country?

A very interesting point. He refers to the Sikhs who came to our shores last summer where the Dutch made it clear to Canada that they would not allow those Sikhs to re-enter that country. He said:

> This refusal has confirmed the position taken by many refugee experts—and even some government officials in private—that the safe-country concept is not workable.
>
> Another glaring deficiency in Bill C-55 is the limited right of appeal. The Federal Court of Canada will hear an appeal only if there is an error in law. Because refugee claims are primarily based upon findings of fact and credibility and not legal questions, appeals that are limited to legal technicalities have little likelihood of being heard. As a result, Bill C-55 provides no meaningful appeal mechanism by which mistakes made at the initial refugee hearing can be rectified.
>
> It is no wonder that credible organizations such as Amnesty International and the United Nations High Commission for Refugees have expressed grave reservations about the safe third country provisions and the inaccessible appeal procedures.

Given that the Canadian public is legitimately concerned about the abuse of Canada's inland refugee-determination procedure, the federal government is trying to sell Bill C-55 by saying that it will control abuse.

We have not heard quite as much about that in this debate as we heard all summer long. Of course, Bill C-84 was directed specifically at what the Minister claimed to be abuse. He used the term very frequently and this led the public to feel sometimes that he was equating refugee claimants with abusers. However, the articles goes on to say:

—expert reports commissioned by the United Nations High Commission for Refugees have maintained that only 10 to 15 per cent of all refugee claimants can be categorized as abusers.

I see my time is almost up so I would like to conclude by quoting Mr. Schelew once more. He said:

—many Canadians have come to the conclusion that the federal Cabinet is more concerned with vote-getting and trade than it is about protecting the integrity of a refugee-determination system that will help those genuinely in need of help. What is worse, many Canadians are now accusing the Government of encouraging the abuse of the determination procedure in order to justify restrictive refugee measures.

Canadians are proud of their humanitarian tradition of assisting the persecuted and the displaced. Bill C-55, if it becomes law, will destroy this tradition. This bill is so repugnant to Canadian values that it must be withdrawn and replaced. It is high time the Prime Minister began listening seriously to the many non-partisan opponents of this bill.

That was written in August and it remains true today. Certainly we support the points made.

I want to make a few general points in concluding. Canada faces a falling birth rate. We have an aging population. In the years ahead we are going to have fewer and fewer young workers paying taxes and contributing to the pension system, helping to pay the cost of care for an aging population. We need people, there is no question about it. I am sure the Minister, who is concerned with population trends, would agree. We need young workers and people with young families, people who are going to bring their skills to Canada, become consumers, and stimulate our economy, create jobs and help us to compete in a competitive world. Surely we need a much more open and just immigration policy, not just for business entrepreneurs and for people from politically correct countries according to Conservative standards. We need many more people and we need a total review of our immigration policy with this in mind. We need to maintain a fair refugee policy and do away with this Bill which does not achieve any of those objectives.

[*Translation*]

Mr. Deputy Speaker: Order. It being two o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

• (1400)

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

CITIZENSHIP ACT

MEASURE TO AMEND

Mr. Bob Pennock (Etobicoke North) moved that Bill C-254, an Act to amend the Citizenship Act (period of residence), be read the second time and referred to a legislative committee.

He said: Mr. Speaker, I rise before the House today to debate my Private Members' Bill, Bill C-254, which proposes to amend the Citizenship Act, period of residence. Presently, a non-Canadian spouse of a member of the Armed Forces or a public servant, either provincial or federal, who is serving his or her country abroad, must reside in Canada in order to be granted Canadian citizenship.

My Bill, while not a highly contentious issue, is of national significance to Canadians from all regions of the country, and of particular importance to the large number of individuals who, at any given time, are serving our country abroad.

The intent of Bill C-254 is to bring consistency and fairness back to the Citizenship Act, as it relates to the individuals I have already identified. There are a couple of areas that I feel lack consistency and cause essential problems for these individuals representing Canada overseas.

The first is that citizenship court judges have absolute discretion in interpreting what constitutes residency under the Act. This means that while some judges interpret residency to mean actual physical presence in Canada, others allow time spent abroad in any official capacity to count for the residency requirement.

The second area of inconsistency concerns taxation. Foreign born spouses are taxed as Canadian citizens, however they are not granted citizenship nor do they enjoy all the rights and privileges that go along with Canadian citizenship until they have fulfilled the residency requirements outlined in the current Act.

The difficulty in fulfilling these residency requirements is great, given the rotational nature of foreign employment assignments. Spouses of these Canadians who serve overseas on an on and off basis are never in Canada long enough to fulfil residency requirements of three consecutive years at any one time.

As such, each stay of less than three years in Canada is erased. Therefore, one cannot accumulate years of residence during successive stays in Canada and apply them towards residency requirements, even though they are serving the country of their spouse abroad.

The foreign service community is actively supporting this Bill and has suggested that the residency requirement of the Act is one of the major irritants of employment with the foreign service of Canada. They too would like to see the Citizenship Act amended to facilitate a fairer system for fulfilling residency requirements.

Spouses of diplomats, Armed Forces and other government personnel in other countries do not encounter the same difficulties fulfilling residency requirements as spouses of our personnel do in Canada.

Let me outline a few examples. Australia has a residency requirement of one year within two. However, the Minister responsible may waive the residency requirement. In France there is no residency requirement for foreign service spouses. In The Netherlands, foreign service spouses can acquire citizenship from abroad. In the United States, the residency requirement for foreign service spouses may be waived as a posting abroad is confirmed. These other countries recognize the importance of the service of these personnel and their spouses.

I think all Members of the House would agree that the spouses of all Canadians who are in the employ of our Armed Forces and External Affairs and Public Service abroad deserve better treatment.

Furthermore, the rotation of their assignments causes much hardship on their spouses' ability to meet the residency requirements. This makes it hard for us to keep some of our best and brightest people in these occupations to serve our country.

We as parliamentarians have a duty not to let the quality of these professional people in these occupations decline because of this minor problem that we have found in the existing Act.

I am sure all my colleagues on both sides of the House will agree that Bill C-254 is a non-partisan issue. It is an issue of fairness to those individuals who are serving the Canadian public abroad.

While non-Canadian spouses are acting on the Canadian public's behalf overseas, and are taxed as Canadian citizens, they might well be denied citizenship because of a lack of flexibility, consistency and understanding for such circumstances in the present Act.

Canadians should be proud of the quality of our representatives overseas. They are our best and brightest, and I would hate to think that someone may have to pass up a posting or leave the service altogether, therefore losing the benefit of their knowledge, in order to fulfil the requirements of a residency.

It is my sincere belief that Bill C-254 should be considered so that consistency can be brought back to the Citizenship Act and fairness restored to the treatment of Canadians and their spouses who serve this country abroad.

I want to thank members of the Opposition for their consideration in allowing this Bill to go to the legislative committee. I do not think much more would be gained by my prolonging the debate on this issue.

[*Translation*]

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I welcome this opportunity to take part in the debate this afternoon on Bill C-254, an Act to amend the Citizenship Act, introduced by the Hon. Member for Etobicoke North (Mr. Pennock). First of all, the Hon. Member is to be commended for his decision to present this Bill in the House. It is a very interesting piece of legislation. It will not stir up a great deal of controversy. However, if it is passed, it can be of great benefit to many Canadians and to many people who would like to become Canadian citizens.

[*English*]

Earlier today I had the opportunity to have a brief meeting with the Foreign Service Community Association from which I received a brief on this issue.

The brief contains some rather interesting statistics. I want to share some information with the House which will perhaps assist other Hon. Members in understanding why such a Bill would be beneficial to many people.

First, the minimum residency requirement in Canada for the purposes of becoming a Canadian citizen is three years. It is my understanding that some have interpreted this as meaning three consecutive years. While this has not always been applied rigidly by citizenship court judges, they have done so on a number of occasions.

The Foreign Service Community Association tells us that the longest average residency of people who are married to Canadian citizens working overseas on behalf of the Government of Canada, either in the military or foreign service, is 19 months. Anyone in that situation could be denied the opportunity of applying for citizenship.

The average accumulated residency time in Canada is 23 months. Therefore, even if one could add up the accumulated residency time, which is not always recognized, they would still be short of the residency requirement by a year.

Interestingly enough, the average time the same people spend abroad on postings is 47 months. These postings with one's spouse could be in a Canadian embassy or working with the Canadian embassy for 47 months in a Canadian environment, albeit elsewhere in the world. Yet, that 47 months has been interpreted by citizenship court judges as not counting.

• (1410)

Statistics show that of the spouses in that situation 16 per cent have accumulated three or more years in Canada in separate periods of residence. These people cannot apply even though they technically have the amount of time required by the present law. Fifty-six per cent of the spouses have served

abroad for more than three years, but many judges have said that that does not count. Sixty-eight per cent have accumulated three or more years when time served abroad on postings is added to the time spent in Canada.

In other words, if we were to add the time spent overseas of spouses while married to a Canadian working overseas for the Government to the time spent in Canada, more than two-thirds of them would qualify to become Canadian citizens. The most revealing statistic indicates that 90 per cent have not resided in Canada for three consecutive years.

I had the opportunity to meet with a person who informed me that she had been married to a Canadian citizen for 11 years and had been working with her spouse in the foreign service. This person lived in Canada with her spouse for two-and-a-half years, then spent seven years abroad, then returned to Canada two years ago. This person is still not technically able to become a Canadian citizen. It seems to me that these are the very kinds of people for whom we should be rolling out the welcome mat.

The Bill before us would go a long way toward ensuring that some very qualified people in the foreign service do not leave in order to enable their spouses to qualify as a citizen, because that is sometimes what they have to resort to. In addition, I am sure that it would create far more harmonious family situations. It would make things much easier for everyone.

As one final piece of information, I am told that there are three spouses of Canadian foreign service people overseas who are presently stateless. They are in the same situation as are refugees applying to come to this country, even though they are married to Canadian citizens and may even work in the offices which issue visas for people to come to Canada.

Needless to say, such compelling evidence leads me to believe that this Bill should be referred to a legislative committee as soon as possible. There may be loopholes in the Bill and the legislative committee will assist us to find them.

[*Translation*]

Mr. Speaker, it is clear that the Members of this House have no intention of passing laws that would create problems even greater then we have known in the past. At first glance, this Bill would not seem to create any problems. In any case, the Hon. Member who introduced the Bill would like to see it referred, as customary, to a legislative committee of the House, which could then call witnesses and thus give Parliament the assurance that the Bill is drafted in such a way that no abuse will be possible. Nobody wants abuse, but we do not want legislation that would discriminate against certain groups.

The fact that this Bill does not . . . I think the present situation discriminates against the people I met earlier today. I am therefore delighted to support this Bill, and I would urge all Members of this House to vote in favour of the proposed legislation, especially, Mr. Speaker—

[*English*]

In closing, let me say that it is my position that we should do everything in our capacity to give our approval to this Bill and refer it to a legislative committee this very day.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I want to congratulate the Member for Etobicoke North (Mr. Pennock) on taking the initiative to put this Bill before the House of Commons. This Bill provides an opportunity for the House to work effectively and in greater harmony than one often sees among the Parties in order to correct an injustice which has existed for 10 years and deserved to be fixed a long time ago. I believe that we can fix this injustice.

My Party supports the Bill proposed by the Member for Etobicoke North. We have suggested, and I believe it is agreed on all sides of the House, that it be referred to a legislative committee. When it returns to the House after having been discussed and perhaps tidied up, we would be prepared to give it third reading without spending any further parliamentary time on it.

I would like to congratulate the members of the Foreign Service Community Association, three of whose representatives are in the Gallery now, for their persistent efforts to bring this matter to the attention of parliamentarians. They have prepared briefs and prepared a very elaborate, extensive, helpful survey in the spring on the situation of foreign service spouses in order to bring the problem to our attention.

The Bill will provide for credit to be given toward the time required for citizenship to any landed immigrant who is the spouse of a Government of Canada employee posted abroad or Canadian Armed Force's personnel posted abroad.

The problem is most acute, however, with the foreign service spouses because of the nature of their work. Canada's immigration service abroad, our foreign aid service abroad and, of course, our diplomatic representation abroad is all carried out through the Department of External Affairs. In that area the normal career pattern is to be abroad for two to three years, then to return to Canada, to go abroad again, and return once again to Canada. It is a bit of a roller-coaster. It is a difficult life and the spouses are really unpaid ambassadors for Canada. They are seen and treated by the people in the country where they are posted as being a representative of Canada.

The members of the community association point out rather wryly that the spouse of a Canadian posted abroad does not get the privilege of being a non-Canadian for tax purposes but has to suffer the consequences of being treated as a non-Canadian when it comes to citizenship. In other words, we take their money through taxation but will not give them credit toward the time required for citizenship even if they happen to be contributing to the Canadian Treasury.

In addition to this there is the psychological problem of not knowing what your status is. The Member for Glengarry—Prescott—Russell (Mr. Boudria) cited the example of one

spouse who has been married to a Canadian for over 10 years and has not yet succeeded in piling up a three-year uninterrupted period in Canada in order to become a citizen.

In addition to the psychological problem there is a professional problem. Spouses are increasingly working in the foreign service as well as everywhere else. On being posted back to Canada, normally to Ottawa, the foreign-born spouse of a Canadian diplomat or Canadian employee looks for a job in which to continue his or her career. One of the obvious places to look is the Government of Canada, but the Government of Canada, in employment, quite specifically discriminates against people who are not citizens. It only gives jobs to non-citizens in the event that no Canadian citizen is available.

Therefore, someone who chooses to marry a diplomat or someone else working for Canada and comes back to Canada to live cannot get citizenship and finds that they may well not be able to continue with their profession or career because the jobs in Ottawa which are most likely to be suitable require Canadian citizenship.

This is not a huge problem, but it is not a small problem either. According to the survey of 160 spouses of foreign service personnel who would like to become citizens, 108 have been married to a Canadian for more than three years. Only 26 have three years of residence in Canada. But nonetheless while they were abroad they were certainly representing Canada. Only 16, or 10 per cent, have three or more years of consecutive residence in one stretch in Canada.

• (1420)

That is an indication of the problem. People say, "Well, this is not quite right. If any of these men or women had married a Canadian and moved then to Canada as a landed immigrant, then after three years and a day they would be eligible for Canadian citizenship". It is just an accident that their spouse happens to be a foreign service officer that leads to this particular situation.

I would point out that this Bill affects non-diplomatic personnel as well as diplomatic personnel. While this is not the subject of the Bill, I know from contacts with my constituents in Ottawa Centre that non-diplomatic personnel, support staff, the secretaries, the people doing the ciphering and the communications work and that kind of thing, suffer some real discrimination in foreign posts. Diplomats receive tax-exempt status and have certain abilities to import products without tariffs which the non-diplomats do not have. Because the Canadian dollar is not always as strong as it was a few years ago, some of those non-diplomatic personnel find it difficult just to survive living in a foreign economy with the lower salaries they get, because they are not paid as much as the diplomats, and likewise get lower allowances. This is governed in large measure by the Geneva Convention which gives special privileges to diplomats.

As a country which has spoken up at the United Nations and elsewhere for the status of women in diplomatic life and in diplomatic and in international postings, and as a country which is concerned about equality between different people whether they live and work at the elite level or the working level, I think Canada should be pressing very hard that the countries of the world amend the Geneva Convention in order to ensure that this discrimination against the lower paid and lower status personnel in diplomatic missions abroad should be brought to an end. I wanted to piggyback that comment in the House of Commons, Mr. Speaker. But I have raised this matter with the Secretary of State for External Affairs (Mr. Clark) on a number of occasions, as well as with my own critic in that area.

I repeat, with respect to the spouses of diplomats and of other Canadian officers, in many cases they must pass a security screening for their spouse to retain their job if the marriage takes place. In other words, they are much more carefully screened than people who come through to become Canadian citizens who have very light screening.

I think this is a matter which cries out to be corrected. It is a matter of injustice that needs to be fixed. It is not an issue that affects hundreds of thousands of Canadians. But for those people who are affected it is dear and near to their hearts in a literal as well as a practical sense. I think that the House should be prepared to move, and move with alacrity, on this particular matter.

I hope that the legislative committee can complete its work and we can bring this back to the House within the course of the next three or four weeks.

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, I want to add a few comments to the discussion today on the Bill presented by my colleague, the Hon. Member for Etobicoke North (Mr. Pennock) and on what I would call his very creative initiative. He is another hard-working Conservative Member of Parliament. I want to add something to the comments of the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) and the statistics he reported, and to the comments of the Hon. Member for Ottawa Centre (Mr. Cassidy).

Bill C-254 is essentially proposing to change the Citizenship Act whereby any day outside of Canada shall be treated as equivalent to one day of residence in Canada for the purpose of becoming a Canadian citizen. I have lived and worked abroad many years, as you know, Mr. Speaker, in Africa and Central America. I have travelled extensively around other parts of the world and have recognized the tremendous frustrations that are being faced by foreign-born spouses. I, of course, was a Canadian living and working abroad, but I had constant contact with foreign-born spouses who were not Canadians.

The nature of my riding also lends itself to the importance of this Bill because there are a great many foreign service personnel who live in the constituency of Ottawa—Carleton. There are people from the Armed Forces who live there who

are directly affcted by this issue. So I am particularly pleased to be able to add a few comments on it.

The Foreign Service Community Association has been referred to as a voluntary organization that supports and represents the non-professional needs of foreign service employees and their dependants. But it is awfully concerned as well about this issue of foreign-born spouses as it applies to citizenship.

In June of this year it presented a very well researched, very well thought out brief to the Minister and the Secretary of State (Mr. Crombie). I had an opportunity to meet on September 17 with the President of the association, Nancy Fraser, and the office co-ordinator, Don Jones, and some of their colleagues to talk about this proposal by my colleague from Etobicoke North. I understand there is a similar initiative taking place in the other place. We discussed their concerns and frustrations. I am very pleased to support them.

I think this Bill is very fair. It is very reasonable. I think it is very timely to eliminate some of these obvious frustrations that foreign-born spouses have in their efforts to become Canadian citizens. It is in that spirit that I want to support this very timely piece of legislation and ask that it be given unanimous consent and approval here in the House of Commons this afternoon.

Mr. David Daubney (Ottawa West): Mr. Speaker, as an Ottawa area Member I, too, would like to congratulate the Hon. Member for Etobicoke North (Mr. Pennock) on his initiative today. I was pleased to be able to second the Hon. Member's motion this afternoon.

Like other Members from the National Capital Region, I represent a number of foreign service officers. In fact, I just returned last night from Geneva where I had briefings from Canadian foreign officers there involved in the GATT trade discussions. I found that the Ambassador there and his second in charge were both constituents of mine. I might say that they are doing an excellent job for Canada in those difficult negotiations.

Generally, I think we are well served by our foreign service personnel in this country. I think they are second to none anywhere. We have good reason to be proud not just of them but of their spouses and their families who also contribute a great deal to the successful work that they are able to carry out on behalf of this country all over the world.

I, too, met recently with the president and other officers of the association of foreign service spouses and agreed to lend my support to the thrust of this Bill. I also just want to point out that I had agreed with a Senator from the other place to sponsor in this House a Bill which has, I believe, just come out of the Senate, Bill S-8, which deals with virtually an identical subject matter. I have not yet notified the Table Officers of that, but it may well be that I will not do so in light of what appears to be the decision, the will of the House to proceed to committee on this matter.

May I say to Hon. Members that it might be appropriate for the committee that is struck to examine Bill S-8, the Senate Bill, in order to come up with the best possible piece of legislation we can to achieve this very worthwhile objective. Once again, I extend my thanks and congratulations to the Hon. Member.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and referred to a legislative committee.

Mr. Deputy Speaker: Is there unanimous consent to call it three o'clock?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: Accordingly, the House stands adjourned until Monday morning at eleven o'clock pursuant to Standing Order 3(1).

The House adjourned at 2.29 p.m..

HOUSE OF COMMONS

Monday, October 19, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8) I have the honour to table, in both official languages, the Government's response to petitions, Nos. 332-3077 to 332-3087 inclusive, 332-3094, 332-3095 and 332-3134.

* * *

[*Translation*]

COMMUNICATIONS AND CULTURE

PRESENTATION OF NINTH REPORT OF STANDING COMMITTEE

Mr. Jim Edwards (Edmonton South): Mr. Speaker, I have the honour of tabling the Ninth Report of the Standing Committee on Communications and Culture, concerning the appointment by Order in Council of Mrs. Shirley L. Thomson as Director of the National Gallery of Canada.

The Committee considers that the appointee has the requisite qualifications to perform the duties of this position.

[*Editor's Note: For above report, see today's Votes and Proceedings.*]

* * *

[*English*]

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is a privilege and an honour to present a petition pursuant to Standing Order 106 on behalf of a number of western Canadians who remind the House of Commons that the standing committee of Parliament responsible for immigration regulations has proposed a new procedure for refugees which, if adopted, would fairly and effectively solve the problems of backlogs and all the unsubstantiated claims.

This particular proposal has received widespread support from not only all Parties of Parliament but from the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and actually most other groups or individuals knowledgeable on refugee issues.

Therefore, the petitioners are asking the Government of Canada to withdraw Bill C-55 and substitute it with legislation embodying the principles of fair and quick oral hearings of claims made by refugee claimants, and these ought to be made before a refugee board independent of the Immigration Commission, providing universal access to such hearings for every applicant in Canada. The claimants also ought to have the right to appeal on the basis of fact.

FERMI II NUCLEAR REACTOR—REVIEW PROCESS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, pursuant to Standing Order 106 I have a petition from approximately 250 residents of Essex County who are particularly concerned about the operation and further construction of the Fermi II Nuclear Plant on the U.S. side of the border just adjacent to my constituency.

The petitioners come from Amherstburg, Harrow, Sandwich West, Colchester, Malden, Anderdon, and a good many other parts of my constituency. The petitioners are most concerned to see that there is a Canadian presence which plays an equal role with the United States in reviewing the safety of Fermi II before this nuclear reactor is permitted to move any further toward full operation.

[*Translation*]

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, it is an honour and a privilege to present a petition on behalf of people in my riding from the community of Coudouc. Petitioners wish to convey their disagreement with the new corporate plan for Canada Post.

Order Paper Questions

• (1110)

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the following questions will be answered today: Nos. 187 and 188.

[*Text*]

CBC'S CONTRACT EMPLOYEES

Question No. 187—**Mr. Pennock:**

1. What is the CBC's employment practice with respect to personnel on contract?

2. (*a*) Are any restrictions placed on non-CBC staff and, if so, what are they (*b*) can they be given corporate signing authority, and, if so, for what amounts and to what limits?

Hon. Flora MacDonald (Minister of Communications): I am informed by the Canadian Broadcasting Corporation that the reply to the above questions is as follows:

1. CBC's employment practice with respect to personnel on contract is governed by its corporate Human Resources Policy No. 1.2 entitled "Non-Staff Resources Utilization". A copy of that policy is below.

2. (a) See the policy in 1. above. (b) Yes. Sub-section 4.3 of Section 1 of the corporate policy Delegation of Financial Signing Authority states:

Where a contract employee, other than a producer and/or project manager referred to in sub-section 3.11 of this section, occupies a position designated as a responsibility/cost centre and for which a budget has been allocated, and he is deemed to be an employee for purposes of taxation and other benefits in accordance with Finance Policy—Taxation 3.2—Employees/Independent Contractor Status, such employee is automatically delegated authority similar to that delegated to equivalent positions at the MS-4 level and above.

The Corporation will ensure that management retains the capability to employ non-staff resources in response to its changing needs, correctly in terms of the type of employment created, and with full knowledge and opportunity to measure services received for money expended. In so doing the Corporation will provide fair compensation; protect and optimize the rights of the Corporation and contracted individuals; facilitate the Corporation's management of non-staff; deal knowledgeably with outside agencies, utilize co-ordinated and consistent administrative practices.

1. Contact Administration

In acquiring non-staff resources, authorized persons will employ administrative procedures as follows:

(a) Individual contracts will be prepared and signed by the specified Corporation party and the non-staff contractee(s), to conform to Corporation and other agency requirements (unions, associations and government, etc).

(b) All contracts will be administered at unique divisional/area points consistent with operational needs to ensure consistency and accuracy in the application of the policy and its practices, and the collection of pertinent information in order to

—ensure that all Corporation commitments for services are confirmed in writing at the earliest time and, subject to operational requirements, that a contract is entered into in advance.

—create a repository of contract information for internal and external use, such as rights in terms of further use and/or sale of programs, the further use of talent, and where appropriate for the management and development of non-staff resources.

—ensure that contract administration properly reflects changes occurring in the nature of the work performed, programming and other developments.

—enable the necessary management of the contract practices.

2. Payment

The payment of non-staff resources will meet operational requirements and involve consistent local control procedures ensuring that compensation conforms to Corporation standards, contract terms and conditions, and with other agency (unions, associations and governments, etc.) requirements.

Such payment must comply with this Policy and will be made on receipt of budget authority authorization and certification of completion of an appropriate portion of the services specified in the contract.

1. The payment of non-staff resources will be a regional (divisional/area) responsibility and appropriate pay systems will be designed for this purpose.

2. All non-staff pay systems in operation in the Corporation will provide a designated minimum of common and compatible data in a consistent format.

3. The co-ordination point(s) will provide Finance with interpretations of individual contracts respecting the type of employment created and the implications of collective agreements.

4. It is the responsibility of Finance to specify the basic information it requires about a contract/contractee in order to carry out the paying function.

CBC—CONTRACT OF MS. SHEELAGH WHITTAKER

Question No. 188—**Mr. Pennock:**

1. What is the current status of Ms. Sheelagh Whittaker with the CBC?

2. In her role as Vice-President of Planning for the Corporation, was she initially retained on a personal services contract to Mr. Franklin Delaney, then Vice-President and is she presently on such a contract?

3. Is Ms. Whittaker on a retainer to Canada Consulting Group (CCG) and, if so, under what terms?

4. Does the Corporation make a separate remittance to CCG for the services provided on an ongoing basis by Ms. Whittaker as Vice-President, Planning and Corporate Affairs and, if so, in what amount?

5. What are the terms of the contract between the CBC and CCG for the services of Ms. Whittaker, or between the CBC and Ms. Whittaker with respect to (*a*) reimbursement of travel costs between Toronto and Ottawa (*b*) reimbursement of accommodation costs, meal allowances and other transportation in Ottawa?

6. What is the Corporation's total annual liability for the services of Ms. Whittaker?

7. Does CBC continue to utilize the consulting services of CCG for other projects?

8. In the fiscal year (*a*) 1986-87 (*b*) 1987-88, what was/is the amount of the contracts let to CCG by (i) CBC (ii) Vice-President, Planning and Corporate Affairs (iii) Vice-President, Special Projects?

Hon. Flora MacDonald (Minister of Communications): I am informed by the Canadian Broadcasting Corporation that the reply to the above questions is as follows:

1. Ms. Whittaker is the vice-president of planning and corporate affairs for the Canadian Broadcasting corporation.

2. Ms. Whittaker was initially retained on a personal services contract to the Corporation. She reported to the senior vice-president. She is still retained on a personal services contract.

3. No.

4. No. The Corporation makes no remittance to CCG for the services provided by Ms. Whittaker. Ms. Whittaker's contract of employment is with the Corporation and is exclusive to the Corporation. An annual fee is paid by CBC to CCG as a consideration for releasing Ms. Whittaker from her contractual obligations to CCG.

5. (a) and (b). It has not been customary to require the CBC to provide details of its internal management and administration such as its specific financial arrangements with individual employees. The background to this custom is explained in the reply to question No. 2,530 answered November 6, 1975.

6. See the reply to 5 (a) and (b) above.

7. Yes.

8. (a) (i) $230,607.31 (ii) $67,700.69 (iii) nil. (b) (i) $26,525.83 (ii) $4,931.44 (iii) nil.

Note: The figures in parts (a)(i) and (b)(i) include the sums in parts (a)(ii) and (b)(ii).

[*English*]

Mr. Speaker: The questions as enumerated by the Minister have been answered.

Mr. Lewis: Mr. Speaker, I would ask that the remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTIONAL ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Thursday, October 8, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*,

the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(*i*) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendment of Mr. Turner (Vancouver Quadra):

October 1, 1987—That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by

resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

and on the amendment of Mr. Broadbent:

October 1, 1987—That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution.—Mr. Broadbent.

and on the amendment of Mr. Caccia:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

and on the amendment of Mr. Allmand:

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms."

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, I welcome this opportunity today to speak in this historic debate.

When the first ministers met this spring to discuss the conditions set by Quebec for joining the Constitution, not many people really believed that they would be able to reach an agreement. It would take a miracle, people said. The day after the agreement was signed, people said it was a miracle.

Mr. Speaker, I have been trained to be sceptical about miracles, and I don't think there has ever been a miracle in politics. I am inclined to believe that the Meech Lake Accord was achieved by one man, our Prime Minister (Mr. Mulroney), and that the premiers' readiness to consider the conditions set by Quebec reflect the "maturing" of our Canadian society.

Mr. Speaker, in the course of my speech I intend to focus on the central aspect of the Meech Lake Accord; the recognition in the Constitution of Quebec's distinct character and Canada's linguistic duality. For the first time, the provinces are making a formal commitment to protect this linguistic duality, and Quebec, which from now on will be recognized as a distinct society, will have the recognized right and privilege to protect and promote that which constitutes its specific character.

In the lives of nations there are important events that have become milestones because they have changed the course of history. Madam Speaker, this historic Accord is one of those milestones.

I would now like to take a few moments to correct a serious mistake I am referring to the theory that the claims of modern day Quebec started in the 1960s, and that the measures taken during those years represent a clean break with the years that went before, the governments Quebec had since the 1930s and the leaders of public opinion who had crafted a nationalist ideology in the years before that time. In fact, nothing could be further from the truth.

The history of nations—the history of Quebec and Canada is a case in point—consists of deep political currents that determine its flow and a number of superficial events that sometimes camouflage, sometimes reveal, the meaning of these currents. Quebec in the 1960s—this turbulent Quebec that is said to be at the root of our Constitutional reform—was not, and never has been, a brand new Quebec come out of the blue in our modern history. It was merely developing what had always been there and what had been expressed formerly in

other ways. Between Quebec politicians like Maurice Duplessis, who stated: "We must keep what we have", Jean Lesage, who said: "We must be masters in our own house" and Daniel Johnson, who demanded: "Equality or independence", there was never a break. Superficially perhaps, but beneath it all, a steady continuity.

Mr. Speaker, our Francophone society in Canada has been constant in its desire to be recognized as a distinct society, in charge of its own affairs.

Everyone knows that if it were not for the resistance of the Atlantic Provinces, especially Nova Scotia, and if it were not for the French Canadians in Lower Canada, the union of the colonies of British North America would probably had been legislative, not federative. In fact, as indicated by the central authority's use of the power of disallowance after 1867, attempts were made in that direction during the initial years of Confederation.

These attempts to make the provinces into a uniform body, under the authority of the central Government, as others have often wanted to do, could never succeed in the Canadian context, especially where Quebec was concerned.

To quote Jean-Charles Bonenfant, an eminent professor who also was my professor: "The spirit of 1867 was the final acceptance of the existence of French Canadians and a logical consequence of the Quebec Act". He goes on to say: "The Fathers of Confederation made Lower Canada—the future province of Quebec—a province where the French Canadian majority would be in charge of its own affairs, although it was forced to give the English-speaking minority exceptional protection: Article 93 on education, the twelve privileged townships, the Legislative Council and legislative bilingualism as laid down subsequently Article 133 of the British North America Act."

Madam Speaker, how could it have been otherwise? French Canadians are different because of their language, their laws and their history. Since the Quebec Act was passed in the 18th century, and despite a succession of constitutional reforms and systems, Quebec always had the power to create its own institutions, governed by legislation that has developed an essential part of its social structure and still does today.

One of the main reasons why Quebec is a distinct society arises from this different social structure and a different way of doing things, based on a different system of values and regulated, as far as private law is concerned, by a series of laws that go back to the "coutume de Paris" and are thus not based on the same philosophy as the common law of the other provinces. This applies to all Quebec citizens, whatever their origins or language.

French Canadians have always claimed they had all the elements of a distinct society, and in the course of history, they have managed to give their distinct character a firm foundation which they would now like to see recognized. They did so during the parliamentary struggles in the first half of the 19th century, Madam Speaker. They showed their mettle under the Act of Union by gradually introducing what was in fact a double system.

Of course, the strategy has changed over time. As we all know, the State has not always been as strategically important to French Canadians as it was during the first half of the 19th century and still is today. For a long time and, significantly, especially after Confederation, French Canadian leaders made the Catholic school system and the parish the prime instrument for protecting and promoting the French fact in Canada and North America. Unfortunately, among certain representatives, sometimes even the most enlightened, of English Canada, this approach lead to incredible misunderstandings and considerable conflict. In whatever ways Francophones have, over the years, made their claim for recognition as a distinct society, it has always been one of the major currents of Canadian history. Only a blind person would fail to see that.

• (1120)

This is how Quebec's international claims throughout the 1960s—indeed, just like its claims in other fields, communications, to name one—stem primarily from the all exclusive approach taken by previous governments with respect to maintaining their constitutional prerogative. When Paul Gérin-Lajoie stated in 1965 that the Quebec Government could actively participate in an international conference of education ministers, thus exercising his power in an exclusive constitutional jurisdiction, he was in fact doing nothing more than drawing implicit conclusions flowing from the stated position to which Premier Duplessis and his predecessors had been clinging all along. There was nothing new under the sun.

Madam Speaker, why did the undertaking turn out to be so arduous? Why so many obstacles on such a straight road? Why did the staunchest opposition come from the Canadian Government until 1984? Why are the same people again today so adamantly opposed to official recognition of the distinct character of the Quebec society?

Nobody denies the existence of the patently obvious distinctive characteristics of Quebec: 80 per cent of the people speak French. It is the only government in America where Francophones make up the majority. Montreal happens to be Canada's French-speaking cultural community, to the extent that the vitality of our country's Francophone minorities depends on the vitality of Quebec's society. Madam Speaker, the most eloquent testimony to Quebec's distinct character is the deep-rooted link with its electronic media, as emphasized by the Sauvageau-Caplan task force on broadcasting policies: high local ratings, preference for original dramatic productions, and what have you.

So, Madam Speaker, why should anyone speak out against constitutional recognition of Quebec's distinct character? Why does opposition to that still prevail today?

Just as history is made up of deep-rooted trends and passing events, so do we have both sincere and superficial politicians. Except for a very short interregnum in 1979, from 1966 to 1984—almost 20 years—Canada was inspired and directed by politicians who remained insensitive to these deep-rooted trends and were more interested in imposing the abstact formula of a country which they did not understand, or at least did not seem to understand properly.

This country, obviously, is made up of strong regions which want to maintain their own characteristics. It is home to two linguistic communities. It includes a Francophone society whose mainstay is and has always been Quebec, the only government where it makes up the majority. That is Canada as it is, Madam Speaker, not an abstract but a real entity.

The policy of confrontation which we had to put up with through all those years could only lead to the situation we all witnessed: absolutely untractable positions and a separatist threat which was all the more astonishing that it did originate from Quebec's need to take its normal place within Confederation, nothing more than its normal place.

I would not want to suggest that all demands made by Quebec were not to be interpreted, therefore negotiable. I am simply saying that they all stemmed from Quebecers' will to assert themselves, and as such it was not in any way a challenge to the sovereignty nor, of course, the very existence of Canada. Nothing suggests, except in the stubborn minds of a few men who finally managed to impose to most people, Quebecers and other Canadians alike, the somewhat perverse notion that the qualifier "Canadian" quite simply excluded the qualifier "Quebecer", that being Canadian meant being against Quebec, with the all too natural consequence that such a tenet would soon be inversely expressed by Quebecers themselves.

Inevitably, this refusal by the Government in Ottawa to recognize Quebec's distinct character was to provoke a similar reaction from the other side. It was not a happy episode in our history.

However, nothing could be further from the basic reality of this country, especially for the Francophone community. To quote our Prime Minister in his famous speech in Sept-îles, where he promised to bring Quebec back into the Canadian Constitution:

> Quebecers love Quebec and are proud of Canada. They also love Canada and are proud of Quebec. Their hearts are big enough for both loyalties. Very few people who said yes to Quebec said no to Canada, and no one who said yes to Canada said no to Quebec.

That is the Canadian situation, Madam Speaker.

This double allegiance, which many foreigners have trouble understanding, was pledged by all great French Canadian nationalists, ever since Confederation. Lavergne, Asselin, Bourassa— incidently, Henri Bourassa was a typical example: He was a man who was truly French Canadian, who clearly defined the French Canadian fact, and who at the same time was every inch a Canadian. At a time when Canada was the victim of imperialist and extraterritorial intervention, he defended Canada's autonomy against intervention by foreign powers, including Great Britain. This position, taken by a man of vision, would be vindicated several years later when the Treaty of Westminster was signed.

Fortunately, Madam Speaker, in 1984 Canadians and Quebecers elected a man cut from the right cloth, who understood that the very nature of the Canadian federation demanded the intelligent art of compromise, co-operation and standing united for a common goal. For almost 20 years,—we all witnessed this period in our history— Ottawa's stubborn insistence on making Quebec knuckle under, for the sake of an egalitarian vision of this country, nearly broke up both Quebec and Canada. In hardly three years, the patience and intelligence of one man made it possible to restore the common will of all Canadians which has always been, and still is, the strength of our federation.

We can thank the Prime Minister for Meech Lake. For the first time, Quebec sees enshrined in the Constitution its right to protect and promote that which constitutes its distinct character, and it will be able to evoke this distinct identity in all disputes about fundamental rights in the Charter.

Another significant gain is the long hoped for recognition of Canada's linguistic duality, and even more important, a commitment by each province to protect that duality. Madam Speaker, for the first time in Canada's history, each province is constitutionally committed to protect the French language. As was said by Mr. Décary when he testified before the joint committee, it is a major gain for Francophones outside Quebec, both morally and in its practical impact. From now on, the Constitution, the Charter and all language and education rights shall be interpreted so as to guarantee the protection of the French-speaking community. That is a reality. That is a victory for Canada and Canadians, Madam Speaker.

Some critics of the Meech Lake Accord have said that one of the most important achievements of the Constitution Act, 1982, in other words, the rights contained in the Canadian Charter of Rights and Freedoms, might be jeopardized as a result of the recognition of Quebec's distinct character. Madam Speaker, here again, the Meech Lake Accord is merely proposing a new balance between individual and collective rights. As mentioned time and time again by our Prime Minister, none of the rights in the Charter will be superseded or quashed as a result of Quebec being recognized as a distinct society. In fact, up to now, the interpretation of fundamental rights given by the courts have always been based on sociological realities, including Quebec's distinct character. The Meech Lake Accord will simply state unequivocally what has been so far implicitly recognized.

As a matter of fact so far, any attempt at making Canada a unitary country has failed and if, by its very nature, this country has been strong it is only because of the strength and vitality of its various parts. Madam Speaker, there lie the basic

differences between the Canadian and American federations going in opposite directions. The Canadian federation, which was highly centralized at the beginning, had to struggle until it found a proper balance between its component parts through a decentralization process. On the other hand, the American federation which was very decentralized followed the road towards centralization. The Meech Lake Accord, as we are all well aware, reflects this deep-rooted process. We have restored each component of the Canadian society to its proper place. Above all, we have finally given Quebec its proper place; all we had to do was to forget this depressing period of our history when confrontation ruled supreme, to simply open the door, ask all interested parties to get together and give Quebecers and other Canadians something they had every right to expect, namely a country, Madam Speaker.

• (1130)

[*English*]

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Madam Speaker, everyone in the House recognizes that this is a special kind of debate, one that is not within the normal range of quick, 30-second flashes and reparteé in Parliament. We are talking about something which goes to the fundamental heart of the country. It requires from each and every Member on both sides of the House a sense of judgment on what is the best way in which they can serve the interests of their constituents, both in a local sense and in a national sense.

My starting point in trying to address the issue is a recognition of how important federalism is to Canada. Probably of all countries in the world, certainly all those with so-called federal arrangements, federalism is most important to us.

A little joke has been used many times about a question being posed to a Russian, an American, and a Canadian, asking them to define sex. The Russian says: "It is a capitalist conspiracy". The American says: "Sex is simply a natural evolution of liberty and the pursuit of happiness". The Canadian says: "It is a federal-provincial problem". This probably reflects what most Canadians innately understand, that our constitutional, legal, institutional framework setting up the powers between Governments and the way we relate to each other is in fact crucial because Canada could not operate without a federal system.

In a sense our geography is a series of connecting settlements across 5,000 kilometres. A sense of distribution at different levels of Government is required to manage it properly. The fundamental issue of French-English relations as they have evolved over the years also requires a federal system to maintain a dynamic between the two. Certainly the relationship, that is, the connection between an economically and politically strong, powerful central Canada and the peripheries, or the hinterlands of East and West, requires a federal system to adjust it, to monitor it, and to keep it alive and dynamic.

The most difficult relationship in some ways is that of trying to continue to occupy the northern half of the continent when our neighbour is the most powerful nation in the world, and of trying to maintain our independence, uniqueness, and distinctiveness in that relationship. This has also required a federal system to ensure that we could undertake the kind of social experimentation and the variations in developing that distinctive notion of what is Canada.

Today we find that we have a convergence of all those problems. In a sense, debating the Meech Lake Accord and the Langevin agreement is only one part of the great Canadian debate which seems to be taking place on what is our national purpose and how we answer those issues which have seized Canada since its inception, not only in terms of French-English relations but in terms of central Canada's relationship with the peripheries and its relationship with the United States.

Many of us see quite a fundamental alteration taking place in those relationships. It is a fundamental alteration because on virtually every front we now have a Government in Ottawa which basically does not believe in using Government to serve those purposes. It may see Government as an arbitrator, a mediator or perhaps a conciliator, but not as an initiator, a leader or a driving, motivating force to provide some sense of national purpose or direction in dealing with each of the issues. It comes as no surprise; it is not unique.

Canadian history has been replete with a very strong debate, or conflict at times, between two groups of thought or two competing notions of how Canada should operate, that between the community of communities we are simply an amalgam of separate islands somehow related in an archipelago of convenience, versus those who see Canada as something that the sum of which is greater than its parts. This group of thought indicates that the country of Canada has a unique destiny and responsibility of its own which is larger, bigger, more important, and more significant than the sum of its parts. This is the classic debate in which we have all been engaged.

The problem is that that reality is not in any way encompassed by the Meech Lake Accord, the document which was signed by the Premiers and the Prime Minister (Mr. Mulroney) several months ago. If I have any real objection—and I know some of my colleagues feel the same—it is that so much of the new reality of the distinctive Canada about which I was talking is not incorporated in the agreement.

If we read the testimony presented by women's organizations before the standing committee, we see that they basically said that the Meech Lake Accord does not incorporate the new reality of women in our society and in our economy, that it does not grant them the kind of recognition of the rights for which they have fought so long. It does not take into account the kinds of concerns which my colleague from New Brunswick and I have in our constituencies about French-speaking

Canadians outside the Province of Quebec. It is not incorporated in the Meech Lake Accord; it does not recognize those problems.

The Accord does not take into account the incredibly new sense of western direction, enthusiasm, and energy, to be more in control and managing our own resources. We do not see anywhere a recognition by the negotiators of the agreement of a demand for some accommodation on the part of the central provinces to greater representation at the national level. There is a fundamental flaw made in the country in assuming that provincial Governments will represent regional interests nationally. We are almost trying to devise a new kind of institution called federal-provincial conferences to make that kind of regional representation work.

However, we know that the founders of Confederation made a mistake, one which no successive generations corrected. The Upper Chamber was originally designed to ensure that there would be a sense of region at the national level of government, which was totally and completely destroyed by the fact that it was an appointed body. Because no one got around to changing it has meant that our federalism has always had a real flaw. It has not ensured an effective representation of the interests of western Canada and Atlantic Canada at the national level.

• (1140)

The movement toward that achievement was at a point of maturity, when the opportunity for major constitutional change to have an elected Senate based on some form of equal representation was about ready to blossom forward, but the Meech Lake Accord was signed to cut that off. That accommodation is more difficult now because the Accord establishes the principles of unanimity to make that kind of constitutional change.

In a sense our institutional document is further out of sync with the living reality of Canada itself. It is what political scientists call the living constitution, that kind of amalgam of political, social and economic forces that shift and change from generation to generation but which must give life to our Constitution.

Certainly the Meech Lake Accord does not take into account that since the Second World War there has emerged in Canada a new generation of Canadians, the so-called multicultural third force of Canada, which in some ways is the most dynamic part of our country. They find the Meech Lake Accord frustrates and freezes their ambitions and their aspirations. That is why there has been so much consternation, certainly in our Party and among many other Canadians.

This kind of constitutional initiative serves one very vital and important purpose, to have the Province of Quebec as a signatory, a purpose for which our own Party has fought. In our own policy resolution I spoke on behalf of western Canadians to encourage the convention to join in that ambition, but that noble and very positive achievement has been substantially marred by the other part of the equation which was given in order to achieve that goal.

We have taken certain steps backward. We have been blind to those new realities and we have created a very flawed and imperfect document. In fact, it may have put at some risk the effective evolution of Canada because we have put roadblocks or apparent barriers in the way.

I was reading a book by Donald Smiley called *The Federal Condition In Canada*. I think most people recognize that Professor Smiley is one of the foremost constitutional experts in Canada. Talking about the sense of national purpose and national policy, he said that there have been three real periods. First, John A. Macdonald in the 1870s had a national policy, which seemed to capture a sense of a broader Canada. Second, the period after the Second World War when we got together to forge a new set of social and economic institutions: the health care system, the regional equalization system and so on. Third, in the early 1980s the Government of which I was a member in its constitutional change attempted a kind of national resource policy. Professor Smiley ended with his comment:

> —if John A. Macdonald were to reappear among us, he would within a month have a surer grasp of the stakes in our current debates than does the person who is now the Prime Minister.

The first Conservative Prime Minister of Canada, John A. Macdonald, would have understood that, aside from simply accommodating regional, linguistic or ethnic interests, a broader sense of vision and purpose is also required. The present Accord fails on that account miserably. It ends up with a scuffling of private interests as a definition of what Canada is all about.

That is why the amendments put forward by members of our Party are so important and essential for consideration by this House. They are not in any way to impair the achievement of the Meech Lake Accord, which is the involvement of Quebec in the constitutional structure, but to say that it could be a much better, much improved document accommodating a much more realistic contemporary sense of what Canada is and what Canada should be. The amendments are simply to say, let us alter and reorganize to achieve a constitutional legal framework which better represents the interests of all Canadians and the reality of Canada. Those amendments are not in any way reducing the achievement. They add and support it. In particular they are trying to say to Members of this House that in no way would damage be done.

We are now locked into a kind of struggle reminiscent of certain Japanese wrestlers, those 400 pound behemoths who get into the centre ring, grasp each other and are afraid to move. It seems we almost have that now with the federal and provincial Governments. They have locked each other into a death grip and each one is afraid to move even though they know that there probably is a necessity for change and amendment.

I would say in parenthesis that perhaps there is some movement, at least on the provincial side. It may appear that there are certain provincial Governments which are now saying that their work was incomplete and not good enough. They must take into account the questions of how they respond to challenges to the Charter, the rights of the Territories and how they deal with the rights of the aboriginal peoples, the new realities of the Canada with which we are dealing.

We on this side of the House can only say Amen to those kinds of efforts because we know that change will have to be made. We also know that there is a smaller reality, namely, that this House will be required to vote in a matter of days or a week on the specific interest.

It is of great and incredible regret that the Prime Minister of Canada, the one person responsible for trying to have a broader vision, was not prepared to use those skills of conciliation, that he is so proud of boasting about, to deal with the kind of representations made in front of the standing committee. He instead stonewalled every opportunity for change, which flew in the face of valid important representations for change.

That, therefore, puts this House of Commons in an awkward dilemma. Because of the unwillingness and impolitic behaviour of the Government, the House of Commons is in a very difficult situation which we all realize. Everyone supports the ambition of Quebec to gain its sense of distinction and place in the Canadian Constitution, but to do that we must agree to an Accord which we also know does not recognize fully the rights and interests of many other Canadians or their concerns. That is the $64 question which colleagues on both sides of the House must face.

I suggest purely on my own account that ultimately we have to come to a choice based upon how to achieve the most effective kinds of constitutional changes for Canada, that will allow us to pursue a country that is modern, contemporary and recognizes its many changes over time. My conclusion is that we will not do it with this Government. It will be impossible to achieve with the kinds of initiatives that we have seen. For example, the kind of wrenching alteration in the fundamental structures of Canada that will be occasioned if the free trade agreement goes through. There is the total uprooting and dismantling of the federal Government's ability to provide direction and leadership on regional development, on social programs and economic development, and, in fact, in meeting international competition because we will no longer have a Government which has the power or strength to provide that leadership. We will have signed it away. We will have constricted our abilities and eliminated our capacity to develop programs to take initiative. It is a further sign that this group of people does not understand that government itself in its own right is a positive, creative, constructive force which must be used for those purposes. They have decided that the great allocator of the Canadian national interest will be the marketplace and that the Government is only there to facilitate that as opposed to providing a public interest, not a private interest, a public interest.

• (1150)

Mr. Blenkarn: What's wrong with that?

Mr. Axworthy: Even the Hon. Member from Mississauga does not understand the difference between public and private interest, that the Government is not simply there to reflect a whole series of private, profit-oriented interests. When people vote for a Member of Parliament they expect him to serve the public interest, and that public interest is bigger and broader than the whole series of individualized, selfish private interests.

Every Government has to accommodate business and labour and everything else, but it should not surrender to them or become captive to them. It should have a broader set of interests than that which is something that the Conservatives of the 1980s do not understand. They have no sense of that kind of public interest. We see it in the individual behavior of Members and in the behavior of the Government. That is why it is so essential, when looking at constitutional structures and institutions, we assure that the sense of public, national purpose is redefined and that we have a Government that understands that, for a change, and will bring those kinds of concerns to bear.

Ultimately, we will fight as hard as we can and for as long as we have a breath left for these amendments. If they are defeated, as the Prime Minister says they will be, then we will need a Government beyond this one which will pursue those same amendments in the same way to ensure that we will have a Constitution that fully recognizes and reflects the reality of Canada. My job will be to ensure that there is the basis for that alternative Government so that we can have an effective and useful Canada with an effective Government that recognizes those concerns. That will be the kind of decision which I will urge my colleagues to take as well.

Mr. Charest: Madam Speaker, I would like to know from the Hon. Member who is from the Province of Manitoba, because I did not hear it and he will excuse me if he has already stated it, whether he intends to vote for or against the Accord ultimately, whether the amendments put forward by his Party pass or not.

I would also like to pick up where he left off and ask him whether or not he intends to campaign during the next election on the amendments that the Liberal Party of Canada put forward today. Could he give us some indication of that, as the Leader of his Party has?

Mr. Axworthy: Madam Speaker, in answer to the first question, if the Hon. Member had been following more carefully the debate in the House and in other places, he would know full well that the Leader of our Party has said that the kind of amendments we are putting forward will form the basis of a platform in the next election campaign. I will certainly be glad, as a member of that group, to campaign for them for the

very reasons I have just stated, for the very reason that they more fully reflect and represent the interests of all Canadians; the women, aboriginal peoples, members of multicultural groups and those in the Territories who feel that they have been ignored and neglected by this particular Accord. It is important that they feel they have a place and a Party to represent them. We will be more than pleased to do that.

As for the first question, I would ask the Hon. Minister in return what his Party intends to do about the amendments. Do Members of his Party intend to vote for them? If he gives me an answer to that, he may get an answer from me.

Mr. Charest: Madam Speaker, I find it unusual that the Hon. Member would want to question me when I put before him a very simple question. I asked the Hon. Member if he would ultimately vote for the Accord whether the amendments pass or not.

The Government side has stated its position. It is quite clear. I myself have spoken on this Accord so perhaps the Hon. Member from Manitoba could tell us, since he is the one who is speaking today, whether ultimately he will or will not vote for the Accord, notwithstanding what happens to the amendments.

Mr. Axworthy: Madam Speaker, one offer is as good as another. Since the Hon. Member refused to answer my question, I will exercise the same right.

Mr. Charest: Madam Speaker, to get to the bottom of this, I can inform the Hon. Member that I will vote for the Meech Lake Accord, whether the amendments of the Liberal Party pass or not. I will vote for the Meech Lake Accord.

We already know that an important number of Members of the Liberal Party of Canada will ultimately vote against their Leader on this Accord. I would like to know if the Hon. Member will be one of the Members of the federal Liberal Party of Canada who will vote against his Leader.

Mr. Axworthy: Madam Speaker, I absolutely and totally appreciate the prurient curiosity of the Hon. Member, but this after all is Parliament, and that may tell something about how he spends his time. He would be much better off looking after the youth of this country than worrying about how Liberal members will vote. We would not have a 14 per cent or 15 per cent unemployment rate among young people if he was doing his job.

I do not care how the Minister will vote. I want to know how the Government will vote. We have not heard that yet. We want to know about the amendments because we have made the case that the Meech Lake Accord is incomplete. We have put forward amendments and, as I understand the procedures of the House, having been here for several years, once the outcome of those amendments is determined, that will certainly determine our vote. I would be more than happy to note how the Hon. Member, a member of a minority in his Party, will vote.

Mr. Hamelin: Madam Speaker, my colleague quotes Professor Smiley of Queen's University. Is it not true that Professor Smiley, like many of his colleagues, was a great supporter of this Accord? Why quote him on something else?

Mr. Axworthy: Madam Speaker, the quote I used from Professor Smiley was not commenting on the Accord, it was commenting on the Prime Minister (Mr. Mulroney). He is certainly not supportive of the Prime Minister because he said the Prime Minister does not understand Canada and does not understand the national purpose of Canada. I would suggest that if Professor Smiley wants to support the Accord, that is his business. I was just using him as an authority on the Prime Minister.

Mr. Charest: Mr. Speaker, first, I find it very interesting that on such an important debate the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) would feel compelled to attack the Prime Minister personally, and then make references to me personally, references that are completely uncalled for. I take some time to note that because I think it is an indication of the predicament of the Hon. Member and also the attitude of his Party in this debate. Since he wishes to approach it from that point of view, I would be interested in knowing whether he agrees or not with the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) who said that the Members of the Liberal Party who would vote against the Accord are anti-Quebecers.

Mr. Axworthy: Mr. Speaker, I apologize for having damaged the tender, sensitive feelings of the Hon. Member.

The Acting Speaker (Mrs. Champagne): If the Chair may interrupt for a minute, I think both the Hon. Member and the Hon. Minister might take time out to get their eyesight checked.

Mr. Axworthy: Pardon me, Madam Speaker. I will certainly take your advice.

[*Translation*]

I apologize, Madam Speaker. I am pleased to recognize the distinguished person sitting in the Chair.

[*English*]

First, I do apologize that the Hon. Minister's tender, sensitive feelings have in some way been trampled in the House of Commons. I did not realize we had such a hothouse flower among us that could not bear some comment upon his duties as a Minister. As the old saying goes, if you cannot stand the heat, get out of the kitchen.

I would think that the Hon. Member may want to find a more cloistered occupation to follow when he is defeated in the next election, an occupation that would not hurt him so much.

• (1200)

I want to explain very clearly that the point of our Party presenting amendments was not to defeat the specific goal of

the Meech Lake Accord in having Quebec become a full signatory to the Constitution. We just think the Prime Minister struck a bad bargain. It could have been negotiated much more effectively. However, accepting as a *fait accompli* that we have that kind of mentality occupying high office, we want to signal to Canadians that they should not despair of having a Constitution that will meet their interests and concerns. That is the purpose of our amendments and no other. That is why we believe the Hon. Member and his colleagues would be well advised to realize that those amendments provide an important improvement to the constitutional fabric of this country, one that will provide for agreement rather than the division and disunity which will ensue if the Meech Lake Accord is not changed.

Mr. Charest: A last question, Madam Speaker?

The Acting Speaker (Mrs. Champagne): I am sorry, the time for questions and comments is now over.

Mr. Charest: With the House's permission?

The Acting Speaker (Mrs. Champagne): Does the Hon. Minister have unanimous consent for a last question?

Some Hon. Members: Agreed.

Mr. Charest: Madam Speaker, just for this question I will agree with the Hon. Member that we should not be ruffled by personal references in the House. I will then repeat the question which the Hon. Member did not answer. Does he agree with a member of his own Party, the Hon. Member for Montreal—Sainte-Marie, who referred to Members of his Party who will not vote for the Accord as being anti-Quebec? If he wishes to answer the question, we will find out whether or not he is really interested in the debate. Get up and answer it.

Mr. Axworthy: Madam Speaker, I will be glad to answer that. I have been a Member of the Liberal caucus for nine years. I have participated in every debate dealing with the relationship of Quebec to the rest of this country. I can say with great pride that the Liberal Party has done more to provide for constructive development of French-English relations than any other Party in this country. We will still do so when we become the Government.

The Acting Speaker (Mrs. Champagne): Resuming debate.

Mr. Charest: You did not answer the question, though.

Mr. Simon de Jong (Regina East): Madam Speaker, I wish to participate in this debate and say why I agree with the two Members who spoke this morning concerning the historical importance of this debate.

I came to Canada as a youngster with my family in the early 1950s. We were fleeing the wars that had ravaged Europe and Southeast Asia. To be able to stand here and participate in a debate over the Constitution of this country is for me personally a very important and moving moment. That I can do so says much about what Canada is. Surely there are very few countries in this world where a newcomer can be elected and participate, as I am doing now, in debating the constitution form of that country. It says something about this country and its broadness of vision that an immigrant can be elected to this place. I am not the only one; there are many others in this House who were born in countries other than Canada. It says a lot about Canada that this opportunity exists for newcomers.

The fact that we are standing here debating the Constitution also says something about Canada. It indicates what a young country we are. We are attempting to define our essence. Surely that is what a Constitution is all about.

This process started in 1982. I had hoped then to have an opportunity to participate in the debate on the Constitution Act of 1982. Unfortunately I did not have the opportunity. Some of the things I want to say today are things I had wanted to say in that debate.

At that time I was disturbed when the former Liberal Government under Mr. Trudeau brought in that legislation because there were several aspects which I did not think were correct. First, I thought it was a power grab by the central Government. The federal Government was attempting to act unilaterally to change the nature and shape of this country in a dramatic fashion. It was not until the Supreme Court came down with quite a historic decision that the Prime Minister realized he had better start talking to the provinces to get their understanding and agreement. That is what happened; compromises were reached and we ended up with the Constitution Act of 1982.

It is interesting to note that the process by which we reached that agreement was one of consultation, wheeling and dealing, discussions, and compromises among the elected Governments of this country. That also says so much about what Canada really is. The federal Government's move in 1981-82 disturbed that balance.

I was also disturbed because the original document Mr. Trudeau introduced would have increased the powers of the federal Government. I for one have always believed that the nature of Canada is reflected in the division of powers between the federal and provincial Governments. I have been a strong believer in the notion of co-operative federalism. To govern a country as diverse as Canada, with its various regional interests, linguistic and economic groups, is best done through a co-operative, flexible, compromising kind of system.

That leads me to my second area of concern about what Mr. Trudeau started in 1982. That was his attempt to cast our Constitution in stone. I believe that to be a major problem still. He attempted to define in legalistic terms where the power should be, what our rights are, and what are the roles of the various Governments. We are living in an age of very rapid technological, social, psychological and cultural change. I believe our Constitution should have remained flexible. What we had was a collection of different Acts and documents, some of them going back to Westminster, the BNA Act, and

common law. That was our Constitution. It was not neat, it was not defined in one legalistic document. There were many documents. The Constitution was part of the British heritage of common law as well. It was flexible and open. I believe it would have served Canada much better in the years to come to have maintained a flexible Constitution which would have allowed organic growth and changes as we went into the 21st century and beyond. Casting it in stone by passing specific Bills like the Constitution Act of 1982 has created a rigidity which, I believe, will not serve us in the years ahead. I believe that the co-operative, flexible, organic approach of the past would have served us much better in the future than what we have now.

• (1210)

That leads me to my third concern about the Constitution Act of 1982, that being the areas which were left out. If we were going to begin to define the rights and responsibilities of individuals and various elected bodies, we should have continued. What Mr. Trudeau talked about was really 19th century Liberal ideals. I am not saying that they are necessarily outdated. Individual personal freedoms and rights are important. The document which we have today is still flawed because of its basic omissions, and I will return to that later.

What was missing, in my opinion, was a futuristic outlook. I would have felt much more comfortable and been much more excited had the document talked about some of the issues and concerns which the people of our country will be facing as we approach the 21st century and beyond. The newer technologies of mass communication will create a power for persuasion and propaganda against which I believe the citizens of our country must be protected in the future. That was missing.

I think of the tremendous growth of pollutants in the world today. Our air, water, and soil are being polluted to an ever-increasing extent. There should have been something in the Constitution guaranteeing the right to fresh air and clean water. It would have been admirable to put such rights into our Constitution to ensure that one generation cannot befoul the earth, the air, and the waters for the generations to come.

I am concerned about the erosion which I see of basic social programs such as medicare. We should have included in the Constitution the right to the best medical treatment for all Canadians. That was not included. A country as rich and bountiful in resources as is ours should have included in its Constitution the right to decent housing and to food on the table. Canadians living in this beautiful and bountiful nation should inherit the right to decent housing and food on the table.

All of those things were missing from the 1982 Constitution Act. In many ways the Constitution Act was a 19th century Liberal document and I think we should have had a 21st century document.

Those were my concerns about Mr. Trudeau's constitution. The Meech Lake Accord is some steps further down the road on which Mr. Trudeau started us. I congratulate the Premiers and the Prime Minister (Mr. Mulroney) on their accomplishment in devising an agreement which includes Quebec, the sister culture, in the Constitution. That was an important achievement. It would have been very difficult for Canadians to have continued to live with a Constitution which Quebec had not signed. That would have helped to create and foster alienation in the future.

However, there are things in the agreement which must trouble us all. For example, with regard to the definition of a separate society, our common sense tells us that the culture and psychology in Quebec is different. We rejoice in the difference because it strengthens Canada. In fact, it was the French culture in Quebec which helped protect Canada from the persuasive influence and power of the United States. Quebec is very important in ensuring that Canada maintains its sense of identity. Without Quebec, English Canada would have become much more Americanized. Quebec reminds us that we are indeed different and that is very important.

However, to define that in legalistic terms is very difficult, if not impossible. That is why it is difficult to have a Constitution which requires a definition for everything, which requires the casting in stone of every aspect of this country. It is an impossible task which entangles us in a legal jungle into which our Constitution is leading us further.

There are things about the Meech Lake Accord that bother me. Many Members on all sides of the House have expressed those concerns. It is wrong that the Yukon and the Northwest Territories will not be allowed to become provinces until all the other provinces agree. That outrages our sense of fairness and justice.

The rights of our aboriginal people is a question yet to be resolved. The country must come to terms with our aboriginal people, our founding fathers—

Ms. Copps: And mothers.

Mr. de Jong: And mothers. To allow this to remain unresolved is as unacceptable as is keeping Quebec out of the Constitution. It must be a priority of this Parliament and all Parliaments to resolve to bring our aboriginal people into the constitutional family.

The override on women's rights is totally unacceptable. It is incredible that in this day and age there is no guarantee that there shall be no discrimination based on gender. There is an override as well on the issue of minority rights. It is totally unacceptable that people can be discriminated against based on the colour of their skin. That issue must also be resolved.

I am concerned about the reform of the Senate. While I agree with the actions of our Senators in holding up certain Bills—because I disagree with the substance of those Bills as well—I cannot accept the fact that unelected people can stop the work of this House. It is unacceptable that entering into the 21st century we are still saddled with an institution left

over from centuries ago. I am afraid that the proposal from the Meech Lake Accord will make the bad situation even worse. I doubt very much that we will have genuine Senate reform. The only change is that federal patronage has become provincial patronage and all 10 provinces will have to agree to give up their powers of patronage. Good luck. I am afraid that will never happen.

Another area of concern which has been eloquently expressed is the concern about social programs. Are we giving with the Meech Lake Accord too much power to the provinces? I was opposed to Mr. Trudeau's initiative because I thought he took all the power for the federal Government and it seemed to me that social progress in this country has, on the main, occurred at a provincial level. We have had CCF Governments which have introduced things like hospital insurance and medicare, pioneering new social forms which then became popularized and spread throughout the country. Then the federal Government picked them up and established them as national programs.

• (1220)

Very often it is much easier for those of us who are concerned and interested in social progress to try it first on a provincial level. Social programs are very difficult to implement first on a national level because the federal Government is generally concerned with regional, linguistic and cultural differences. It does not have the support of the electorate of provinces that are a little more homogenized. It is easier to get a provincial electorate behind a certain social program, as we did in Saskatchewan in the early 1960s in terms of medicare. To have brought in medicare without first having it established through the provinces I believe would have been impossible.

Medicare first was initiated through the provinces because of the work done by people like T.C. Douglas and Woodrow Lloyd. Woodrow Lloyd was a man I worked with and for, a man I very deeply respected. The role he played in introducing medicare to this country was heroic. Medicare came in through the provinces. That is where the social experiments occur. That is where the social laboratories exit. I think we must make certain that the provinces have the opportunity of performing the social experimentation.

Certainly, what the Liberals originally introduced in the 1982 Constitution Act would have severely prevented this social experimentation from occurring. It was a power grab by that federal Government. My vision of this country is one of co-operative federalism where both levels of government have an important and vital role to play. It is not a case of the federal Government being more important, or the provincial government. They have different roles to play, but fit together to help shape this country into a strong, vibrant, progressive and growing country. To tilt the power in favour of the federal Government or in favour of the provinces does a disservice to how we operate in this country.

I do not accept the criticism of the Meech Lake Accord that it will stop social progress. It could very well help to engender social programs and allow more social progress to occur by allowing social experimentation in the provinces. It is true that we have in Saskatchewan right now a regressive government where some of the social progress is now being disassembled. I think the federal Government has an important role to play in ensuring that national standards are maintained.

I have stood in my place and asked that the Government curtail funding to the Province of Saskatchewan because of what it is doing with legal aid. The national standards in terms of legal aid are not being met by the Province of Saskatchewan and the federal Government should use the power of the purse. Power should remain with the federal Government. It should not be tilted in favour of one or the other.

I feel that while there are major problems with the Meech Lake Accord because there are things left undone which should be done and the constitutional process is, therefore, not finished. we have taken a few more steps down the road on which Mr. Trudeau sent us. I never liked the road he chose, but once we are on that road we cannot stop. There are many more steps which need to be taken with the Meech Lake Accord. I welcome the recommendation of the standing committee that there be a permanent, standing committee of this House to deal with constitutional amendments. I dearly hope that much of what I said will be wrong, that the Constitution which is evolving will be flexible enough to meet the tremendous challenges of the 21st Century. That is my sincerest wish.

Mr. Berger: Madam Speaker, I thank the Hon. Member for his remarks. I always listen to him carefully when he speaks in this House. However, I was quite astonished today by some of his remarks and I would like to put a few questions to him.

First, the Hon. Member referred to 1982 as a power grab by the federal Government. He referred to the original proposal which he then distinguished from the final proposal. I would like him to name one single power, either in the original proposal or in the final proposal, which the federal Government assumed, one single power the federal Government proposed to have transferred from the legislative authority of the provinces to the federal Government. I may be wrong, but I do not recall that initiative making any such proposal.

Second, the Hon. Member was concerned that the 1981 or 1982 proposal made our Constitution more rigid. He said the Constitution should have remained flexible. I do not quite understand what he is driving at there because I see, for example, the procedure for amending the Constitution of Canada, the general procedure under Article 38, which provides a formula to amend the Constitution with the agreement of the Parliament of Canada and two-thirds of the provinces which have 50 per cent of the population. This, to me, is a much more flexible proposal than the constitutional convention we have been operating under for some 45 or 50

years which requires the agreement of all the provinces and the federal Government.

I thought the Hon. Member perhaps opposed the idea of a Charter of Rights but he did say he thought the Charter was important. I would remind him when he talks about the need to address the question of newer technologies or the right to a cleaner environment, the Charter does that in an organic fashion, in a fashion that will grow and can be built upon over the years, namely, Article 7 of the Charter, which refers to every person's right to life, liberty and security of the person. Although that provision may have up to now been somewhat restrictively interpreted by the courts, I think there is the possibility that the provision, with perhaps a broader interpretation over a period of time, could grow into the kind of concept which the Hon. Member says he favours.

Mr. de Jong: Madam Speaker, I did take notes and I do have some notations so I think I can answer the Hon. Member's questions. First, he wanted to know what sort of power grab the federal Government attempted to commit in 1981-1982 with the 1982 Constitution Act. First, it acted unilaterally when the Prime Minister attempted to just pass the legislation through the House of Commons and the Senate, and that was it. That in itself was, I think, a power grab. As well, there were aspects in the Constitution that certainly disturbed us, for example, guaranteeing interprovincial trade, so that one province could not discriminate against, let us say, companies coming from outside of Canada. We in Saskatchewan felt that provision could have prevented medicare from being introduced in 1961-62 because the provincial public monopoly on medical insurance would have prevented outside insurance companies from operating in Saskatchewan.

In the same way, we felt in Saskatchewan that the same provision would have prevented us from introducing the Saskatchewan Government's automobile insurance because it created a public monopoly, so would have discriminated against outside insurance companies from doing business in Saskatchewan.

Those were some of the concerns we had about the proposals that were introduced by the former Liberal Government. There was no doubt about it, and I think everybody will recognize, that it was a power grab by the central state. The former Prime Minister's disdain for the provinces and provinicial leaders and Premiers was quite widely known. I suspect that the only person he really respected was Allan Blakeney because Allan Blakeney was able to stand toe to toe with him on issue after issue.

• (1230)

Mr. Rodriguez: Unlike his own Cabinet.

Mr. de Jong: The Hon. Member's second question concerned rigidity. Much of what I have said today is that I find going down the road of a written Constitution creates a rigidity. I still believe that. He suggested that the amending formula, after the Constitution Accord of 1982, created more flexibility than had existed before. He described it as what "seemed" to exist in the previous Constitution. Of course, I appreciate him saying "seemed". The Constitution we had before was a collection of many different documents. It was not defined. It was not focused. It was not totally described in legalistic terms.

Mr. Trudeau, after all, was a great lawyer. He thought in legalistic terms, and reality had to be defined in legalistic terms. For Mr. Trudeau if the Constitution was not defined in legalistic terms, it did not have a reality to it. I was suggesting that perhaps had Mr. Trudeau been more of a poet and less of a technocrat lawyer he could have had the spirit and the essence of this country. He could have realized that the spirit was alive even though it was not defined in legalistic jargon and terms.

Had Mr. Trudeau been more of a poet, we could have had a Constitution that had some poetry in it rather than having it read like the Income Tax Act, dry and dull, something from which only legal scholars can get any inspiration.

The third point that my colleague from the Liberal Party mentioned was the Charter of Rights. He suggested that such collective rights as the environment can be built on in Article 7. I suppose that is true. I suppose some of the objections that he has had toward the Meech Lake Accord can also be built on in Article 7. His logic here escapes me.

The way things stand now, one can build on what is there. Surely, a great deal more building has to be done in terms of women's rights, aboriginal people and so forth. I do not disagree with him that building has to be done.

But I am just saying it was a pity that in 1982 the vision was not great enough to encompass the 21st century; that, in essence, Mr. Trudeau's document was backward looking and not a forward looking. Had it been a forward looking document he would have included the right to fresh air and clean water, the right to a decent basic standard of living, the right to basic minimal medical care in this country, basic rights that Canadians should enjoy from here on in.

[*Translation*]

Mr. Charles Hamelin (Charlevoix): As some of my colleagues have done so far, Madam Speaker, I will deal with the Meech Lake Accord which, I think reflects a vision of tolerance as a characteristic feature of Canada in the respect and promotion of its very creative differences.

Having had the privilege to sit last summer on the Special Joint Committee of the Senate and the House of Commons on the Meech Lake Accord, I realized, after a few meetings, that I was taking part in an event of major historical significance. And facing the Canadian coats of arms inscribed with the *a mari usque ad mare* motto, I realized, for the first time in 20 years, the full significance of this symbol.

As so many other Quebecers, following the Meech Lake Constitutional Accord, I felt for the first time really Canadian,

while still feeling like a Quebecer. Thanks to the fantastic results achieved by the Premiers and the Right Hon. Prime Minister (Mr. Mulroney), thanks to their faith in the Canadian federation, thanks to their will to be the builders of Canada rather than small-time politicians who care only for political concepts which inevitably change according to the mood of the time and public opinion, for the first time, I realized the meaning of the Canadian motto *A mari usque ad mare*, from sea to sea, and I felt a bit more confident of my identity as a Canadian, and as a Canadian from Quebec, I wanted to play my part in the Canadian federation.

I felt better able to identify with this country because I saw that the whole federation was willing to respect my identity and my differences, and I am not speaking about superiority because we are not better than anyone else. The Canadian mosaic reflects these collective differences, which include my own creative differences and my role in this great country. For the first time, I felt that the other communities in Canada, especially the English-speaking community, recognized me, all Quebecers and all French-Canadians as first-class Canadians and as part of this country.

During the hearings of the Joint Committee chaired by Senator Arthur Tremblay and his colleague Chris Speyer, we looked together at all the options offered by this Accord. We looked at what could be fundamental mistakes or weaknesses in the Accord. We heard hundreds of witnesses and dozens of groups who came to express their views on this historic and, according to some people, near miraculous, Constitutional Accord.

I do not know whether some of them acted in good faith or not, but they used what I would call a somewhat fallacious method, and this is unfortunately the trap in which some of our Liberal colleagues in this House have fallen.

Most of them were ecstatic and full of admiration when they saw the beautiful forest we were planting, but immediately after, they got out their axes and began to destroy systematically this historic Accord. Under what pretext? In most cases, because this Accord, as it was made by man, is by definition not perfect. No one on the committee said it was a perfect Accord. However, everyone, including most of our experts, agreed that although the Accord was not perfect, it was an absolutely essential component of the Canadian structure we were building together, and that later on, if need be, we could look at this structure again and make further changes.

• (1240)

In politics like anywhere else, it is much easier to create panic than to create hope, solidarity and unity. It is so much easier to try and scare people. It is so much easier to claim that rights are in jeopardy. For instance, the women of Quebec reminded Canadian women that they could stand on their own two feet and were perfectly able to promote and protect their fundamental rights, rights for which the women of Quebec, like many other Canadian women, have fought vigorously and have now won fundamental recognition.

Granted, the Accord does not recognize, does not pay enough attention to and does not define aboriginal rights as such. It is clear that the aboriginal community, despite continuing attempts, has yet to find its true place, and with force and determination, gain recognition for that place within the Constitution. This could not be done. The Accord does not deal with this specifically. The same applies to the Senate.

Western Canada is very much concerned about Senate reform. As a Quebecer, I must say, and I think most of my colleagues will agree, that the issue of Senate reform is not one of our priorities. We don't lose any sleep over it. I think a proposal to abolish the Senate would easily meet with the unanimous or nearly unanimous support of Quebecers. But that was not the purpose of the nation-building exercise in which the Premiers participated.

There were other issues as well that were brought to our attention during these hearings. There was the whole issue of Francophones outside Quebec. Of course we would have preferred to have the Accord both protect and promote their rights, and we said so in Item 14 of our report, namely that the Constitution should provide that all Governments have a duty not only to protect but also to promote Canada's linguistic duality. However, we realized that in the circumstances and for the time being, it would be impossible to win the acceptance of the entire Canadian community. We did not get the impression, and this was later confirmed by others, that some of the Premiers would not agree to both protect and promote the Canadian linguistic duality in their respective provinces.

There was of course criticism of the distinct society concept.

Some people almost jokingly asked: Does it mean something, or does it mean nothing? If it does not mean anything, why is it there? Reference was made to Quebec's society as being a sociological reality which some people simply would not want to see enshrined in a constitutional statute.

I, for one, state that the distinct society concept does not give Quebec any additional power, either in theory or in practice. The issue of division of powers among the central government and the provinces was not raised. But we happen to know that this concept of distinct society really means something. It will undoubtedly enable Quebec's society to expand as much as possible within its jurisdiction, within its own particular fields.

I can only smile when I hear certain people voice fear and concern about recognizing such a society. They say: You will be granting new powers, creating two societies in Canada, two classes of citizens, some who will get preferential treatment and other Canadian men and women of different ethnic origins who will not be in a position to benefit fully. That suggestion is quite wrong.

We must appreciate the fact that these claims were and are still rooted in Quebec history. One has to bear in mind that

francophone Canadians and Quebecers in particular constitute a small society surrounded on all sides by 350 million English-speaking people. My God, this is the way, not to defend our interests to the detriment of anybody else, but to promote our own distinct character if we want to survive.

The assimilation figures for the other provinces and for Canada in general are such that it is obvious that if we are not given the means to remain what we are as a society, we shall not be able to resist for long. Our society is an asset for Canada. It is part of the essence of this country, and what I want myself is to be part of the essence of this country, but for that, I need the means, not to do better than anyone else, but to promote my own identity in security and harmony. The great victory of the Prime Minister (Mr. Mulroney) was to convince the Premiers to accept this sociological reality, and the miracle is that all of them agreed to consider the concept of a distinct society as an essential component of the Canadian federation. This is the great miracle of this Accord and this is also what makes it so delicate.

This is also why we rejected amendments which, while seeming to improve the Accord, could have destroyed it. It is not because we did not recognize that something must be done quickly in Canada for our native people. It is not because we refuse the right of francophones outside Quebec to develop fully. It is not because we are not sensitive to individual rights. It is not for those reasons, but because we know that it is impossible to do everything at once and that this basic component is essential for Quebecers. We heard the views of those who played a vigorous role in the Quebec referendum, of those who fought to keep Quebec within the Canadian Federation.

When I heard my Liberal friend speak about rights and the public interest earlier, it made me smile because it was under his Party that the country was nearly destroyed. It was because of his Party's philosophy of an ethereal centralizing federalism that Canada was nearly destroyed. It is true the country almost fell apart. It was very close.

• (1250)

I believe this Constitutional Accord is extremely important. I must say I am somewhat concerned about the kind of situation we have in New Brunswick, where a new Premier has just been elected with a crushing majority. It will be difficult in that province to have a parliamentary democracy that reflects public opinion, and I am particularly concerned about comments that, as far as Quebec is concerned, are quite hostile to this Constitutional Accord. I hope he will change his mind about making so-called improvements or changes. Otherwise, I am afraid they will all withdraw their signatures and their commitments. And that would be very serious indeed.

We all know it is extremely difficult to get everyone to agree on certain principles and ideas, to set aside personal perceptions and interests and sit down together and concentrate on the public interest and develop a united vision as nation builders. It makes for a fragile Accord. But it also makes it important and fundamental and fascinating. It should not be tinkered with. If we tinker with this Accord, if we open it up again for the sake of making a few changes, it means releasing everyone from his commitment and his given word. And that is what we must understand.

Our committee understood this. We made about 20 recommendations with the future in mind, when further constitutional conferences will be held. We recommended setting up a standing constitutional committee that would make it possible to spend more time preparing agendas and subject matter. We are confident that in the future, despite the new unanimity rule—even if we did have the seven provinces and 50 percent rule, one cannot run a country by ramming issues down people's throats. One cannot do that. In any case, it takes a consensus and almost unanimous consent. In any case, it would take unanimous consent. It does in constitutional matters. It nearly always does, otherwise confrontation would be the order of the day.

Several witnesses said that if the Accord was not ratified as soon as possible by all parties involved, our Canadian federation might again be in jeopardy. People who do not believe that did not experience the events leading up to the Quebec referendum.

Granted, today Quebec has a government that has made a commitment to the Canadian federation. It is the same government that negotiated the basic elements of this Accord. It endorsed the Accord. And it sincerely hopes, and I am referring to the present Quebec Government, that the rest of Canada will do likewise.

In the future, it will still be possible to propose further amendments, this time with the approval of Quebec, which will participate gladly and show a great deal of interest, for instance, in the issue of Senate reform. And it will be more likely to consider proposals from eastern or western Canada.

I therefore feel that Hon. Members should read the Joint Committee report and in that sense I have a lot of admiration, Madam Speaker, for the position taken by the members of the New Democratic Party who, of course, express reservations and wishes, but who add: Our reservations will never result in destroying the agreement. What those people did, and what I would ask from my Liberal colleagues, both in the Senate and in the House of Commons eventually, would be to look at the Accord as being both fundamental and essential, although imperfect. This country's existence is at stake—not merely surviving but moving forward together as integral parts of this great country. And I would urge them to share that vision which the Prime Minister (Mr. Mulroney) and his colleagues have had of Canada, a vision of tolerance and respect for and promoting those creative differences.

Mr. Berger: Madam Speaker, in his comments the Hon. Member referred to the people of Quebec, Quebecers, as a small minority in a sea of some 250 million English-speaking

in North America, and I must confess I do not share his fears in that respect. I believe this small minority is much stronger perhaps than he is. We have the example indeed of the Lamarres, the Lorties, the Castonguays who are leading Quebec multinationals that are extending their activities around the globe. We also have the example of the 10 000 students each year who attend the École des Hautes Études Commerciales in Montreal. And really, I am not under the impression that those people need the added protection of the distinct society concept.

Looking at the Hon. Member, Madam Speaker, I cannot help thinking either that he is quite a grown-up lad, and I would like to ask him why he needs that extra protection, that crutch as one might say, to stand on his own two feet?

Mr. Hamelin: Madam Speaker, I believe that it was the former Prime Minister who said—unfortunately, as is often the case, one of our own proved to be the most willing to bring us down—that Quebecers did not need any crutches such as this Accord. I do not consider the historic demands of Quebec to be crutches, and I do not consider that our will to create—and we did so by asserting ourselves and we did not wait for anyone else to do it for us. Otherwise, we would have disappeared a long time ago, my friend! I am quite happy to see that our small community, in close proximity to this majority of 250 million, was able, in the 25 years since the so-called quiet revolution, to obtain the tools necessary to develop and to produce competent men and women because of whom we can now open up to Canada, to the United States and to the rest of the world. There still remains that we had in Quebec a Government which was able to provide the necessary tools and to make enormous sacrifices—

Mr. Berger: You have full powers!

Mr. Hamelin: We gave ourselves as Quebecers—

Mr. Berger: You have no need for the Meech Lake Accord in that case!

Mr. Hamelin: One moment! I believe that you should reread your history books. You would see that, in spite of everything that has been said about our culture and our language and in spite of generous principles, it was because of this culture and this language that many of us were uprooted and became assimilated in this country. You say that we have no need for protection. The concept of a distinct society involves not only the protection, but also the promotion of this society, and this will enable us to do as much as we can.

The Acting Speaker (Mrs. Champagne): I am certain that the Hon. Members will want to continue the debate later on. It being one o'clock, I do now leave the Chair until 2 o'clock.

At 1 p.m. the House took recess.

S. O. 21

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

1987 EXCELLENCE AWARDS

TRIBUTE TO PERSONALITIES HONOURED, AND IN PARTICULAR TO M^ME LISE WATIER

Mrs. Lucie Pépin (Outrement): Mr. Speaker, last week in Montreal the newspaper *La Presse* honoured six people at the Excellence 87 gala. The six personalities chosen were: Denys Arcand, film maker, Ben Johnson, sprinter, Dominique Michel, comedian, Claire L'Heureux-Dubé, Supreme Court justice, Ludmilla Chiriaeff, founder of the Grands Ballets Canadiens and, finally, Mme Lise Watier, businesswoman. I would like to offer my warmest congratulations to each and every one of them.

Mr. Speaker, let me draw particular attention to the winner of that Excellence 87 award, Mme Watier. That dynamic businesswoman now owns, in the cosmetics field, an empire that spreads over more than 650 selling points in Canada and where she offers more than 450 products. And her business is constantly expanding. Indeed, Mme Watier has set her sights on first place in the cosmetics industry in Canada and would also like to penetrate foreign markets, those of the United States and Europe.

Mme Watier respects her male and female customers' tastes and needs. It is one of the reasons why the Watier Group is prospering so well. She is the symbol of the new wave of Quebec entrepreneurs who have won such renown at the national and international levels.

I know that all my colleagues in the House of Commons and particularly those from Quebec join with me to congratulate Mrs. Watier and wish her success in her future endeavours.

* * *

[*English*]

THE ECONOMY

STOCK MARKET COLLAPSE—EFFECT OF PROTECTIVE TARIFF WALLS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, the stock market collapse in New York, Toronto, London, Tokyo and Sydney reminds many of what happened in the 1930s. They should also be reminded of how that problem became a crisis because protective tariff walls were constructed not only around the United States but around Germany and many other countries.

It has become conventional wisdom for economists to say that the Depression of the 1930s might not have lasted so long or declined so deeply if free trade had been accepted in the 1930s. What about the 1980s and the 1990s? The same wisdom should show us that an expanding world population now gives us more than enough demand for our supply if we can only open up the channels of trade communication around the world.

Protection is the road to recession. Free trade offers the prospect of prosperity.

* * *

HEALTH

AIDS DISEASE—THREATENED NON-TREATMENT OF VICTIMS BY DENTISTS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, it is tragic enough that the slow response of Governments to the AIDS crisis has allowed a climate of fear, ignorance and antipathy to homosexuals to produce such consequences as the recent abuse of human rights.

But it is a disgrace when members of the dental profession who should know better should, in such overwhelming numbers, state that they would refuse to treat AIDS victims. And when their professional organization advocates preventive measures against AIDS which are more consistent with the superstition of the dark ages than with modern microbiology and medicine, that is an outrage.

If dentists are so ill informed about elementary epidemiology, then it is clear that the practitioners of this lucrative health profession are ill trained and their patients ill served, and it is time for reform in their professional training.

* * *

POLITICAL PARTIES

CRITICISM OF NEW DEMOCRATIC PARTY POLICIES

Mr. Gordon Taylor (Bow River): Mr. Speaker, have you noticed that the NDP rigidly adheres to any policy set out by the Canadian Labour Congress? For example, Shirley Carr stated that free trade was "selling Canada to the United States". Almost immediately the leader of the NDP (Mr. Broadbent) stated in the House "the Tories are selling Canada to the United States".

Again, the CLC supports the strike by the postal workers and so, are you surprised that the NDP holds up legislation forcing workers back to work for several days costing money for every small business in Canada, to say nothing about the inconvenience imposed on the people?

As a matter of fact, whenever there is a strike of union workers against the people, the NDP is on the side of the union. All of which begs the question: are MPs elected by the unions, or is it the healthy grant the unions pay to the NDP out of money contributed by all the union workers, many of whom never would and never will vote for a socialist candidate, the real reason? The people of Canada have a right to know.

* * *

FISHERIES

EFFECT OF LOW WATER LEVELS ON BRITISH COLUMBIA SALMON SPAWNING GROUNDS

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, as a result of an extremely dry summer and fall in British Columbia fishermen, both sport and commercial, have expressed concern about the dry river beds, especially those containing prime salmon spawning grounds.

Low water levels in my riding have been recorded on the San Juan, Cowichan, Chemainus and Sooke Rivers, while on the mainland the Fraser River is at a near record low.

I recently toured the Cowichan River and saw first-hand the extremely low water level. The river has traditionally supported 3,500 to 7,000 Chinook salmon but these numbers have dwindled over the years. People fear that last year's record low of 1,200 returning spawners will be broken this year. To date only 400 have been counted by the local fisheries officer who was hoping to see 4,000. The situation is reaching crisis proportions as it is getting well into the spawning season.

• (1405)

While the Minister of Fisheries and Oceans (Mr. Siddon) cannot be expected to bring rain, he must provide increased funding for enforcement programs as well as river and stream enhancement programs to bring the stocks back to traditional levels, and he must guarantee the protection of fish habitat from the controllable forces of industrial polluters.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—SUPPORT FROM WHEAT AND LIVESTOCK PRODUCERS

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, the real story on the effect free trade will have on the various sectors of our economy in Saskatchewan is being told, not by the left-leaning opposition Parties but by the producer groups themselves.

Bill Yeast, President of the Saskatchewan Stock Growers' Association, says we virtually have free trade with the U.S. in the beef industry already and this agreement will be very

important in maintaining our access to the U.S. market which in 1985 was worth over $250 million net to the beef industry.

Garth Larson, President of the Saskatchewan Pork Producers Marketing Board, recently stated that protectionism is our biggest problem and that this trade pact will ensure our accessibility to the U.S. market.

Bill Duke, President of the Western Canadian Wheat Growers Association, also stated that he thinks Canada now has a better chance of retaining current access and getting further access.

This is proof positive that the free trade agreement is a good deal and it will provide better certainty and security of access to the U.S. market for Canadian exporters. This is precisely what our Government set out to achieve.

* * *

TOURISM

HARMFUL EFFECT OF INCREASING TAXES

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, tourism is one of the most important industries in Canada. It generates hundreds of thousands of jobs and is worth $22 billion annually to our economy. Unfortunately, every year Canada experiences a tourism travel deficit. In fact, according to Tourism Canada, the travel deficit for this year is expected to increase significantly over last year.

For these and many other reasons, the Government should consider very seriously the implications of tax reform on the tourism industry. Canada must remain competitive. Increasing taxes on our tourism product will only make things worse.

In a recent appearance before the Commons committee on finance, the Tourism Industry Association of Canada had this to say:

> If higher prices are encountered in the market-place due to the sales tax, the hoped for increase in consumer spending will be compromised. If Canadians perceive better value elsewhere, they will be quick to take advantage of it.

The Government should listen to this advice and utilize tax reform to increase the competitive position of Canada's important tourism industry.

* * *

POLITICAL PARTIES

CANADA-UNITED STATES TRADE AGREEMENT—CRITICISM OF NDP LEADER'S POSITION

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, we heard some more confusing rhetoric from the NDP over the weekend about the free trade issue, this time from none other than their Leader, the Hon. Member for Oshawa (Mr. Broadbent). We always thought that he and his Party were opposed to free trade. Yesterday he told the Council of Canadians that we should have included Mexico in the negotiations.

It seems members of the NDP believe in free trade as long as the negotiations do not include those horrible Americans.

There is even more evidence of double-speak. In the same speech, the Hon. Member for Oshawa suggested that Canada's preoccupation with the United States is costing Canada its share of very important traditional markets in western Europe—all this coming from a Party that wants to withdraw from NATO. What is that supposed to do, improve our access to European markets?

The fact is that what is good for Oshawa through the Auto Pact is good for the rest of Canada through free trade. It is good for British Columbia, it is good for Alberta, it is good for Saskatchewan, it is good for Manitoba and central Canada, it is good for the Maritimes, and it is good for Newfoundland.

No wonder the NDP has gone down 10 points in the polls in British Columbia and the Conservatives have gone up 10 points. They want an election on the free trade issue. Mr. Speaker, *allons-y!* Let's go!

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POLITICAL PARTIES

CANADA-UNITED STATES TRADE AGREEMENT—CRITICISM OF NDP POSITION

Mr. J. R. Ellis (Prince Edward—Hastings): Mr. Speaker, I am fed up with the continual whining and snivelling of the NDP over free trade. From the Leader on down to Donald Wilson, the perennial NDP candidate in my riding, over and over they cry and complain that Canada will lose its sovereignty, that we cannot compete with the Americans, that the Americans will dictate our future, et cetera, et cetera, *ad nauseam.*

• (1410)

Is it because the American-controlled unions have long been the only support of the NDP? Have they no faith in Canada or Canadians? I have.

I firmly believe that Canadian manufacturers, producers, entrepreneurs, scientists, farmers and, yes, even Canadian union workers, can compete with any country in the world when barriers are removed and competition is equal. I have faith in Canada and this Party has faith in Canadians. Deliver us from weak-kneed, spineless socialists who have no faith in anything, perhaps not even in themselves.

Oral Questions

CANADA POST CORPORATION

OBJECTION TO PRIVATIZATION PROPOSAL

Mr. Rod Murphy (Churchill): Mr. Speaker, after listening to the Conservatives attacking the NDP position on free trade I assume they have the confidence to call a national election. However, this afternoon I want to deal with a different issue.

I heard Peter Pocklington this morning speaking on CBC Radio telling the country that labour peace at the Post Office would be achieved through total privatization of the service. This seems to be typical of the Conservative mentality, but we are all familiar with Mr. Pocklington's concept of labour peace. In 1986 one of the most violent strikes in the private sector took place at Pocklington's Gainers plant in Edmonton. It was one of the most vicious anti-labour actions to occur in Canada in recent history. I remember the emotions felt amongst the strikers and their supporters across the country as busloads of scab workers crossed the union's legal picket line and did union work. We all know the stories about the scouring of men's hostels, welfare and unemployment ranks, looking for men and women to cross the picket line.

The Conservative Government created a postal business plan which includes franchising and ensures that thousands of union jobs, most done by women, will be replaced by people working at minimum wage. Obviously this appeals to the Pocklington mentality. With his history of labour relations Mr. Pocklington is being hypocritical in saying that privatization of the Post Office would ensure labour peace. He never had it in his own plant. He should also state that his vision of Canada is not one that recognizes many rights for the working people of Canada.

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POLITICAL PARTIES

CALL FOR GENERAL ELECTION ON PROGRESSIVE CONSERVATIVE SUPPORTED FREE TRADE AGREEMENT

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, the statements we heard today from members of the Progressive Conservative Party would lead one to think they should have the courage of their convictions and do what they so often talk about with respect to parliamentary accountability and call an election on the free trade agreement.

It seems to me to be an apostasy of parliamentary accountability, particularly when it was so hard on a former Government for wanting to change the Constitution without a mandate, that that same Party now, when in government, should consider changing the economic constitution of Canada without a mandate from the people and without ever having mentioned such a thing in the election of 1984.

We are reminded of the Liberal hypocrisy in 1974 on another issue. This situation far surpasses that. We are talking about the future of Canada, and the Progressive Conservative Party should have the guts to call an election on this free trade agreement.

* * *

THE DISABLED AND THE HANDICAPPED

LAUNCHING OF HOUSE OF COMMONS AWARENESS WEEK

Mr. Speaker: I am pleased to inform all Members that today marks the launch of House of Commons Awareness Week, a week of educational seminars and displays aimed at sensitizing Members and staff to the needs of the disabled, both as employees and visitors.

[*Translation*]

Time has come for the disabled to enjoy the same opportunities as those available to other groups.

This stimulating week will be a source of enrichment for all of us.

[*English*]

Awareness Week: "Getting It Together", takes place for the next five days and I hope Members will join me in thanking the organizers from the House of Commons and the community for a job very well done.

• (1415)

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

SITUATION ON INTERNATIONAL STOCK EXCHANGES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Minister of Finance has obviously been following the situation last week and this morning of the massive correction on international stock exchanges. The latest figures indicate that about 25 per cent of the total value of the New York Stock Exchange has been wiped out. As of 2.13 p.m. the Dow Jones had fallen by 299 points today.

Has the Minister of Finance been in touch with the Secretary of the Treasury of the United States and his counterparts in Europe and Japan? Can he assure the House that there is an international support mechanism in place on a contingency basis?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, obviously I have observed the fall in the stock market over the past two or three weeks. I think the Leader of the Opposition is exaggerating in his reference to this morning's activities on the markets.

I have looked with confidence at the performance of the Canadian economy during the early part of this year. During

the first half of the year the economy grew at 6 per cent in real terms which, I think the Hon. Member is quite well aware, is the leading performance among the major industrialized countries.

Looking into the near future I do not see any of the concerns that would normally lead to recession. I think we have a sound economy in Canada which has been more broadly based over the past 12 months in terms of job creation and economic growth. I am confident in the future.

[*Translation*]

INQUIRY WHETHER MINISTER CONSULTED BANK OF CANADA GOVERNOR

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, did the Minister of Finance consult with the Governor of the Bank of Canada this morning in an attempt to synchronize mechanisms to stabilize the exchange rates, particularly as they relate to the American dollar and the Canadian dollar, in view of the pressure due to the stock market drop in North America and throughout the world?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the level of the Canadian dollar has hardly changed in relation to the U.S. dollar. There has been very little fluctuation in that. There was an initial drop off in the bond market. The latest levels that I have seen are the same as they were on Friday.

The activity in the financial markets in Canada has been located almost exclusively in the stock markets. I think that the stability in the exchange markets and the bond markets is some cause for confidence.

REQUEST FOR FEDERAL-PROVINCIAL REVIEW OF SITUATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, as reflected by stock values, we have had a dramatic diminishing of purchasing power in North America and around the world which prompts me to suggest that, since the Minister has not responded to my first two questions, he should be in immediate touch with the U.S. Secretary of the Treasury and his counterparts, particularly in the industrial world, and indeed with the Governor of the Bank of Canada.

Has the Minister been in touch with his provincial counterparts, the provincial Ministers of Finance and provincial Treasurers, with a view to reviewing the situation on Canadian stock exchanges and reviewing what adjustment programs are in place to protect our work-force?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Right Hon. Leader of the Opposition is jumping a little bit ahead of himself. We have had some activity in the stock markets and I think the Leader of the Opposition would recognize that we have had a very strong market since the beginning of this year.

There have been some corrections in the financial markets, but to suggest that we should quickly put in place all sorts of programs to respond to some adjustments in the stock markets when the economy is performing well and looks as though it will continue to perform well is probably anticipating quite a bit ahead of the realities of the world today.

• (1420)

STOCK MARKETS—EXCHANGE VALUE OF CANADIAN DOLLAR

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is also directed to the Minister of Finance. It concerns the huge drop in the stock markets. As you know, Mr. Speaker, the Dow Jones industrial average dramatically plunged last week and the Toronto and Montreal Stock Exchange index also dropped proportionately. This morning the Toronto Stock Exchange dropped by 258 points, and just before coming into the House I found that the Dow Jones average had dropped by 300 points since the opening of the stock exchange this morning.

Since the dramatic fall of the stock market has convinced U.S. Secretary James Baker to say publicly that he will let the U.S. dollar fall against the Deutschmark and the currencies of other U.S. trading partners, what will the Canadian Government's policy be as far as the Canadian dollar is concerned in the face of this new U.S. policy? Will the Government favour a lower rate of interest to ensure that the Canadian dollar will not increase artificially, thereby damaging our competitiveness in the world market?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member is taking some liberties in interpreting what Secretary Baker said about the actions that have been taken in the German financial markets.

The specific question is related to the performance of the Canadian dollar and by implication, I believe, the level of interest rates and the activities in the bond market. As I indicated to the Hon. Member's colleague just a moment ago, there has been quite good stability in both the exchange markets and the bond markets this morning. I do not see any reason why we should try to take actions that anticipate something which might not happen. Let us watch to see how things develop before there is any precipitant action taken.

[*Translation*]

Mr. Garneau: Mr. Speaker, I am not trying to guess what is going to happen. The facts speak for themselves: a 500-point drop at the New York Stock Exchange, a proportional drop at both the Montreal and Toronto Stock Exchanges, something we have not seen since 1929. I am not guessing, I am simply looking at the facts.

INQUIRY WHETHER GOVERNMENT INTENDS TO PURSUE GRADUAL INCREASE IN INTEREST RATES

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, this situation prompted the U.S. Treasury Secretary to let the

value of the American dollar drop against other currencies, and as a result the Canadian dollar edged up. So I should like to ask the Minister of Finance whether he intends to maintain the gradual interest rate increase announced by the Bank of Canada, which will not only affect Canadian consumers who must pay more for mortgages and personal borrowings but also, due to the impact this will have on the Canadian dollar, put a damper on our exports and in fact cancel out all benefits which the Government expects to flow from its free trade with the United States.

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me address the question the Hon. Member has put in relation to actions we have taken over the past two or three months in Canadian interest rates. Canadian interest rates have gone up. I think that is a reflection of the strong economy. As I indicated to his colleague, the economy in the first half of the year was the strongest of any of the major industrialized countries. There is a natural response of some increase and tightness of money because of the improvement in the economy.

The level of the dollar, though, I think has reflected some increased confidence in Canada as a result of that strong economic activity as well as the increased investment opportunities in Canada which have come about through programs this Government has introduced.

However, I think the level of the dollar and the level of interest rates are a good reflection of the relationships between Canada and the United States, our principal trading partner, as well as the level of economic activity which, as I said, has been very good in this country.

[*Translation*]

INQUIRY WHETHER GOVERNMENT WILL TAKE MEASURES TO REASSURE INVESTORS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is also directed to the Minister of Finance and has to do with the stock market drop, not only in New York and London but also at the Toronto and Montreal Stock Exchanges. The Minister of Finance has just expressed confidence in the Canadian economy. But other than this expression of confidence, does he advocate taking other concrete and positive measures to reassure investors and the Canadian public who are now quite concerned over the economic situation created by sharply declining stock markets?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, it is kind of interesting to see the New Democratic Party paying so much attention to the stock market.

An Hon. Member: That is where they keep their money.

• (1425)

Mr. Wilson (Etobicoke Centre): I do not want to make a lot of that because there is no question that the drops in the stock markets over the last little while have been quite large by historical standards. What I think we have seen over the past month or so is an indication of stock market analysts and economic analysts increasing their estimates of economic performance in Canada for the balance of the year and into next year. I think that it is much more important for us to look at the real aspects of the economy as opposed to the financial aspects of the economy as reflected in the stock market.

As I said in response to previous questions, I have a good deal of confidence in the current outlook for the Canadian economy. I do not believe that it is necessary to make precipitous changes in that since the economic and financial policies that we have been following have served us very well over the past three years.

REQUEST THAT MINISTER MEET BANKERS AND STOCK EXCHANGE OFFICIALS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, New Democrats are concerned about what is happening on Wall Street and on the stock exchanges in Toronto and Montreal, if the consequences are that Canadian working men and women lose their jobs because of the economic situation.

My question to the Minister of Finance is this. Does he have any concrete and specific actions that he will now take in terms of meeting with the presidents of the banks, with the head of the Bank of Canada, or with the officials of the stock exchanges here in Canada in terms of seeking assurances that this is just a correction and not something beyond that which will launch us into a prolonged economic downturn?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I met with representatives of the chartered banks about two or three weeks ago—I cannot remember the precise date. At that time we had a good discussion of the expectations that they had for the performance in the economy.

The point I would like to make is with respect to the difference a day makes in the attitude of members of the New Democratic Party. On the one hand they are saying to us: "No, you should not put in these encouragements to investment because investment is not a good thing for people in this country—

Mr. Riis: Who said that, Michael?

Mr. Wilson (Etobicoke Centre): They do not want us to encourage foreign investment. They do not want us to encourage investment by small—

Mr. Riis: Who said that?

Mr. Wilson (Etobicoke Centre): The Hon. Member for Kamloops—Shuswap says: "Who said that?" I think he has

been critical of the investment policies that we have had introduced as a Government.

Mr. Riis: Yes, investment policies.

Mr. Cassidy: Supplementary question, Mr. Speaker.

Mr. Speaker: The Hon. Member.

MINISTER'S POSITION

Mr. Mike Cassidy (Ottawa Centre): I would begin my third question to the Minister of Finance by expressing my concern that the Minister of Finance is more interested in trying to make partisan points against the New Democratic Party than about the concerns that people have over this very substantial drop in the stock market.

Some Hon. Members: Hear, hear!

Mr. Cassidy: Mr. Speaker, I think any impartial observer would agree that what has occurred—

Some Hon. Members: Oh, oh!

Mr. Cassidy: —in the stock markets in Canada, the United States and Britain is far more than just a correction of markets which have gone too high. It is a very substantial drop, one that provokes a great deal of concern and a great deal of inquietude among a great many people. Does the Minister of Finance not have specific and concrete actions in mind beyond declaring that he has confidence in the situation in the Canadian economy?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, am I to interpret that response that the NDP is very supportive of the investment policies that we have brought forward over the past three years? That is exactly what we are talking about. Investment policies are reflected in actions in markets.

I think the Hon. Member is saying that he would like us to encourage a greater degree of investment. If that is the case, then I would suggest that he go right back to the drawing board of the New Democratic Party and try to explain to people why the New Democratic Party is against a number of the investment encouragement policies that we have brought in, also including some of the statements that they have made about wanting to nationalize companies and not wanting to privatize companies.

* * *

• (1430)

HOUSE OF COMMONS

PRESENCE IN GALLERY OF DELEGATION FROM UNITED STATES HOUSE OF REPRESENTATIVES

Mr. Speaker: I wish to bring to the attention of Members the presence in the gallery of four members of the United States House of Representatives, led by the Hon. Tony Coehlo, the Hon. Dennis Hertel, the Hon. Sander Levin, and the Hon. Thomas Sawyer.

Some Hon. Members: Hear, hear!

* * *

THE ECONOMY

VALUE OF CANADIAN DOLLAR

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, when the Minister of National Defence is tired of waving at the gallery, perhaps we will get on with the Question Period.

My question relates to a very serious issue. As we know, over the weekend U.S. Secretary of the Treasury Baker, who seems to take this matter more seriously than our Minister of Finance, indicated two things. First, they were going to review all previous agreements made by the Group of Seven, and look at how they could bring the U.S. currency down in relation to other currencies. The whole question of exchange rates has an enormous bearing upon the competitive value of Canadian resources and products that are sold to the United States.

I wish to ask the Minister of Finance in terms of the discussion that went on in the free trade agreement negotiations, what arrangements, agreements, or discussions took place in relation to the Canadian dollar? What type of understandings are there about whether we will continue to have total freedom to determine the value of our own dollar, and therefore keep our own exports competitive?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, there is nothing at all in the free trade agreement that has anything to do with the levels of the Canadian dollar, the U.S. dollar, and the relationship. On a continuing basis we have made the point, as has the Secretary of the Treasury, that it is markets that control exchange rates.

We as part of the Group of Seven—which I should point out the Hon. Member's Government was not a part of, so he would not understand the nature of discussions that we had—at the end of September had a full discussion at the G-7 meeting which looked at a number of the outlooks for the different countries. In that forum we received a good understanding of the expectations for the international economy. I should say that the expectations were quite positive.

CANADA-UNITED STATES DISCUSSIONS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, the expectations may have been positive, but the results on the stock market today are not so positive.

I wish to ask the Minister of Finance about a statement made over one year ago by the then Minister for International Trade of the Conservative Government. When asked a

question by my colleague about the relationship between the value of the dollar—

Mr. Clark (Yellowhead): Which colleague?

Mr. Axworthy: The Hon. Member for Saint-Henri—Westmount.

Some Hon. Members: Oh, oh!

Mr. Axworthy: —and about the question of exchange rates, the then Minister for International Trade stated, "It is certainly something we are very conscious of and we are prepared to enter these negotiations and we will have to have those discussions with the United States".

I wish to ask the Minister of Finance, if that was the intention of the then Minister for International Trade, would he tell us what discussions were held with the United States on the question of the value of the dollar? Will we find ourselves caught in the same position as the Israelis when they signed an agreement that they had to peg their dollar to the United States dollar? What types of arrangements and discussions have been held between the two countries in relation to the free trade arrangement and the value of our respective currencies?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the substance of those discussions is carried out in the international forum of the G-7. There are seven countries there, each of which discusses the outlook for its economy, and from time to time the relationship of its currency to the other countries is a subject of those discussions.

I have said in the House on many occasions that the level of the Canadian dollar is a level that is set by the market-place. There have been a number of Senators who have made comments on this, and I tell those people in the United States when I meet them face to face, or through Secretary Baker, that it is not our policy to establish a fixed level for the Canadian dollar. It is not our policy to manage in a so-called "dirty float" a level for the Canadian dollar. We lean into the market going both ways, but that is only to moderate the movements in the market-place. That is the policy of this Government, and it is fully understood by representatives of the United States Government.

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TRADE

CANADA-UNITED STATES TRADE AGREEMENT—BILL C-22—WASHINGTON NEWSPAPER REPORT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Minister of Finance. I wish to quote from the Saturday edition of *The Washington Post*. "The morning after reaching a free-trade agreement with the United States, Canadian negotiators demanded the removal of a section pledging Canada to change its drug patent laws, administration and industry sources said yesterday".

This contradicts the Minister of Finance who last week told the House that Bill C-22 "was never a part of the agreement ever". Will the Minister explain *The Washington Post* story? Did the Government change its mind to cover its political backside?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am surprised that the Hon. Member did not read the full article which stated, "The United States bowed to Canadian demands—"

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I think the question is once again trying to draw some linkage between the free trade agreement on the one hand, and our policy on drug patent legislation on the other hand. No linkage exists.

I have said on many occasions in the House that if Bill C-22 does not go ahead, one thing will be very clear, it will not affect the free trade agreement. But it will affect jobs in Canada, investment in Canada, research and development in Canada, and health care in Canada. It is for those reasons that we are pursuing Bill C-22, and we have so stated on many occasions.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I know that you are motioning to me, but I also wish to state that the United States did try to get further changes in our drug patent legislation that are not reflected in Bill C-22, but it was unsuccessful as is indicated in this particular article.

We have not made any commitments with respect to Bill C-22. The free trade agreement stands on its own. There is no linkage with Bill C-22.

REQUEST THAT MINISTER RESIGN

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I am surprised that the Minister did not read the whole article which goes on to state, "Reagan administration sources who were close to the final negotiations said the drug issue was part of the deal when Wilson stepped to the window of the Treasury building just before midnight Saturday and gave a thumbs-up sign to signal there was an agreement".

With this type of damning indictment in terms of detailed information from the United States, will the Minister not do the proper thing and resign?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am not quite sure I got the last part of the Hon. Member's question.

Surely the Hon. Member knows that on many occasions we have stated our intention to pass Bill C-22.

• (1440)

We have stated it on many occasions to the United States, to the Germans, to the Swiss, to the French, and that is a statement of our government policy. Our policy related to pharmaceutical patent protection was part of our policy in the last election. It has been a part of the direction of the Government for a number of months now. We have stated consistently, publicly, privately, formally, informally, verbally, and in writing that it remains our intention to pass Bill C-22.

That is a statement of fact. It is a simple statement of the obvious. We passed it twice already in this House.

EFFECT OF AGREEMENT ON EMPLOYMENT

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is for the Minister of Employment and Immigration. When I asked the Minister on October 7 what the Government would do about readjustment for lost jobs due to free trade, he said:

> No job will be lost before January 1, 1989. Nothing will be done until then.

Is the Government really serious about such a ridiculous statement? Does it believe that if this deal goes through businesses will do nothing to readjust their business plans until that date, that they will not lay off and hire until that time?

Will the Minister give us today his official estimate for job losses resulting from free trade and tell us what he will do about it?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, when the Hon. Member is quoting me, he should quote what I said totally. On October 7 I said that the Government was dealing with labour adjustment every day, as was said by the Minister of Finance before, and I repeated it that day. We have over 1.5 million to 3 million Canadians involved in labour adjustment every year. We put $6 billion every year into labour adjustment.

He wants to create fears among Canadians. He wants to create fears because we face a good agreement which will give Canadians a lot of jobs.

However, as a wise Government we want to see, increasingly, what will represent free trade. In due course we will face the responsibility to face that or anything the agreement will create.

I think I said that this agreement will be ongoing on January 1, 1989. We are working very carefully on jobs, and the best example we have is that we created almost one million jobs in the country over three years. We can face any labour adjustment, but we will do it in due course.

READJUSTMENT PROVISIONS—ABSENCE FROM AGREEMENT

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, it was the Prime Minister who said that a massive retraining program was necessary. It was not us; it was the Prime Minister.

Even the Macdonald Commission, in Volume I at page 316 said, and I quote: "The Commissioner's assessment of the economic costs of free trade indicates that Canadian investors and employees are likely to bear a larger adjustment burden than the United States. A free trade agreement should therefore incorporate explicit provisions which reflect the greater costs of adjustment that Canadians will face".

They were suggesting that the adjustment proposals be written in the agreement precisely to avoid a countervail from the United States. Why was that not done? Why were the readjustment provisions not put right in the agreement to protect them down the line when they will be needed?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): As I told my colleague a while ago, Mr. Speaker, the Government of Canada, like any other industrialized nation, is involved in a continuing process of employment readjustment. Why do you insist in making it a problem exclusively related to the free trade agreement? It exists on a yearly basis, and I challenge the Hon. Member for Laval-des-Rapides to prove otherwise.

Mr. Speaker, each year over 4 million Canadians change jobs for career advancement, and that has nothing to do with the free trade agreement.

However, the Prime Minister, the Minister of Finance—and I too confirm that, with the implementation of the free trade agreement, because of the readjustments—

[*English*]

BILL C-22—WASHINGTON NEWSPAPER REPORT

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is for the Minister of Finance who, we all recognize, on a number of occasions said in the House that there was never a linkage between the drug patent laws and the trade agreement with the United States, that it never was a part of the agreement.

Over the weekend *The Washington Post* very clearly indicated the following:

> Reagan administration sources who were close to the final negotiations said the drug issue was part of the deal when Wilson stepped to the window—and gave a thumbs-up sign—

Is it not time that the Minister of Finance admits that Bill C-22 was part of the trade deal until the Government negotiators realized the political embarrassment it would provide, considering the days and days of rejecting that accusation, and changed it at the last minute? As he says, the United States bowed to Canadian demands that that be taken out of the agreement.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is a continuation of the same types of questions which we have seen in the House, I think for five days or six days now. My answer is still the same.

The fact of the matter is that we signed an agreement, and that agreement did not have any reference to Bill C-22. Bill C-22 was not part of the agreement. There is no linkage between the two.

Mr. Riis: There seems to be some difference of view with the reporters for *The Washington Post*, the newspaper that uncovered the Watergate scandal, that persisted in asking the questions until the truth came out.

Some Hon. Members: Oh, oh!

ABSENCE OF TERMINATION CLAUSE FROM AGREEMENT

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I have a supplementary question, realizing that this line will likely not result in a response.

We have found out that in spite of the trade deal tying our hands when it comes to long-term energy agreements and investment agreements, in other words locking Canada in, that the negotiating team forgot to negotiate a termination clause. It was confirmed by Mr. Reisman's office over the weekend as well that this was an oversight.

Would the Minister of Finance stand and explain why he would permit such an oversight to occur by actually not allowing an escape clause or a termination clause to be part of the agreement before he put his initials to it?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can assure the House that the issue of the termination clause is a technicality, as I have explained earlier in the House, and that it is being addressed in the final draft.

I should point out that there are restrictions on the U.S. side of the table about the length of time of the termination clause.

It is amazing to me that we just concluded a monumental and historic Commonwealth Conference on South Africa and sanctions, and all the Opposition cares about is the stock market and further distortions on the free trade deal.

EFFECT OF AGREEMENT ON TWO-PRICE WHEAT SYSTEM

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is for the Minister for International Trade. A few days ago I asked the Minister of State for Grains and Oilseeds if in fact the two-price system for wheat would be destroyed by the free trade agreement with the loss of licences and the phasing out of tariffs, and the Minister denied that.

Two days later the Premier of Saskatchewan and the Minister of Agriculture for Saskatchewan were telling the Saskatchewan Legislature that in fact the two-price wheat system would be phased out and would be destroyed by the agreement.

Why did the Minister deny that, when the Premier of Saskatchewan was telling that Legislature that in fact the two-price wheat system would be destroyed by the agreement?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, in the absence of the Hon. Minister I would prefer to deal with the substance of the issue, which is that the two-price treatment for wheat will be assessed in light of the free trade agreement, and decisions pertaining to it will be taken at the appropriate time.

GOVERNMENT POLICY

Mr. Maurice Foster (Algoma): Mr. Speaker, I have a supplementary question. Whom are farmers supposed to believe—the Premier of Saskatchewan who is saying that it will be destroyed and even says that there will be compensation by the federal Government, or the Minister here who is saying that it will not be destroyed?

Why is the Government phasing this out when farmers are facing the worst financial crisis in the Prairies since the 1930s? Why is the Minister phasing it out at this time?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member, probably inadvertently, may be misleading the House. I never did say what he has attributed to me. I said that the two-price system of wheat will be reviewed in light of the free trade agreement and that decisions will be made at the appropriate time.

• (1450)

EFFECT OF AGREEMENT ON SALMON EXPORTS

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is for the Minister for International Trade. The "Elements of the Agreement" say, referring to import and export restrictions:

> All existing quantitative restrictions will be eliminated, immediately or by an agreed timetable, or will be grandfathered under the Agreement.

At present, as the Minister knows, sockeye and pink salmon cannot be exported until they have first been processed in Canada. The agreement provides that some restrictions, such as the United States Jones Act, are exempt from the elimination. Can the Minister tell us whether or not the export of salmon will be prohibited under the trade agreement. If not, why not?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I do not understand the context of the question in terms of quantitative restrictions. That is what I was looking at. I can assure the Hon. Member that there is no threat to the salmon industry arising out of the free trade agreement.

UNPROCESSED SALMON

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, will the Minister give the House an assurance that there will not be any possibility of the export of unprocessed salmon from British Columbia to the detriment of shoreworkers' jobs? Will she assure the House that the situation will remain in the future as it is now and that those jobs will be protected?

Hon. Pat Carney (Minister for International Trade): I can assure the Hon. Member that there is nothing in the free trade agreement that would cause the consequences he is suggesting. There is no change in the situation. Those rights are protected under the free trade agreement.

GRAPE GROWING INDUSTRY

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is also for the Minister for International Trade. Less than a week before the free trade deal was signed the Minister wrote a letter to the chairman of the Ontario Grape Growers Marketing Board in which she told him how concerned she was about the future of the grape growers industry. "Coming from British Columbia, I am very much aware of the concerns of grape growers and I can assure you that we recognize the extreme sensitivity of these growers to competition from the United States."

Can the Minister tell this House why less than a week later she and her colleagues signed an agreement which will mean certain death to the grape growers in the Provinces of Ontario and British Columbia, and which will mean a person like Brian Nash, a fourth generation grape farmer in Canada, will be forced to close his operation?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think that the Hon. Member's obituary for the grape industry is premature. The Government is undertaking provisions which will offer assistance to any industry adversely impacted.

May I point out that there are many in the wine industry of Canada who feel that the breaking down of interprovincial boundaries, and the creation of new market opportunities in the United States will be beneficial for the industry as a whole.

An Hon. Member: Name one.

CANADIAN AND FOREIGN WINES—PRICE DIFFERENTIAL

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I challenge the Minister to name one producer, name one company. We heard at a Liberal free trade task force on the weekend that, in fact, Canadian wine industries will no longer be producers of wine. They will be bottlers of wine which will come from the United States because Gallo in California spills more wine than is consumed in the whole of Canada.

How can the Minister make a promise, as she has, that the price differential between Canadian and foreign wines will be changed when she knows that the Ontario Government has agreed to no such price change? The Ontario Government, which has sole jurisdiction for the pricing of wines in Ontario, has not agreed to a single pricing system. How can the Minister have signed a free trade agreement which is the obituary, the RIP and the end, to the wine and grape growing industry in Canada?

Hon. Pat Carney (Minister for International Trade): May I point out that the Premiers were thoroughly consulted and advised of our measures on this.

Ms. Copps: They have not agreed.

Miss Carney: If the Hon. Member would let me finish the answer, may I point out that we in Canada make excellent wines and award winning wines. Consumers will now have the opportunity of drinking both Canadian, Californian wines and other U.S. wines so the consumer will benefit enormously under the free trade agreement.

In view of the allegations the Member makes about the discriminatory price mark-ups, may I point out that this matter has already been taken to the GATT by some of our trading partners and we are awaiting the results.

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APARTHEID

SOUTH AFRICA—CANADIAN LEADERSHIP AT COMMONWEALTH MEETINGS—IMPOSITION OF ADDITIONAL SANCTIONS

Mr. Howard McCurdy (Windsor—Walkerville): First, on behalf of my Party let me say that we condemn the behaviour of the British delegation toward the Prime Minister at the Commonwealth meetings as an insult to all Canadians. We support the Prime Minister in providing the moral leadership to the Commonwealth in the fight against apartheid which Britain has abdicated.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. McCurdy: Mr. Speaker, my question is directed to the Secretary of State for External Affairs. Is it now the Government's position, as suggested by the Secretary of State, that Canada is "suffering from sanctions fatigue" or will it rather demonstrate its strength by imposing these additional sanctions which the Prime Minister has promised for so long and which have remained so far unfulfilled?

[*English*]

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I think everyone who observed what occurred in Vancouver during the Commonwealth Conference would be very proud of Canada and very proud in particular of the strong and effective leadership given on our behalf by the Prime Minister of Canada to the Commonwealth.

Some Hon. Members: Hear, hear!

Mr. Clark (Yellowhead): There were three major results with respect to southern Africa. The first was an agreement to the intensification of sanctions.

The second was a quite important new development in the actions of the Commonwealth toward southern Africa in

bringing together various countries, in this case including Britain, which are prepared to help substantially in contributing to the stability and security of Mozambique, other front line states and other countries neighbour to South Africa.

Third, we have made a beginning which I think will find further detail in reaching into South Africa, both to encourage those opponents of apartheid where it is most difficult to oppose it in South Africa itself, and also to begin to deal effectively with the regime of censorship and the regime of propaganda that have been put forth by the Government of South Africa.

I am honoured in Canada's name to chair the Committee of Foreign Ministers established to maintain both a watch on developments and to provide impetus and some guidance to Commonwealth Heads of government as to other actions that we take. The question of individual actions which Canada might take, and I have no intention of announcing any in the immediate foreseeable future, will be decided in concert with actions that will be taken by other of our friends in the Commonwealth.

CANADIAN POLICY

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, would the Secretary of State for External Affairs be just a little more precise in defining what additional sanctions will be imposed? Further, is it not about time to admit that the policy heretofore followed of waiting to see what will happen before taking action ourselves has been a failure, and that it is about time Canada expressed its leadership by taking some of the sanctions which we understand have already been approved by Cabinet out of the Secretary of State for External Affair's pocket and putting them on the table so that the world will know where Canada stands definitively in that regard?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, with regard to the limited sanctions for which I have authority, we will consider when it will be appropriate to implement those. We will try to do it, as we have before, in a way that will serve as a catalyst to actions by others.

With regard to Canada's role of leadership, that role is acknowledged by Kenneth Kaunda, the President of the Organization of African Unity; by Robert Mugabe, the Prime Minister of Zimbabwe, and by virtually every other member Head of Government of the Commonwealth Conference who gathered at Vancouver. The reason that leadership is respected is that our Government did not heed the advice so many months ago that we should act dramatically and throw away our influence. Instead of exchanging our influence for a dramatic action that might have been satisfying at home but not very helpful internationally, we have worked strenuously and consistently, as we intend to continue to do, to try to build a consensus that can sheer supporters of apartheid away from that regime and bring as quickly as possible an end to a regime that is offensive to us and offensive to all of the Commonwealth.

Mr. Speaker: This will be the last question for Question Period. The Hon. Member for Papineau.

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AIRPORTS

TORONTO INTERNATIONAL AIRPORT—CONSTRUCTION OF TERMINAL 3

Hon. André Ouellet (Papineau): Mr. Speaker, I have a question for the Minister of Transport. Can he confirm that there is already a major delay in the implementation of Terminal 3 at Toronto Airport, that the successful bidder is backing down on his financial commitment?

• (1500)

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I can confirm that that is not at all the case. There was a release issued last week in which we advised those who are interested that Terminal 3 is going ahead. The successful bidder has now concluded all arrangements with the Government. They have been approved by the Treasury Board. Construction will be proceeding, I think, in January. There will be a signing of the final agreements in the next several weeks so there is no delay and the private sector will be carrying on with the new Terminal 3, which hopefully will be constructed and in operation in 1990.

REQUEST THAT OFFICIALS APPEAR BEFORE COMMITTEE

Hon. André Ouellet (Papineau): Mr. Speaker, while the Minister seems to be sure of his facts, there is undoubtedly suspicion surrounding the awarding of the contract. I would like to ask him if he will undertake to allow his officials to appear before the Transport Committee to answer questions about these dealings.

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, there is not one shred of suspicion, not a jot, not a tittle, not an iota, not a smattering of suspicion in connection with the contract that was given to the best of the four proposals that were submitted a number of months ago. The whole matter was decided in accordance with the recommendations of departmental officials and their advisers. I accepted their advice and the Treasury Board accepted their advice. There is no suspicion at all except for the unwarranted suggestion by the Hon. Member of suspicion.

There is no suspicion, but I and officials will be glad to come before the Transport Committee at any suitable time and give full information because it will shock and dumbfound the hon. gentleman who, while he was in government, never saw anything done properly as this has been done.

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, I wish to advise the House with respect to business for the balance of the week. We anticipate that the debate on the Meech Lake Accord should proceed through until five o'clock today. Tomorrow we will call Bill C-55. While there is no undertaking from opposition Parties, there is an understanding that that debate may possibly terminate tomorrow.

We will then call the debate on the Meech Lake Accord for Wednesday, Thursday and Friday until such time as that debate is terminated. I have discussed the interpretation of the House Order with the Table with respect to the debate because Hon. Members are concerned about the timing of the vote. I would advise the House that if the Meech Lake Accord debate is concluded Wednesday, Thursday or Friday of this week, the vote will take place at 6.00 p.m. on Monday, October 26, 1987.

Mr. Gray (Windsor West): Mr. Speaker, I just want to say on behalf of the Official Opposition that we are quite prepared to have the vote on the Meech Lake resolution take place on Monday as stated by the Deputy Government House Leader, and we expect that will be the case.

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn on the Constitution Amendment, 1987 (p. 9422), and the amendments of Mr. Turner (Vancouver Quadra) (p. 9585), Mr. Broadbent (p. 9586), Mr. Caccia (p. 9644), and Mr. Allmand (p. 9644).

Mr. Speaker: When the House adjourned at 1:00 p.m., there were six minutes left from the question and comment period, following the speech made by the Hon. Member for Charlevoix (Mr. Hamelin).

[*English*]

I will now recognize Hon. Members who wish to continue the question and comment period. Since there are no questions or comments, continuing debate.

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, it is a pleasure for me to have the opportunity to speak on this resolution. Being a Member of Parliament is sometimes very frustrating and very difficult. Then, of course, there are times when one is working on something with which one has a tremendous affinity, something in which one believes very strongly.

When I was elected in 1979 it was the position of this Party that we would work toward one Canada, a Canada with two founding peoples, two cultures, two main languages, but one country. We had dismissed the notion of *deux nations* and we were moving toward something which we felt would be a mainstay for the future. Not only was it helpful to Canada in maintaining unity and developing a singleness of purpose so that Canadians of French and English origin could be at home anywhere in this country, but it was something that would move away from the prejudices and divisions about which we had worried for so long.

In this the 20th century I think our main concern is that we now have a technology that to a large extent is still governed by 19th century prejudices and shortsightedness. The sophistication of weapons, the nationalism and the religion were superimposed upon the prejudices and fears that we want so much to dispel in this century. Now this dream of one Canada is being thrown away. We will not be able to have that goal to shoot for.

[*Translation*]

I believe the principle of two founding people and two languages is extremely important to this country, Canada.

Quebec where most of our francophone fellow citizens live surely deserves special attention, but each and every one of our provinces is different from the others. Of course, and I say it publicly, all my Liberal colleagues from Quebec are my friends and I can very well understand their position in this regard. But everyone knows there are francophones and Anglophones all over this country.

We all know for instance that Quebec City was founded in 1608 four years after the founding of Port-Royal. The federal Government must help Acadians preserve their culture. With this agreement, Acadian culture may vanish in a few years, particularly in the provinces of Nova Scotia and Prince Edward Island.

[*English*]

All members of this Party are interested in seeing Quebec as a signatory to the Constitution of this country. I do not think there is anything in politics that I want to see more, because it is necessary to complete the constitutional picture of this country. However, there are times when this just cannot be achieved.

At the meeting on April 30 a difficulty was presented. I think Quebec could have come into the Constitution. I think it is very important that it does so, but the problem is with the Prime Minister (Mr. Mulroney). The problem is that the Prime Minister was not representing the federal Government. There was no federal presence at that table.

While we could have achieved at that meeting the objectives that Quebec wanted and still have maintained a unified thrust with respect to the Meech Lake Accord, when the other provinces saw an undefended federal caucus they themselves became anxious to obtain other objectives. The federal Government gave more than it was asked for by the Province of Quebec. It is not necessarily wrong to give the provinces additional powers. The question is, what are those additional

powers going to be. What is going to be left for the federal Government?

• (1510)

For example, federal spending power is very important. There are programs which have to be implemented universally. We saw that with the Canada Pension Plan and the Canada Health Act. There might be similar programs in the future regarding education, training, or perhaps for doing away with illiteracy before too long. Can that be achieved if the provinces have the right to bail out of those programs? That can happen because provinces can opt out and receive compensations so long as their programs achieve national objectives.

What are these national objectives going to be? We do not know. We do not even know how we are going to define "national objectives". Under the Meech Lake Accord it may be that the federal Government will not have the right to define national objectives. They will have to be defined at First Ministers' Conferences. What kind of position are we going to be in then? What kind of position are we going to be in if it is not Government by this Parliament but Government by First Ministers?

It is important to have consultation with the provinces—very important. It should be maintained, yet not to the extent we have developed it in this country. I imagine that the provinces, during the meetings at Meech Lake, could not believe their ears when they were offered what they were offered. They were probably like 10 children who see an overturned ice cream truck.

In the body of the Meech Lake Accord there is a stipulation that there will be meetings to determine jurisdiction over the fishery. It does not say that this issue will be brought up at the next First Ministers' Conference. It says it will be brought up. It seems to me that the implication is it will be brought up continually until it is resolved. That could mean that Newfoundland will achieve its hopes for jurisdiction over fishing areas adjacent to it. That would be devastating to other provinces in Atlantic Canada. Even now the fishing industry in Nova Scotia is hesitant about investing because they do not know what this clause will mean. Why should it be in the constitutional document? It is an agenda item and it should not be there.

Western Canada is hopeful that the Senate will be reorganized and we will have a Triple-E Senate. How will that happen when all provinces have to agree to changes in the Senate? They also have to agree on the creation of new provinces. How will the Yukon and the Northwest Territories become provinces when the existing provinces and the federal Government must unanimously agree?

Then we have the Supreme Court. As with the Senators, the Supreme Court has to be chosen from a list submitted by the respective provinces and agreed to by the federal Government. If you have a Government of one political Party in the province and another political Party federally, it is going to be very difficult to make a selection. What happens when a province is not interested in achieving unanimity? I do not say that is going to happen, but we must look at the possibility. The Supreme Court is the glue of our Constitution and as such is tremendously important.

The federal system is extremely important. We have in Canada now one of the most decentralized federal systems in the world. We cannot allow it to become more so or this country will become ungovernable. The tendency will be towards a splitting and splintering of our federal system. It is no good for the Prime Minister to say we are going to have consultation and a meeting of minds. That is like General Custer at the Little Bighorn saying he now has the Sioux nation where he wants them. It is just not possible. Either you have a Constitution which defines the country you want or you do not.

A Constitution is inviolate. You cannot change it at will, the way you can change legislation. That is something we have to think very long and very hard about. It cannot be the result simply of the fact that the Prime Minister was able to stay up later than most of the others involved. It has to be something with which we can work.

If Members of this place can truly say that this is the Canada they want, I can live with that. What I cannot accept is Members of this House saying they do not like this, that they have to hold their noses, but they are going to vote for it anyway. I said before, and I will say it again and again and again, that there is nothing I want more than to have Quebec as a signatory to our Constitution and a member of this confederation. That is something I have always worked towards. However, we have to be careful that we do not deviate so far from the path that we cannot get back on. We must have control over it.

It is not a very pleasant thing for me to say that I cannot support this Accord. I will be considered as a Liberal Member who does not support his Leader. Nothing could be further from the truth. I support him completely. I have tremendous respect for him. It is just that I have difficulty seeing this Accord as maintaining the Canada and the constitutional framework for which I have worked for eight years. It is also important that each person state his or her beliefs. Canada requires, more than anything else, honesty from politicians, the people who have some say over whether or not this Accord is passed. If we had that, that is fine. But, if in that meeting of First Ministers at Meech Lake certain Premiers went along for the sake of going along, that is not consensus as I know it. Consensus means acting in the best interests of all parties and building a stronger Canada, not a political Canada in which provinces believe that it is good for them to have more power.

• (1520)

Former Prime Minister Pierre Trudeau said that he understood the position of the provinces. He did not agree with the Meech Lake Accord but understood the position of the

provinces because politics is achieving power. He was very kind and I think that position is understandable. However, it can only be condoned if the Premiers really believed that this will be good not only for the provinces but for Canada as a whole. In my opinion that has not been the result.

As this debate winds down it is very important that everyone who has a chance to speak on this very important resolution to ask who is speaking for Canada. Madam Speaker, Members of Parliament who vote against this resolution speak for Canada.

Mr. Cook: Madam Speaker, for all of the reasons mentioned by my good friend, the Member for Cape Breton—The Sydneys (Mr. MacLellan), I am highly in favour of the Meech Lake Accord. I come from a far outpost of the empire, as he does, from Vancouver, which is a very long way from Ottawa. Too long in western Canada we have seen central Canada decide that central Canada is one Canada and that what is good for Ontario and Quebec is good for the rest of us. We have seen many incidents and I do not want to refer to all of them. However, central Canada's demands in the early 1980s that the oil industry in the West subsidize Ontario was devastating to our economy.

I like First Ministers' Conferences. First Ministers' Conferences have really been the only opportunity for the western provinces and the smaller provinces to have an equal say in what happens in Canada. Eleven people sit around a table. We have a representative there from British Columbia. Alberta has one representative, as has Ontario, Quebec and the other provinces. They are all equal at that table.

The Member suggested that the Constitution should not be changed easily. I agree with that. Unless any change in the Constitution is in the best interests of the entire country, it will not be changed. I agree with that as well.

Too long we have suffered from what I call the 75-95 syndrome, 75 seats in Quebec and 95 seats in Ontario. If you have those two provinces in agreement you can ignore the rest of the country. The 28 Members from British Columbia do not have too much impact. I say that in a non-partisan sense. My friends from British Columbia in the New Democratic Party, the Hon. Leader of the Opposition (Mr. Turner), and the 19 Conservative Members from British Columbia are all interested in what is best for our province as well as what is best for the country. Obviously there are differences of opinion about what is best for the country.

The argument over the Meech Lake Accord is really a philosophical argument. It depends on whether you believe in a unitary state with all decisions being made in the centre, or whether you believe that government should be as close to the people it concerns as possible. I believe that the best government is the government that is closest to the people. I see no similarity between the outposts of Newfoundland and the lower mainland of British Columbia. I see very little agreement between the prairie wheat farmer and the industrialist in southern Ontario. This is one huge country; very broad, very long, very big. Let us get government to the regions so that people can decide for themselves.

The Member spoke of national programs. Remember that under the Meech Lake Accord a province may opt out of a national program but must provide the equivalent of that program and serve its people in the best way it can. That is fair enough.

Quebec is entitled to its own legitimate concerns. Quebec is a unique society. I am delighted that Quebec signed the Meech Lake Accord and delighted that it will be able to run its own affairs in the way it wishes, particularly with regard to culture. Those are the decisions of Quebec and should not be made by someone from British Columbia or Ontario. The same applies right across this vast country.

With regard to a loss of power to Parliament, I believe that Parliament should lose a lot of its power. Anyone who argues against that does not understand the geography of Canada. In a country 4,000 miles wide it is obvious that the regions are considerably different, one from another. The regions should have much more say about what will happen in them. Programs that are suitable for Atlantic Canada are often totally unsuitable for British Columbia. I like the federal conference of the First Ministers which gives one province one vote.

It is suggested that the Senate will never be reformed. I suggest that there is such a demand in this country for Senate reform that the First Ministers will come to an agreement but, again, each province will have an equal say as to what that agreement will be.

It is a very dangerous thing for a Premier to go against his colleagues for narrow interests and then have to return home, because he is responsible to the public and has to seek re-election, whereas the Senator does not. We will have Senate reform and it will come about through the First Ministers.

Frankly, the Meech Lake Accord is the best thing that has happened to this country in a very long time. Those opposed to it are looking at narrow power bases and that is not what will hold this country together. This country will be held together by more diffusion of power to the regions, where it should be on very many issues.

Mr. MacLellan: Madam Speaker, there is a lot in what the Hon. Member has stated. As he mentioned, we have been friends for a long time. This, of course, is only a disagreement.

I do not think this is a philosophical argument. This argument goes to the core of how one believes that the country's Constitution and framework should be structured.

The Hon. Member said that he favours government by First Ministers which gives the regions a greater say. Coming from Atlantic Canada, as I do, I can appreciate that. However, I balk at the suggestion that we can give the regions more say only through the First Ministers. I am afraid that if the First Ministers are allowed to control they will have a conflict of interest They are, first and foremost, the leaders of their own

provinces. That is what they were elected to be. We would be superimposing upon them a second duty, that is, to act in the national interests. That is not necessarily compatible with the best interests of their own provinces.

If a Premier wants to act in accordance with his role as the Premier of his province, as is understandable, his attitude toward the federal and unified central Government becomes political. We then get into linkages, trade-offs, and bargaining with regard to what the various Premiers want. You get a shopping list and that shopping list is then split up. That is what I am afraid of. If we do not have a strong central government, we do not have the opportunity to have a body which has one obligation, one elected responsibility, and that is to speak on behalf of this whole country. If the Hon. Member has stated honestly—and I believe he has—his intention, then I believe he will be voting the right way, to support the Meech Lake Accord. I respect his opinion and I am not going to try to change his mind. We just disagree.

• (1530)

The Acting Speaker (Mrs. Champagne): Resuming debate.

Mr. Rodriguez: I had a question.

The Acting Speaker (Mrs. Champagne): I regret, but the time for questions and comments has now finished. Resuming debate.

Mr. John R. Rodriguez (Nickel Belt): Madam Speaker, before I start, I may as well make the statement I wanted to make after listening very carefully to the Hon. Member for Cape Breton—The Sydneys (Mr. MacLellan). He ended up by saying that those who would be voting no in this House are for Canada. I think on reflection he may admit he got carried away with his rhetoric. In fact, he is saying to the rest of us who are going to vote, with just as much passion, for the Meech Lake Accord, that somehow or other we are not for Canada. I think if he reflects on that he will see that he is not speaking necessarily for all Canadians in this House, true and blue, true and pink or true and red.

I am delighted I have this opportunity to participate in a constitutional debate about Canada. God knows, I wanted to do so in 1982, but as fate and the people of Nickel Belt would have it, I was not here to participate.

As I watched the debate from the sidelines, there were things I wanted to say. There were things on my mind I wanted to say about my country and about my vision of Canada and where we should be headed. That is basically what I want to start off with. I have a vision of this country, a country that occupies the northern half of North America, a country that is indeed strong and free to develop its culture, economy and all the attributes of its people in the way we see fit. I have a vision of a Canada that goes back and corrects the injustices that were done to the original inhabitants of this land. Surely, if one were to read history, one would admit in all conscience that in fact we have not dealt justly with the original inhabitants of this part of North America.

I have a vision of a country that is free to select those who shall govern. I have a vision of Canada where its people live in harmony with its vast resources, where its people understand the finite nature of these resources and in fact emulate the original inhabitants and try to live in harmony with this vast wilderness and the vast resources which are ours. I have a vision of this country that the quality of life of all its people is far more important than the quantity of life of a few. Perhaps that is where my socialism comes in.

I see a nation that is capable and able to provide a quality of life that is an example to the world and not a carbon copy of the atavistic, selfish nature I see so often depicted in the land south of our country. I have a vision of this country that encourages the living diversity which is the multicultural complexity of Canada. In fact, we not only want to encourage it, we want to ensure it grows, matures and contributes to the developing of the finest country in the world. That is my vision.

I see the Meech Lake Accord in two aspects within that vision, like a thread through the mosaic. The first aspect is Quebec. We all recall 1980. I had an opportunity to watch from the sidelines and I recall, when the moment of decision was approaching for the people of Quebec to vote "oui ou non", that Canadians were reaffirming their desire for Quebec to stay in Canada. We were saying all sorts of things which we have forgotten. There was a group called People-to-People which circulated a petition from coast to coast with 800,000 names which said "we love you Quebec. Stay in the family. Do not seek sovereignty association". The petition was given to Mayor Drapeau of Quebec. We were in love. It was a love that had been dimmed by time. We suddenly discovered that we loved Quebec and wanted Quebec to stay within the family. Canadian political leaders of all stripes were reaching out to Quebec. I can name some of them. There was Claude Ryan, Jean Chrétien, Pierre Trudeau, the Opposition Leader at that time, now Secretary of State for External Affairs (Mr. Clark), the Leader of one of the opposition Parties, the Hon. Member for Oshawa (Mr. Broadbent), Allan Blakeney and a whole host of provincial Premiers. They all said: "Stay in the family". Legislatures in our provinces, which often in the past were seen as hostile, discovered the new love relationship, and Alberta and British Columbia unanimously passed resolutions calling for Quebec to stay in Canada and for "a new federalism".

Most important, the federal Liberal Government promised constitutional changes in the wake of the referendum because Quebec voted no. It voted for Canada. Pierre Trudeau, the day after the referendum in May, 1980—I turned on my radio and there he was, thumbs in his belt—said:

> All together what Quebecers expressed yesterday was a massive support for change within the federal framework. We cannot venture to ignore this will to change which reflects that of all other areas of the country and to fall short of the expectations of Canadians.

• (1540)

Madam Speaker, as Pierre Trudeau said later in this same speech: "Those voters said no because they put their confidence in Canada".

We all know that two years later the dust of time has started to cover over the love relationship again. As so often happens, love turns stale, and two years later they forget. They forget this marvellous Gallic lover across the Ottawa River, forget her completely. The rose is off the bloom. Out of sight, out of mind. Canada got what she wanted, kicked Quebec out of the bed. That is the way it goes in every love affair.

Two years later the Trudeau Government and nine provincial leaders signed the Constitution. So, in fact, we have had a Constitution for these last five years that shut out our lover, shut out one of the most important ingredients in the constitutional family—Quebec. She was left out in the cold. I think that the Meech Lake Accord attempts to correct that. I think the Meech Lake Accord has done that. The Meech Lake Accord has gone back and said to Quebec, "You belong in the constitutional family. Come and take your rightful place at the table with the rest of the brothers and sisters in the constitutional family".

For me, that is a thread through this vision of Canada that is important. It is important because one understands that to negotiate means that sometimes one has to give up to get. That is what Pierre Trudeau never understood.

This is the second reason that I support Meech Lake, and there is no quibbling about it—it is not "I am for it but—" or "I am against it but I will vote for it", none of that. I will tell Hon. Members the second reason. It is that this is a new era. Gone are the days of the gun-slinger with his thumbs stuck in his belt saying, "It is my way or the highway", someone who had no respect for provincial Premiers, or no respect for MPs who were nobodies 300 feet off the Hill.

His interview with *The Toronto Star* was a prime example of reason over emotion. In that article in *The Toronto Star* he called the Premiers all sorts of names. He called the Prime Minister (Mr. Mulroney) a name. This is a person who was unable to get agreement with Quebec in 1982. I am not surprised. For me, the Meech Lake Accord is not only a yes vote to Quebec but it is the dawning of a new era in Canadian federalism.

We have an agreement which is more in line with reality in Canada today. As I have travelled it seems to me that people in northern Ontario, in Atlantic Canada, in western Canada, have always felt disconnected from the whole. They always felt there was some great conspiracy in central Canada, that southern Ontario and Quebec could cook things up and freeze them out. I know that, that is what we feel in northern Ontario. We all feel it about Queen's Park in Toronto. I know the whole country feels it about Toronto. That is the reality. In many ways this Accord reaffirms the original vision of John A. Macdonald. As we read history we know that he was a great centralist. He believed that the central Government should have all the power. But he had to back away from that concept because of the pressure from the leaders in the provinces at the time and from people in general. So he had to back away.

We know that the socio-economic reality of this country and, indeed, the geographic reality of this country, demands more decentralized decision-making. It needs to be more flexible and responsive to the aspirations of those of us who live in the hinterlands, who live far away from the Windsor-Quebec corridor.

I think Eric Kierans put it correctly when he said:

> To recognize that the provinces are independent and autonomous in their own areas of jurisdiction takes Canada off the fast track of centralism that would have as its final stop "sovereignty association".

That is the direction in which the Meech Lake Accord is going—decentralization of the power of the central Government. I have no problem with that.

It seems to me that it recognizes that flexibility which says that what is good for Newfoundland may not be good for Alberta, or B.C., or Ontario. It also allows that what is good for Ontario and Quebec is not necessarily good for the Atlantic region, or for the West.

It seems to me that the Meech Lake Accord fulfils and is that thread through this vision that I have of Canada and that in fact it is more democratic. It is open, more responsive and attentive to regional minorities. This is my reading of it. This is how I see it.

It seems to me that the case for Meech Lake was made by Pierre Elliott Trudeau in 1961. In fact, he is now the guru of those who are going to vote no. Here is what Pierre Trudeau said in 1961:

> In the age of the mass society, it is no small advantage to foster the creation of quasi-sovereign communities at the provincial level, where power is much less remote from the people and where political education and general creativeness is related to a more homogeneous and manageable group of citizens.

He makes the argument and, in fact, it is an important argument, one I have always felt was essential for a country this size geographically speaking. In fact, we have to keep that power as close to the people as possible, to the people who have to live with the laws.

Contrast that vision that Trudeau had in 1961 with his actual performance when in office as Prime Minister of this country. I remember well his arrogance and his elitism in this House and outside the House. I remember the way he handled workers, the working class people of this nation, the Lapalme postal workers. We remember his famous words. We remember this giant who believes now in a strong central Government. We heard him. We remember his words, "Why should I sell your wheat?" Those were the words of a person who believed in reason over emotion. I said before, Madam Speaker,

that here is a person who believed in reason over emotion. He described the drafters of Meech Lake as "eunuchs" and "weaklings". He decried provincial leaders and Quebec nationalists as "perpetual losers who don't have the stature of vision to dominate the Canadian stage". All this from someone who gave us a perfect example of how collegiality works, of how to negotiate, of what co-operative federalism was all about.

• (1550)

We know that that type of bulwark federalism leads to the type of descriptions we have had of provincial leaders who consistently play off against the federal leadership. We saw that in Alberta and in Newfoundland. In fact, it is this type of bulwark central Government that has led to that type of small provincial politics that is often played in this country.

We all remember an earlier Trudeau who displayed more common sense when he was a CCFer than when he was a Liberal. He stated:

> It is perhaps no coincidence that during the twentieth century, the one party that was the strongest and governed longest is the party that has traditionally stood for provincial rights and embraced in its ranks such provincial free stylers as Taschereau, Hepburn, Angus MacDonald, and Smallwood.

In closing, I wish to state that mine is a full commitment to Meech Lake. I will vote for it. I recognize that we are in our infancy of constitution-making. I see the Meech Lake document as being very fluid as opposed to static. First, it is important to have the family at the table. In the years to come, we can work on making it a more reflective and sensitive document for all the reasons that many Members have stated, and for whatever has been left out. I believe that I speak as an optimist when I say that. I am not pessimistic about Canada. I am optimistic. Whether I like it or not, the Premiers of the provinces are elected by the same people who elect you and me, so it is an exercise of democracy. With goodwill and co-operative federalism we must sit around the table and continue to make our Constitution a living and a maturing document that serves Canadians and not one that Canadians serve.

[*Translation*]

Mrs. Bourgault: Madam Speaker, it is always a pleasure to be in the House when our friend the Hon. Member for Nickel Belt (Mr. Rodriguez) delivers a speech, because he is full of life, voluble, and very interesting to listen to.

Madam Speaker, I was all the more interested that, throughout his speech, the Hon. Member paid tribute to our Prime Minister (Mr. Mulroney). The Hon. Member said: If you compare Mr. Trudeau's vision of Canada and that of our Prime Minister (Mr. Mulroney) . . . From what I heard of the Hon. Member's speech, I concluded that our Prime Minister was fantastic; he is a man whose vision of Canada is in line with our times, and different from Mr. Trudeau's vision at the time when he wanted to control everything and leave no powers to the provinces.

In addition, the Hon. Member admits that we are going through periods when—it is a fact in my own riding and I guess it is the same in yours, Madam Speaker—our constituents want to take more part in the decision-making process. Let us only think, for instance, of the Regional Industrial Development Program. I am sure that the voters of Nickel Belt will say: We know what we want in our region; and in Ottawa you are too far away from our ridings, therefore you cannot know precisely what is happening.

I would therefore like to congratulate the Hon. Member who is going to vote for the Meech Lake Accord and I would ask him to tell me as well whether he does recognize the unprecedented leadership shown by the Right Hon. Prime Minister (Mr. Mulroney) who has been able to conclude a historical agreement at Meech Lake, to bring ten premiers to vote for and agree to the inclusion of Quebec in the Constitution. Does the Hon. Member admit that for the first time in Canada's history, a prime minister has successfully attempted that? Second, how does the Hon. Member for Nickel Belt explain in his own words, for instance, how a member of this House, particularly one from Quebec, the Hon. Member for Laurier (Mr. Berger), said that he intended to vote against the Meech Lake Accord . . . Could the Hon. Member for Nickel Belt make some comments about the fact that a member from Quebec is voting against the Meech Lake Accord?

[*English*]

Mr. Rodriguez: Madam Speaker, first, I wish to thank the Hon. Member for her kind comments. The Hon. Member asked if I would admit that the Prime Minister has done a fantastic job, and so forth. That is another part of the vision that I have of Canada. One person does not go around taking glory for things that have been done in the name of Canada. It takes 10 provinces plus a Prime Minister to make a deal. First, I did not rise to blow the horn for the Prime Minister. I was not head of the parade for his fan club.

One of the things I have learned around here is to give credit. The Prime Minister showed some leadership on this particular issue, the Meech Lake Accord, yes. I give credit where credit is due, because I am also critical when I think there is a reason for criticism. I give the Prime Minister credit for the leadership he exhibited, but I also give credit to the other Premiers who sat around the table to make a deal.

I have real concern about the fact that the same type of leadership was not shown when it came to discussing free trade. We can sign all the Meech Lake agreements that we wish. I have this vision of Canada. But not to turn around, as the Prime Minister is about to do with the free trade agreement, because he knows how to run a branch plant as he did for the Iron Ore Company of Canada in Schefferville where we all know what happened. It was closed down, everyone received the appropriate settlement, and the last one to leave put out the lights.

I wish to caution the Hon. Member that while I say it was a job well done, we stand the risk on the free trade deal of losing the whole ball of wax. We put in jeopardy the vision of Canada that I have, and I will be extremely critical when we come into

debate on that matter. But I wish to say here and now that, yes, the Prime Minister did a good job on this, he showed leadership as did the other Premiers. I think it is a document worth supporting.

Mr. Berger: The Hon. Member is to be congratulated for his remarks. They were made with his usual passion and *brio*. Unfortunately, there are only a few Members who are present for this debate on Meech Lake. I do not think that the Hon. Member was present when I spoke—

Mr. Rodriguez: I listened to it on television.

Mr. Berger: The Hon. Member states that he listened to it on television. Very good.

[*Translation*]

I would also invite the member from Quebec to read my statements. She might find the answer to the question she asked.

[*English*]

The Hon. Member has a vision and view of history. He will accept that others have a different vision and perhaps a different view of history. The Hon. Member went through the 1980 referendum and stated that he watched it and participated in it *par personne interposée*. I was there and I participated in it in my constituency in the east end of Montreal. He quoted Mr. Trudeau who, on the day after the referendum, said that Quebecers voted no because they put their confidence in Canada. I would suggest to him that the operative words of that statement are "in Canada". That is precisely what makes us feel uneasy about the Meech Lake agreement. In my opinion it reverses the policies of the past 25 years, which were designed to make Quebecers and French Canadians feel at home in Canada, in all parts of Canada. French Canadians should not feel that they are somehow limited to *la société distincte de la province de Québec*.

• (1600)

I invite the Hon. Member to understand my reasoning for feeling that Meech Lake is a step backward. If we look at what was done over the years, with the Official Languages Act and Sections 16 to 23 of the Charter of Rights and Freedoms, it substantially enhanced linguistic rights above and beyond what was contained at the time of Confederation in Sections 93 and 133 of the BNA Act, 1867. Indeed there was constitutional change as a result of the referendum, and that was represented in the 1981 Constitution and the Charter of Rights. However, Meech Lake reverses that trend, and the rights which were inscribed in our 1981 Constitution will now be weakened as a result of the Meech Lake agreement.

Mr. Rodriguez: Madam Speaker, I welcome the comments of the Hon. Member. I can give him the assurance—but I know that he will not take it—that I have read the Meech Lake Accord and I do not see one iota, one sentence, or one dot or tittle, as the Minister would say, in the agreement which would limit Quebecers from moving anywhere in the country. In fact, the Hon. Member may not be aware of the realities in places like my riding where, for example, 40 per cent of my constituents are Francophone. Over the last 10 years or 15 years I have seen the development within northeastern Ontario of an infrastructure of elementary and secondary French schools. I have seen the development of courts in the French language. I have seen an awakening in the French language in other parts of the country. It seems to me that Meech Lake in fact reinforces that.

Quebec is now sitting around the table. As we want to enhance the Constitution, it is important to have Quebec there. If my hon. friend had his way, I suspect that the alternative to Meech Lake would be to say to Quebec, "Stay out in the wilderness, stay out in the darkness", where it will be weeping and gnashing its teeth for another five years while they continue to impose the notwithstanding clause. As long as we have the family together, the family which discusses and changes together is the family that will stay together. That is my advice to the Hon. Member.

I appeal to him to reconsider his position. In fact, it is very important for Quebec to know that we meant what we said in 1980, when we said to Quebec: "Join the family and we will make right by you".

Quebec is a distinct society, communally, historically, and linguistically. I have no problem with that. I appeal to the Hon. Member who comes from the Province of Quebec to show some leadership and come with the rest of us as we say that this is a second step in a long road of constitution-making together as a family.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mrs. Champagne): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Scarborough West (Mr. Stackhouse)—Labour relations— Federal minimum wage; the Hon. Member for Algoma (Mr. Foster)—Agriculture—Grain farmers—Deficiency payment. Canada-United States trade talks; the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie)—Apartheid—South Africa—Aid to front-line states—Economic sanctions. Commonwealth Conference.

• (1610)

GOVERNMENT ORDERS

[*Translation*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn on the Constitution Amendment, 1987 (p.9422). And the amendments of Mr. Turner (Vancouver Quadra) (p.9585), Mr. Broadbent (p.9586), Mr. Caccia (p. 9644), and Mr. Allmand (p.9644).

Mr. Pierre H. Vincent (Parliamentary Secretary to Minister of Finance): Madam Speaker, this is an important day for me where I have an opportunity to take part in the debate on the Meech Lake Accord, and the day that historic Accord was signed was a memorable one for the electors of the riding of Trois-Rivières, as for everyone in Quebec and the country.

Madam Speaker, let me first congratulate the Prime Minister of Canada (Mr. Mulroney) whose excellent work in this historic issue was mentioned several times by Members and Ministers of the Government as well as Members, I think, of both opposition Parties. I wish to congratulate also the 10 Premiers who agreed to sit at the same table and who made that agreement, the Joint Senate and Commons Committee who did a tremendous job, in my opinion.

You know, Madam Speaker, when we were elected in 1984, the idea that came to mind when the name Meech Lake was mentioned was that of a place of rest and relaxation. But since the Accord, the words Meech Lake are synonymous with historic agreement. It means team work. It means a great country, Canada, is finally united. I think it is extremely important to have a united country while at the same time respecting Quebec's character as a distinct society. You know as well as I do that Quebec is truly a distinct society within Canada. It is a fact, it has been, is and will be part of our experience. And the 10 premiers representing four different political formations, along with the Prime Minister of Canada, acknowledged that fact, without any partisanship. With the result that Quebec which was entitled to a seat at the constitutional meetings will now have it, a good thing for that province, for Canada and also for all socio-economic and cultural decision-makers who will be able to make progress and think from now on about Canada not as it was in 1982 or 1981 or 1971, but as it is in 1987, that is a country with 10 provinces.

To say that the Meech Lake Accord is not perfect, that changes or such and such amendment should be made, quite simply, Madam Speaker, is to express rejection of the Accord. There has been an agreement. As the Canadian Government, we must sign it as must the 10 provinces. There will be a second round. There will be a second stage where, once again, the 10 Premiers and the Prime Minister of Canada will meet, reassess the situation, improve the Accord if need be, as I think is perfectly normal and logical, but a first step has been taken. We must respect it and sign that Accord as soon as possible to be able to go forward, to consider more changes in the future, because not to sign it would bring us back to 1982. In 1982, the Constitution was patriated, not only without the consent of the Quebec Government of the day, but without the consent of the whole National Assembly. It was not a partisan issue, not something about Quebec separating, because the Party in power was a separatist one. The whole National Assembly had refused. And as you know, Madam Speaker, a good number of those in the Opposition were Members of the Quebec Liberal Party. This is something we should keep in mind when we talk about this in 1987 and when we realize the progress that has been made and the point that has been reached.

Madam Speaker, we are making good the mistakes of 1982, as the Prime Minister had promised he would in a speech he made in Sept-Îles during the 1984 election campaign. If I may, for the purpose of this debate, I should like to read part of the speech the Right Hon. Prime Minister (Mr. Mulroney) made in Sept-Îles. He said: One thing is sure: No Quebecer has authorized the Liberal Party in Ottawa to take advantage of Quebec's utter confusion following the referendum to ostracize it constitutionally. My Party finds no pleasure in the political morass in which these deplorable events have placed Quebec. If Quebec is weak, Canada is weak too. If Quebec is strong, so is Canada. There is a place in Canada for the affirmation of all identities, for the respect of all aspirations and for the pursuit of all ideals. I know that many Quebecers will not be satisfied with mere words. It will be necessary to take action to reach the objectives which I have assigned for myself and which I repeat here: To convince Quebec's National Assembly to give its consent with honour and enthusiasm to the new Canadian Constitution.

Madam Speaker, those were the Prime Minister's words in 1984, in Sept-Îles, during the election campaign. The Meech Lake Accord is the very reflection of the Prime Minister's promise made in 1984, and it does not reflect it simply because he made it as a Prime Minister, but because of the fact that the 10 Premiers climbed on the bandwagon. And that, in my view, is important.

You certainly remember, Madam Speaker, before you were elected, the situation surely was the same in your constituency as in mine and in a number of others across Canada, especially in Quebec—our MLA's would only speak to our MP's through the media. The only way they spoke to each other in the constituency of Trois-Rivières, or in the constituency of Saint-Maurice, of Champlain, in the 04 area, was through the media. But after 1984, teamwork became possible. No matter who is an MLA, no matter who is an MP, people work as a team. And that is important in my view. That is how a region, a province, a country will grow.

Let us look at what is provided for in the Meech Lake Accord. First, the two official languages are recognized. I think that goes without saying. Second, Quebec's distinct nature is recognized. For the reasons I indicated, this again

follows as reasonable. Third, appointments to the Senate and the Supreme Court are made with the concurrence, at the suggestion of the provinces. You know, Madam Speaker, if appointments to the Senate had been made with the concurrence and at the suggestion of the provinces these past 10 years, we might not in 1987 be stymied by the Senate on such a piece of legislation as Bill C-22. And you read today, in both *Le Devoir* and *La Presse*, a page sponsored by the Coalition in Support of Bill C-22 on Drugs, which listed the Senators who supported the Bill and those who opposed it or abstained.

It is intolerable for example to see that the Senator representing our region, Mr. Maurice Riel, abstained or did not vote on an issue that will bring 1,500 new jobs and investments of $600 million to Metropolitan Montreal. Had Quebec Senators been nominated by the Governement of Quebec, had they been willing to do their duty, that is to defend their province's interests, these Senators would have been on their knees to vote in favour of Bill C-22 which will bring to Montreal and to the whole province major investments and many new jobs.

Madam Speaker, once more this shows the importance of the Meech Lake Accord. Because the major role of the Senate and Senators, a role that is theirs since 1867, is not a partisan one. Their major duty is to protect the interests of the province they represent in the Senate.

That was their role in 1867. And here they are in 1987 trying to prevent the passage of bills that are important to a province and to the country as a whole.

So I hope that with the Meech Lake Accord, we will find ourselves in a position where, in the medium term naturally, the Senate will play its proper role and the 10 provinces will work in co-operation with the federal Government, as they have been doing since 1984, for the advancement and the welfare of the whole country as well as every region.

In conclusion, Madam Speaker, I want to ask all Members of this House to vote in favour of the Meech Lake Accord. Let nobody come to us to explain the theories or the principles of 1960. This is 1987 and in 1987, we owe it to ourselves to look at the reality of Quebec, the reality of the Maritimes, the reality of Ontario, of the West and of British Columbia. If we consider everything, if we look at all the people who govern this country and who agree on the Meech Lake Accord, I think we owe it to ourselves to vote yes. My dream, Madam Speaker, would be to see this House vote unanimously in favour of the Accord.

The Acting Speaker (Mrs. Champagne): Questions or comments? Resuming debate. The Hon. Member for Westmoreland—Kent (Mr. Robichaud).

Mr. Fernand Robichaud (Westmorland—Kent): Madam Speaker, I wish to thank you for this opportunity to speak on this Accord and to participate in this debate which, like Hon. Members who spoke before me, I consider to be historic.

It goes without saying that we are discussing our country's most fundamental law, a law which is the basis for the drafting and interpretation of all other laws.

But I am rising today, Madam Speaker, first to support the amendments proposed by my Leader. I support them first because they will bring more clarity, they will improve the text and will include in the Constitution some groups of our society that were left out.

It is a pity because this is a historic Accord and, as I mentioned earlier, this is a historic moment and we should not leave out certain groups or certain Canadian men and women. And, Madam Speaker, this is why I find it very important to amend the Meech Lake Accord as we are suggesting.

• (1620)

As most Canadians, if not all of them, I am glad to see what this Accord is trying to do for Quebecers. We hear people saying that at last, the Province of Quebec is coming back to the Constitutional fold. It had to be so. In fact, I am one of those who believe that Quebec has never been away from the Canadian family. I think that throughout our history, throughout the debates which were held in this House, and in all federal-provincial agreements, the Province of Quebec was present and I think that Quebecers and Quebec representatives have made their views known and exercized all their rights and privileges as Canadian citizens.

The Province of Quebec is recognized as a distinct society in the first paragraph of the Accord. This clause does not raise any problem inasmuch as it doesn't take anything away from other groups forming the Canadian society.

The distinctiveness of a society is attributable to its culture, its morals, its language, its customs and, of course, its history. So, the term "distinct society", could be applied to many other Canadian groups.

As we are talking about the distinct society concept, we might refer to Acadia, as I believe that we, Acadians, might also be called a distinct society. We have our customs and, as you will certainly recognize, Madam Speaker, we also have our history, part of which has been rather turbulent. Acadians did everything they could to remain Canadians, and even though we have been deported from Acadia at a certain period in our history, we finally came back. We came back here to stay. And of course, we are happy to be part of Canada.

Our territory does not follow provincial borders as Acadians are scattered all over the Atlantic Region. They are mostly concentrated in New Brunswick, but there are Acadians in Nova Scotia, Prince Edward Island and even all along the eastern coast of the United States.

So, we can say that we have our own history, our own customs and, of course, our own language, even though we are told that we speak with an accent.

It is precisely because of that, Madam Speaker, that we have our own language and regional terms. We, Acadians, could therefore claim as a group the right to be called a distinct society, but I would simply like the existence of this group to be recognized, just as the existence of other groups, such as our native people, to name but one. It is precisely because of this that we have proposed the following in paragraphs 1(c) and 1(d) of our first amendment:

> (c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;
>
> (d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society;

I believe that we could all agree on this amendment as it recognizes the existence of the various groups which make up the great Canadian family.

I would also like the House to support the second amendment, which states the following:

> "2(*a*) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(*b*) to promote, the fundamental characteristic of Canada referred to in paragraph 1(*a*) is affirmed.

Madam Speaker, it is very important for the Parliament of Canada to play this role of promoting minority groups. Simple protection is not enough; these groups must also be promoted.

New Brunswick has been recognized since 1982 as a bilingual province where French and English have the same status in all matters related to the Government of New Brunswick. The province has therefore been officially bilingual for five years. However, Madam Speaker, there is still a lot to be done. When you call various government agencies, you cannot always get an answer in French. Naturally, progress has been made, but it has been slow and I hope that the new McKenna Government will be able to accelerate the process of making government agencies totally bilingual.

As concerns the promotion of minorities, I shall refer to past experience in New Brunswick, where groups of Acadians were assumed to have been assimilated for all practical purposes because the authorities had been satisfied to protect these groups and to maintain the status quo. Well, to a minority mere protection means assimilation. And those communities which I mentioned earlier, which for all practical purposes were thought to have been assimilated, finally woke up one day and are now in very good health. They are doing very well. Why? Because it was decided that someone should promote this Acadian culture, this group which is known as the New Brunswick Acadians. These people were provided with meeting centres where they could gather for entertainment, sharing common experiences, devising new ways to stick together and develop this culture which was thought to have been lost. This kind of promotion made it possible for these people to wake up, even though these groups were in New Brunswick, Canada's only bilingual province.

• (1630)

So I am firmly convinced, Madam Speaker, that it is very important for Canadian Parliament to assume responsibility not only for protecting minority groups but also for promoting them.

Now we are being told that the Meech Lake Accord is Quebec's turn. Well, I have nothing against that, but my question is this: When will we Acadians have our turn? When will native people and multicultural groups have theirs? I would suggest we ought to take the opportunity we now have to include in Quebec's turn the other groups who feel left out. And I do not believe this Accord is all that fragile, nor that it will quite simply fall apart if it is amended. As a matter of fact, the amendments we are proposing are intended to improve the Accord, to make it clearer, to change the Meech Lake Accord without weakening it, as my colleague has suggested.

In the time allotted to me, which happens to be drawing to a close, I should like to talk about fisheries, which have been included in the Accord. Madam Speaker, I am somewhat concerned over the fact that fisheries will be on the agenda of all future First Ministers' conferences. Fisheries conferences have been constitutionalized. Not so very long ago I heard my colleague say it was quite terrible to see that the Conservative Government was prepared to slap a tax on our bread and our butter. I believe all Hon. Members agree that a tax on bread and butter is something for which Canadians will probably not stand still. Putting fisheries on the agenda of all future federal-provincial conferences dealing with constitutional issues is tantamount to putting our bread and butter on the table and taking a chance that somebody might appropriate them.

For us fisheries are very important. In New Brunswick we have some 6,500 fishermen providing work for some 13,000 people on shore in some 125 fish processing plants. Fisheries are of prime importance to us.

How can you explain that it was deemed necessary and advisable to put fisheries on the table. I suppose, Madam Speaker, that they must have been included in the last instance to accommodate someone who was intent on grabbing the jurisdiction on fisheries. This is completely unacceptable for the people of New Brunswick. It is utterly unacceptable!

Madam Speaker, I would go as far as supporting the amendment put forward by my leader who wants that the roles and responsibilities concerning fisheries be put on the agenda for the first meeting only. As a matter of fact, if the subject of fishery is to come up at every meeting, a degree of instability will mar the fishing industry which will certainly not help the people from the Atlantic provinces and those from New Brunswick in particular.

Madam Speaker, I feel strongly about this amendment. You are indicating to me that my time is almost up and that I have just about one minute left.

In closing, I will talk about a majority group, because up to now I have only dealt with minority groups. This majority group that feels threatened, that feels its rights to equality might have been impaired, is the women's group. We need an amendment to make sure that under this Accord their right to equality will not be curtailed.

Madam Speaker, I take this opportunity to read a few lines from the letter I received from the New Brunswick Advisory Council on the Status of Women: "The Advisory Council supports the amendments to the Meech Lake Accord that will ensure that women's rights to equality will not be reduced".

In fact, that is exactly the purpose of our last amendment which ensures that the Constitution Act of 1987 doesn't allow derogation to the rights and freedoms guaranteed in the Canadian Charter of Rights and Freedoms.

Madam Speaker, I will vote in favour of the amendments and I ask all Hon. Members to take a good look at them and to make sure that they don't weaken in any way the Meech Lake Accord.

Mr. Hamelin: Madam Speaker, I thank my colleague representing New Brunswick and, to a certain extent, the French community outside Quebec, for his speech. I can hardly understand what deep motivations induced him to such a decision. Without any hesitation whatsoever, he reopened that Accord notwithstanding the fact that if a community could pretend to be the first founding community of this nation, it is the Acadian community. But more than any other group, the Acadian community has been literally decimated by the culture shock of the surrounding English-speaking population. Nevertheless, there is still a vibrant community in New Brunswick, a province that has recognized our two official languages. Nova Scotia has not done so, even though it is the land of the first bastion of Louisbourg. I have a hard time understanding the deep motives of our colleague who is definitely against the Accord and accuses us of providing minorities with crutches because—

• (1640)

An Hon. Member: Not at all!

Mr. Hamelin: I am not talking about you but about one of your colleagues in your party.

Mr. Gauthier: What is the name of his riding?

Mr. Hamelin: I am sorry . . . It is Laurier. I thank my hon. colleague.

He says that we are providing crutches for minorities. He should remember the astounding rate of assimilation and loss of culture. I am not talking about the bilingualism ratio, for I think it will be an ever more pressing need in our communities to have more and more bilingualism. What I am concerned about here is your community, and I am sorry that you would want to resort to excuses that are nothing more than excuses and that did not stand under the scrutiny of the Joint Committee on the Constitution . . .

When you were talking about women's rights being threatened, this has not been proven by anyone in any way. When you talk about promotion of your cultural reality, of your distinct society, you know very well—and in your own province; I am not sure Mr. McKenna is willing to recognize your distinct society because he is not prepared apparently to recognize this wonderful agreement which enables the great Canadian family to reunify. When you stated in your speech, my dear colleague, that you never—

The Acting Speaker (Mrs. Champagne): I must interrupt the Hon. member and remind him to address the Chair and not to start a dialogue with one of his colleagues.

Mr. Hamelin: I am sorry, Your Honour. This is probably because of the enthusiasm and interest caused by the speech of my learned colleague.

I was thinking about what are, in my opinion, unfounded affirmations. Do not forget that, in 1980, the situation was serious, this country almost split in two. Don't you think that if Mr. McKenna and your party are allowed to reopen the Meech Lake Accord, the whole thing will collapse. Dozens of experts told us so, Madam Speaker, dozens of constitutional experts, people from the Maritimes, warned us about that.

I am just as concerned as you are. Even the committee made some recommandations. It went as far as preparing the agendas for the next constitutional conferences. Your desire to solve everything might jeopardize what we already have. That is the problem.

You are an Acadian, I let you react to that. Madam Speaker, I let my colleague reply to these thoughts.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) on a point of order.

Mr. Boudria: Madam Speaker, I know that you brought to the attention of the Hon. Member the fact that use of the pronoun "you" can be used only when addressing the Chair, not another Member. I know you reminded him in the past, but I think it would be worthwhile to tell him again, because he does not seem to have understood.

The Acting Speaker (Mrs. Champagne): I am sure the Hon. Member for Charlevoix heard his colleague. We should now give a few minutes to the Hon. Member for Westmorland—Kent to reply.

Mr. Robichaud: Madam Speaker, I realize the Accord is dear to the heart of the Hon. Member for Charlevoix (Mr. Hamelin), and I respect the Hon. Member's opinion. He says I made gratuitous statements to the effect that women were threatened, but that is not what I said. I said that certain groups felt threatened. And that is precisely the case with

women. They feel their equality rights are being threatened. I am sure that was not the intention of the provincial Premiers and the Prime Minister of Canada. It was certainly not their intention, but the fact remains that this majority component of our society feels threatened. And I believe it would be appropriate for us to make the requisite changes here in the House so that this group can feel comfortable with the Constitution and with this Constitutional Accord. And what you said about Mr. McKenna, that he might—

An Hon. Member: What he said.

Mr. Robichaud: Excuse me, Madam Speaker. The Hon. Member said that Mr. McKenna might cause the Accord to fall apart, and I may recall what Mr. McKenna said when he appeared before the committee, and I quote:

My belief is that those changes must fundamentally represent two factors. One of those criteria is that it must not nullify the principles agreed to in the Langevin Accord. Secondly, any amendments should further advance or clarify the rights of Canadians.

So I do not see why the Hon. Member feels threatened and feels the Accord is threatened, to the point of saying that the Accord may fall apart. I think it could stand some changes that would make all groups in this country feel more comfortable, and I have every confidence in the Members of this House. I am also confident that the Prime Minister and the premiers will be able to accept certain changes that are being proposed, without in any way diminishing the impact of this Agreement.

Mrs. Bourgault: Madam Speaker, I listened with great interest to the Hon. Member's speech, and of course, his concerns about womens' rights and the historic Langevin Accord. That, too, I found most interesting, Madam Speaker, and I can inform the Hon. Member that as a result of these concerns which were brought to our attention by various women's groups, including the *Fédération des femmes du Québec*, whose members are very progressive and, in fact, in the forefront of developments in this area . . . Members of this Federation, which is presided over with great distinction by Mrs. Busque, informed me that they went through the Accord with a fine-tooth comb. In fact, as was said by the Hon. Member for Charlevoix following the testimony given before the Special Joint Committee, I really think, Madam Speaker, that our male colleagues are outdoing themselves in defending women's rights, and so forth.

Madam Speaker, I can inform you that the women in the House of Commons, and you are one of them, all agree and are indeed convinced that their rights will not be diminished. How can our rights as Canadian women be reduced by the Meech Lake Accord? I would like to ask this question to my colleague: Is it not possible that the fact of seeking to introduce amendments to include women's rights might not open the way for interpretation . . . Why not other visible minorities, for instance, why should the rights of the handicapped not be specifically acknowledged?

Mr. Robichaud: Madam Speaker, I do not entertain any doubt about the expertise or competence of the group of Quebec women whom you have described as being avant-garde—the Hon. Member did indicate this group was avant-garde indeed, that it did not feel threatened in any way by this Accord. I respect this opinion but through you, Madam Speaker, I should like to suggest to the Hon. Member that the Advisory Council on the Status of Women in New Brunswick is also an avant-garde group, people who are quite enlightened, but in their case they feel their equality rights are threatened. So I think they have the right to command respect for their opinion, just like all other groups who appeared before the committee.

The Acting Speaker (Mrs. Champagne): Resuming debate. The Hon. Member for Ottawa Centre (Mr. Cassidy).

• (1650)

[*English*]

Mr. Mike Cassidy (Ottawa Centre): Madam Speaker, I have a number of comments to make on the Meech Lake Accord. I intend to vote for it with members of my Party because we feel it does in fact put in concrete terms the commitment that many Canadians from outside of Quebec made to the Province of Quebec and to Quebecois at the time of the referendum seven years ago. At that time I was in the Ontario Legislature as Leader of my Party and I remember that we all spoke in the debate at that time saying to Quebec and Quebecers: "Please do not vote to take your province out of Canada". We asked Quebecers to stay within Canada and we made a commitment.

I was at the provincial level at that time, but the people in Parliament also made a commitment as well as Canadians from coast to coast, that this country would be different and the conditions which had led Quebecers to consider they might want to separate from Canada would be addressed and resolved, not at some infinite point in the future but as a matter of urgency.

For a time I think there was a real risk and danger that that commitment would become forgotten. I am proud now to take part in a debate where we in the Parliament of Canada, now that I am a Member of Parliament, can participate in the historic event that Quebec and Quebecers are able to say yes to Confederation and, yes, to the rest of Canada as the rest of Canada says yes to Quebec. It is about time this took place. Frankly, I think any Member of Parliament who decides to hang back saying: "It is not quite right, it is not quite the time", is guilty of ignoring just what this historic achievement means and of not understanding that the time is now. We have to honour the commitment made to Quebec at the beginning of this decade.

Of all the sections in the Meech Lake Accord, the most important sections, I believe, are those that speak directly to the agenda, which was effectively set by Premier Levesque and reiterated in a somewhat different form by Premier Bourassa over the course of the middle of the 1980s. There is a response. At last the Constitution of Canada will say what New Democrats have said it should say for many years. From the time of the foundation of my Party back in 1961, we have said that Canada and Canadians must recognize that Quebec is a distinct society. We have tried to say it in different ways, and at times we have been strongly criticized for it, just as the former Leader of the Progressive Conservative Party was strongly criticized in the 1960s when he argued for acceptance of the *deux nations* that existed in Canada at that time and exists to this day.

We now have in the Constitution, in the Meech Lake Accord, the recognition that the existence of French-speaking Canadians centred in Quebec but present elsewhere in Canada, and English-speaking Canadians concentrated outside of Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada, and the recognition that Quebec constitutes within Canada a distinct society. All of the implications of what that means have yet to be spelled out in terms of how the Supreme Court, as the arbitrator of our Constitution, approaches this particular question, but we finally had the courage to say to Quebec: "Yes, Quebec is a distinct society because of the language and culture which is French". This is something so fundamental to the nature of Canada that it must be recognized in the Constitution itself.

Elsewhere—and I will come to that today and possibly when this debate resumes in a day or two—there are the other points that speak directly to the concerns of Quebec, particularly that Quebec have a veto over matters that are primordial and fundamental to the existence of provincial powers in Quebec, and that Quebec have the right to opt out of any transfers of provincial powers to the federal Government.

[*Translation*]

Madam Speaker, I was a member of the Quebec Committee of my Party for a two year period, after which we finally succeeded in preparing a policy statement of the New Democratic Party which received virtually unanimous support at our national Convention in Montreal in March of 1987.

This policy statement was a resolution on Quebec and the Constitution on which we worked together. We worked on the basis of equality. The Quebec Committee of our Party was made up of eight members, led by our party Leader, the Hon. Member for Oshawa (Mr. Broadbent).

Madam Speaker, this group was working on a historic statement since it would be the first convention of our party held in Montreal.

I would like to read to the House the formula proposed by our Party. We were able to compare it in March with the formula agreed to by the Prime Minister at Meech Lake, which is now part of the constitution and our statutes thanks to the Meech Lake Accord.

We began by several whereas clauses:

> Whereas Quebec must be invited to fashion with the rest of Canada a renewed Federation devoted to cultural and economic equality; and
>
> Whereas the people of Quebec have the right to determine freely their own future; and
>
> Whereas Quebec is unique by the fact that it is the only province where French is the language and culture of the majority; and
>
> Whereas such a specificity obviously implies that Quebecers will continue to fashion their economic, social, cultural and linguistic future by means which could be different from those of the other provinces; and
>
> Whereas this unique character is an asset not only for Quebecers, but also for all other Canadians.
>
> While offering an opening to examine other constitutional amendments, it is therefore resolved by the New Democratic Party that:
>
> 1. The preamble of the Canadian Constitution recognize the unique character of Quebec, the only province where French is the language and culture of the majority;
>
> 2. Quebec must be able to preserve its distinct identity and that one of the means to reach that goal be the right not to participate in constitutional amendments that would lead to a transfer of provincial powers to the federal government and that, when those constitutional amendments have a financial impact, Quebec be entitled to an equivalent financial compensation;
>
> 3. that Quebec have a veto on any constitutional amendment that would alter federal institutions when those changes are considered as vital for the protection and safeguard of the French language and culture in Quebec;
>
> 4. Be it further resolved that the Quebec Committee of the federal NDP explore new constitutional provisions both to preserve the language rights of the majority in Quebec and to maintain the language rights that minorities presently enjoy in the Constitution.

Madam Speaker, I see that my time is over and I would like to make further comments on that resolution which was passed almost unanimously by our Convention, last March, and to compare how that Statement of principles of the New Democratic Party was included in the Statement of principles agreed to by the Prime Minister and the Premiers in the Meech Lake and Langevin Agreements signed last spring.

I hope to conclude my speech when the debate resumes in one or two days.

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for Nanaimo—Alberni (Mr. Schellenberg).

[*English*]

Mr. Schellenberg: Madam Speaker, I think the Hon. Member for Ottawa Centre (Mr. Cassidy) has some 10 or 12 minutes left in the allowable time for his remarks. I wonder if we might seek unanimous consent of the House to allow him to complete his remarks this evening?

• (1700)

The Acting Speaker (Mrs. Champagne): Is there unanimous consent to allow the Hon. Member to complete his remarks?

Some Hon. Members: Agreed.

Mr. Gauthier: The agenda, Madam Speaker, has been fixed for five o'clock. We were just asked if we would give unanimous consent. Some of us have other things to do at 5.15, and at 5.30. I have taken appointments and also I wish to participate in the debate in Private Members' Hour. I do not know if I can if the hour is retarded by 15 minutes.

The Acting Speaker (Mrs. Champagne): I have to take it that the Hon. Member for Ottawa—Vanier (Mr. Gauthier) does not agree.

Mr. Cassidy: Madam Speaker, I thank all Hon. Members. On behalf of my Party, we will do our best to co-operate with the Hon. Member for Ottawa—Vanier (Mr. Gauthier) to ensure that he may leave the House quickly after the resumption of Private Members' Hour.

Madam Speaker, I had just finished speaking about—

The Acting Speaker (Mrs. Champagne): The Chair needs unanimous consent for the Hon. Member to continue. Obviously, the Chair does not have unanimous consent. Therefore, I must call it five o'clock.

It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS—BILLS

[*English*]

AUDITOR GENERAL ACT

MEASURE TO AMEND

Mr. Stan J. Hovdebo (Prince Albert) moved that Bill C-262, an Act to amend the Auditor General Act, be read the second time and referred to a legislative committee.

He said: Madam Speaker, in a month from now I will have been a member of the Public Accounts Committee for eight years. During that period of time the committee has often been frustrated by the time it takes for issues which the Auditor General finds in his comprehensive audits of Departments of the Government to be completed and the time it takes before they can be put before the Public Accounts Committee and Parliament.

I must say that I was exceedingly disappointed when the committee responsible for making the decision as to whether this Bill was votable or not decided it was not of great enough importance to be called a votable Bill. This Bill, or facsimiles of it, have been before the House three times before. In each case the Government has agreed that action should be taken, but in the end either time ran out or the opportunity for changes to the Auditor General Act were not able to go forward.

A meeting of the Public Accounts Committee was held on May 28, 1984, at which the Auditor General made a statement which I think should be before this House. He said that the Auditor General's office had studied the pros and cons of the reporting system and that he had come up with what he thought was an acceptable procedure, and with very small changes in the Auditor General Act it could be put into effect. He said, "We settled on completion-date for reporting plus a short summary annual report as the best and most flexible alternative". In other words, his office made the recommendation that it would be better for the office of the Auditor General if it could make the report after it had completed the comprehensive audit, as short a time afterwards as possible, allowing only for printing time, and then table it with the Speaker who would in turn table it in the House. As you well know, Madam Speaker, the Speaker has a continuing commitment to refer any Auditor General's report to the Public Accounts Committee.

On June 13 of 1984 the Public Accounts Committee made this statement:

> Your committee considered the reporting practices of the Auditor General and in particular the timeliness of his annual report to the House of Commons. Your committee notes that under the present Auditor General Act the Auditor General normally may report only annually to the House of Commons. Your committee favours the reporting of comprehensive and other audits on a completion-date basis. This will enable your committee to deal with the Auditor General's finding in a timely manner and to exert its remedial influences as soon as possible after the audit is completed. The Auditor General endorses this approach because it provides for greater efficiency and flexibility in his reporting to Parliament.

That was the request of the Public Accounts Committee on June 13, 1984.

The amendment that I am suggesting here in this Bill is very simple. As I said, it has been reported by every Public Accounts Committee since 1979. It has been before this House three times and it has been accepted by members of the Opposition and government Members. It is not a votable Bill at the moment. However, the House has the opportunity and the authority to let this Bill, before the end of this hour of debate, go to committee. If the political will is here it can go to committee and what actions should be taken on it can be discussed at that time.

There was an agreement in about 1980 or 1981 with the previous administration to allow—and the wording was even decided upon at that time—the amendments to go through to become part of a changed Auditor General Act. In 1985, to assist in the speed up of the report of the Auditor General, we asked and agreed with the Auditor General that the report be presented in October instead of December, thus allowing a couple of months for attention to be given to it by the Public Accounts Committee in the year that the report was tabled instead of waiting until after the Christmas break.

In the meeting I was discussing on May 29, 1984, the Public Accounts Committee spent a considerable amount of time discussing the pros and cons and the resulting change to the legislation. There was entire agreement at that time on what would be required in this Bill.

• (1710)

The Bill is very simple and straightforward. It has three very small changes. The major change was adding the words "at least". The Bill states:

> 7.(1) The Auditor General shall report at least annually to the House of Commons
>
> (a) on the work of his office; and
>
> (b) on whether, in carrying on the work of his office, he received all the information and explanations he required.

There are two subsequent clause changes, one ensuring that any report brought before the House or given to the Speaker is laid before the House; and a third clause which takes into consideration that this change has been made in the Act.

A very short change in the Act would give Parliament considerably more opportunity to deal with the Public Accounts of Canada and the Auditor General's report.

The pros and cons when discussed by the Standing Committee on Public Accounts brought it to the decision that what was required was a change in this legislation. The wording that I have put into the Bill is exactly the same as the words suggested by the Public Accounts Committee.

The Bill was presented to the House on October 21, 1985. At that time several Members of the House, both on the government and on the opposition side, commented on the need for the Bill to be passed. Members brought forward many cases in which, had this Bill been in place, we may have been able to save the Government and the people of Canada many millions of dollars. On October 21, 1985 such examples were given as the case of Canadair which cost the Government approximately $3.8 billion. A considerable amount of that money may have been saved had the structure under which Canadair was operating been brought to the Public Accounts Committee and the attention of Parliament eight or twelve months before when the comprehensive account had been finished. Also at that time the Hon. Member for Ontario (Mr. Fennell) mentioned the case of the scientific research credit which cost the people of Canada approximately $2 billion before it was entirely stopped. Had that situation been brought before the Public Accounts Committee at an earlier time, we may have been able to save part of that money.

On Tuesday, October 27, the Auditor General's report will be tabled in the House. It is possible and likely that some of the audits in that report could have been completed or may have been completed in August of 1986, which is 14 months ago. By now the Public Accounts Committee and Parliament could have dealt with any of the shortcomings brought to light by the Auditor General in that report. In his 1984 report the Auditor General made the following statement:

> The fiscal year on which I am only now reporting concluded eight months ago. It will be several more months before the Public Accounts Committee (PAC) will have completed its consideration of this Report. I am anxious to see the whole process speeded up.

If one were to look at the evidence of that particular meeting when we discussed that report, it would be found that the Auditor General also indicated that some of the reports completed eight months before, or that were brought to the Public Accounts Committee eight months before, had actually been completed almost one year before that. This meant that some of the reports were two years old by the time they came to the Public Accounts Committee.

This amendment will not change any of the powers of the Auditor General or the Public Accounts Committee. It will change no powers and have no effect on the Parliament of Canada. It will increase the flexibility and the ability of Parliament to deal with those comprehensive audits.

There are three very good reasons why Parliament should pass this Bill, and it has the power to do so today by sending it to committee. It would be better for Parliament because it would always be working on more up-to-date material. It would be better for the Government because it would have a quicker analysis of the programs which have been analysed by the Auditor General.

In the report of the Auditor General of May 29, 1985 he also indicated that not only would it be very helpful to have those reports examined earlier, but that it would also be much more cost effective. Instead of holding those reports and going over them, they would be submitted in smaller booklets. The Auditor General would also continue to publish an annual report which would report on those items which are not necessarily directly connected to a comprehensive audit.

I call upon Parliament, both opposition and government Members, to accept this Bill and send it to committee in order that it can be looked at and the committee can decide whether it wishes to take the action to allow those changes to the Auditor General Act.

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to the Minister of Public Works): Madam Speaker, it is with great pleasure that I accepted to take part in this debate on Bill C-262, sponsored by my hon. colleague, the Hon. Member for Prince Albert (Mr. Hovdebo).

At first glance, what is most striking about this Bill is its simplicity and particularly the obvious desire of the Hon. Member for Prince Albert to ensure a better control of public finances through more frequent reports from the Auditor General.

It is not the first time that this Bill is tabled as it has been already debated in 1985 when it was introduced as Bill C-250.

I do not think that any Member will question the absolute necessity of a continuing and quasi-immediate control on Government's spending. In fact, it may seem difficult to study

financial statements that are 18 to 24 months old and to correct adequately the problems brought to light.

Obviously, the financial disease which is sapping the strength of the Departments and Crown corporations concerned could kill them by causing a haemorrhage of funds before we have time to react adequately.

With the proposed amendment, it would become possible to bring more rapidly to the attention of parliamentarians urgent matters requiring pressing or immediate solutions. So, the Auditor General might present, and I quote, an important provision of the Bill: "A special report to the House of Commons on any matter of pressing importance or urgency that, in his opinion, should be reported immediately."

• (1720)

The nuance between the present legislation and the bill is subtle, although it does emphasize the need to react immediately without waiting for the annual report on activities of the relevant Department or Crown corporation.

Nevertheless, it seems to me that the Bill, with its present provisions, could lead to some abuse. But it would be possible for the Public Accounts Committee to request, or even demand, special studies on some Departments on the basis of rumours or hearsay, and God knows how much the Opposition likes this kind of thing. The process would be slowed down if too many requests were directed to the Auditor General. His office does not have unlimited resources to undertake numerous special studies while meeting deadlines on its main current assignments, which are to audit financial statements from Departments and Crown corporations. The Auditor General should not be rendered unable to fulfil his primary mandate due to the fact that the Standing Committee on Public Accounts would impose an overburden of secondary responsibilities based, as I said before, on rumour or intentions which are of dubious value even at first glance.

One other drawback has to do with the possibility of partisan politics. Here again, some colleagues thrive on that aspect of our parliamentary life. As it stands now, the bill does not place any restrictions or propose any guidelines with regard to the circumstances which would justify a special study. As the bill now stands, it seems to me that the Standing Committee on Public Accounts could base on any motive whatsoever a request that an inquiry be made by the Auditor General. Unfortunately, we are therefore faced with the possibility that such requests would be made on a purely partisan basis, and this is totally unacceptable.

To maintain its reputation of non partisanship, the Public Accounts Committee must never find itself in situations likely to give rise to accusations of partisanship that would weaken its efficiency. Unhappily, the Bill does not protect it in that respect. Having said this, changes such as these are imperative. We all know of situations that are brought about due to the weakness of the present system. Although the Auditor may find disturbing situations in some Departments and inform these consequently, the present system is such that even after the Auditor General's report has been published and is examined by the Committee, that is 18 to 24 months after the problem has been disclosed, Departments may still not be able to take corrective action.

Madam Speaker, it would be inappropriate to ask this House to amend an Act which is working smoothly if the amendments bear no solutions. As proposed now, they only emphasize problems. Have you ever seen for instance an enterprise, except maybe for those who make the headlines because of their serious financial difficulties, wait from 18 to 24 months after the end of a fiscal year to examine the documents of an auditor? No; this is however the way the Government of Canada manages public moneys, Madam Speaker. This is a serious deficiency which we can all see, unfortunately.

To remedy this problem, the control should come back at the level where the founders of Canada put it in the first place, namely to Parliament and to elected representatives.

When I refer to elected representatives, I want to make the distinction in relation to the other place.

In 1984, Canadians elected their Members of Parliament so that they put some order in the public finances. It is good to see that Bills try effectively to remedy problems and to restore a fair balance. During the last election campaign, Madam Speaker, I recall visiting a garage owner in my area well known for his blunt language and his sound management. He asked me if I had ever been in politics, and I answered that no, unfortunately, I had only a background of business and industrial administration. He told me: "That's exactly what we need. Go to Ottawa and tell the federal people to stop trying to show us how to run our business like a government, and show them how to run a government like a business." Madam Speaker, I suggest that the principle of the law should be kept in this edited section of the Bill, but since it has been introduced by people who are not particularly noted for their business acumen, I mean our socialist colleagues in the House, we should not expect this consideration to be directly affected by the Bill before us.

Madam Speaker, we have been specifically mandated to keep a close watch on federal expenditures and administration and to reduce the deficit which was threatening the growth of our economy, and even seriously mortgaging that of future generations of Canadians. We must therefore take steps which will meet the expectations of Canadians for a better control of our basic public moneys.

In order to achieve our objective and fulfil our mandate, however, we must take the necessary step to identify and eliminate the sources of waste. The responsibility of our Auditor General is to show us where situations exist which might develop into serious problems. He must keep a close watch over public accounts, but because his hands are tied he might not react with enough flexibility and quickness to fulfil his mandate. If he cannot do a good job, we will not be able to assume our responsibility of monitoring public expenditures with precision and effectiveness.

That is the reason why the Bill before us is interesting. Perfectly aware of the possible shortcomings of the current financial control system of the Government, of the comments made by newspaper columnists, as well as the great many letters to the editor coming from our concerned citizens, I feel that the time has come to take the difficult but necesesary steps which are certainly needed. Squandering the taxpayer's money must come to an end. This squandering added to outright losses of money, results in further losses that are considerably more difficult to quantify. How can we assign a monetary value to some of our fellow citizens losing confidence in our parliamentary process, for instance? How can we assign a monetary value to Canadian and foreign investors losing confidence, and becoming reluctant to go ahead and establish or expand their business, after having been previously threatened with seizure by one Party or with nationalization by another?

Madam Speaker, all those considerations deserve very special attention in this debate, because they, combined with the domino effect resulting from the financial mismanagement of the nation's affairs, have an impact on all other fields of activity, whether social, economic or political, in our country.

I therefore urge this Governement to question the reason for that process. We certainly must act before it is too late. We all remember the former Auditor General, Mr. Maxwell Henderson, saying that the Government was losing control over public expenditures. It was time indeed that we came to power and brought this control back to a strong and well-balanced business-minded House of Commons. We have gone a long way since then, but there is still a lot to be done. The Bill now before us is a step forward along the road to nationalization—sorry, "rationalizaton", tongues keep slipping when something is suggested by the Socialist Party—the rationalization of public expenditures. But I am not convinced this is enough. I therefore urge the Government to stop and think the matter over. We must ask ourselves whether everything has been done in that area. Sincerely, I do not believe so. We must also see what additional measures are needed to improve on our financial management.

Madam Speaker, this Government has already done much in that area of financial control and Government expenditures. It is my hope it will stay on that road, finding other means, and that it will be guided along the way by proposals and suggestions such as the one outlined in this Bill. However, we must recognize it is still inadequate and incomplete.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, we just heard a speech written by I know not whom, but the writer of that speech should take note that the Auditor General agrees with the thrust of the Bill under consideration, and that the Minister of State (Treasury Board) (Mr. Lewis) and House Leader also are in agreement. When he was Chairman of the Standing Committee on Public Accounts, he himself suggested the proposal now before the House, namely that the Auditor General could file reports more often than once a year.

Members of the House have discussed the matter many times, the Hon. Member for Prince Albert (Mr. Hovdebo) mentioned it at least three times and I took part myself in this debate not too long ago, on October 21, 1985. I remember very well that several Members of Parliament, including the Whip of the Party in power, said: It is a good idea—

Mr. Lanthier: I rise on a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for LaSalle (Mr. Lanthier).

Mr. Lanthier: Madam Speaker, a point was raised and I waited for the Hon. Member to finish his sentence, but I think that it ended on a harsh criticism calling for an answer. If you want to know who made these statements, because some allegations have just been made, I want to say that I, the Hon. Member for LaSalle, wrote that speech.

Mr. Boudria: Do not boast about it if you are the author!

Mr. Gauthier: If the Hon. Member for LaSalle wrote that speech, I advise him to do a little more research from now on and to get better informed because what he said in the House, Madam Speaker, does not hold if you consider that people who usually have much more clout than he in this House have already considered and solved that matter by saying to the Government: Yes, we must give the Auditor General the opportunity to bring forward more than one report. It is, I think, a blunt answer coming not only from some Members but from the Auditor General and, as I said earlier, from the Minister himself, the present Minister of State (Treasury Board) (Mr. Lewis) who used to be Chairman of the Public Accounts Committee... The Member for Trinity (Miss Nicholson), who presently chairs the Public Accounts Committee, also supported that resolution. The Hon. Member seems to have suddenly decided that he had to speak against this initiative.

Madam Speaker, we have positive comments to make on that issue. I think that Bill C-262 should be passed as it will give to the Auditor General the opportunity to provide the House with the tools it requires to do its job. The AG is senior official of the House. He takes no orders from anyone. He takes no orders from Hon. Members and even less from the Hon. Member for LaSalle. He takes no orders from committees nor the House because his powers have been given to him by the House and parliamentarians.

I fail to understand how it can be alleged that a special study could be requested for purely partisan reasons.

Madam Speaker, that kind of allegation can only be made by someone who does not know the Auditor General's job, who does not understand anything about his role. The Auditor

General is independent from any political pressure and reports to the House of Commons and, as was said earlier, he will report next week by tabling a rather bulky report. Last year, it weighed about one and a quarter or one and half pounds and contained more than 500 pages. The committee must study the report, and Bill C-262 only suggests that the Auditor General be allowed to report to the House as soon as he finishes a study on any subject, contrary to what the interpretation of the Act authorizes him to do presently.

Let us come back to Bill C-262. It proposes to amend Sections 7 and 8.

Subsection 7(1) at present reads as follows:

> 7.(1) The Auditor General shall report annually to the House of Commons
>
> (a) on the work of his office; and
>
> (b) on whether, in carrying on the work of his office, he received all the information and explanations he required.

The Hon. Member would like to amend this subsection by adding the two words "at least", so that the new subsection would read:

> The Auditor General shall report *at least* annually to the House of Commons—

And so on and so forth.

Madam Speaker, the idea would not be to have 25 reports a year. The Office of the Auditor General which I have contacted today has advised me that seven or eight reports might be tabled in the House every year, in addition to the statutory annual report which must be tabled before the end of the year, generally in October. Last year, it was tabled on October 21 and this year it will be tabled next Tuesday, October 27.

Madam Speaker, I think Hon. Members could work much more effectively both in committee and in the House. I think the Office of the Auditor General could operate much more effectively if it were to submit to the House for study and consideration some of the chapters as soon as their review has been completed. By so doing, we would not have to deal as we do now with a bulky annual report in November and December and try to understand the report on various federal departments and agencies and devise concrete and corrective measures to ensure a more efficient and healthier federal administration. That is the role of the Auditor General. All that is being requested is that the House accept of its own will that the Auditor General may make special reports, several times a year if it is warranted in his opinion, in order to spread over a period of time his projects or reports on matters that deserve a more careful study.

Bill C-262 would amend section 8 to provide for reports on matters of urgency. Subsection 8(1) at present reads as follows:

> "8. (1) The Auditor General may make a special report to the House of Commons on any matter of pressing importance or urgency that, in his opinion, should *not be deferred until the presentation of his annual report*."

The Hon. Member for Prince Albert (Mr. Hovdebo) would like to make the following amendment by deleting the last two lines and substituting the following therefor:

> "8. (1) The Auditor General may make a special report to the House of Commons on any matter of pressing importance or urgency that, in his opinion, should *be reported immediately*."

The purpose of this amendment is not to enable us to react and ask for inquiries, or to have the Auditor General take his orders from Hon. Members or to abuse a system which is essential for this Parliament. We would like to give the Auditor General the power to make regular inquiries and reports and spread his work over a period of time and make a better use of his human resources so that we will be able, in this House, with the help of our committee, to know how this country is run. It is as simple as that, Madam Speaker.

• (1730)

[*English*]

I have a few comments to make on where we stand with this Bill. On July 18, 1980, the Auditor General recommended the use of special reports to the House of Commons and the committee. In 1982 these changes to the Auditor General Act were agreed to by the Public Accounts Committee, the Auditor General himself, the President of the Treasury Board, the House Leader of the Official Opposition and the New Democratic caucus. We all agreed this was an important change and that we should proceed. On June 13, 1984 in its fifth report to Parliament the Public Accounts Committee recommended the reporting of comprehensive and other audits on a completion date basis. When a stage and a report is finished, and an audit has been made, it is reported to the House so we can have access to the report. The fifth report went on to say that this would enable the committee to deal with the Auditor General's findings in a timely manner and to exert its remedial influence as soon as possible after the audit is completed. On March 31, 1984, the Auditor General in his annual report to Parliament, under "matters of special importance and interest" brought to the attention of Parliament the recommendation of the Public Accounts Committee of June 13, 1984 to amend—let me emphasize the words to amend—the Auditor General Act to allow for completion date reporting by his office.

I cannot put it any better than that. We had a debate in this House a year or two ago on the same question. I want to congratulate the mover of this Bill because I think it is an important one. I hope the House will see fit to pass it and get it into committee so we can get a proper amendment before us and proceed with what I think is a very constructive and positive effort on the part of the Hon. Member for Prince Albert (Mr. Hovdebo).

Mr. Jim Hawkes (Calgary West): Madam Speaker, it is a pleasure to be able to rise in Private Members' Hour to deal with a very important subject. The Hon. Member for Prince Albert (Mr. Hovdebo) is to be commended for raising it at this time. I share with him a similar set of eight year experiences.

Most of my time in this House I have had a passion for the Public Accounts Committee and the work that it does. Other responsibilities, however, from time to time have not allowed the degree of involvement I would have preferred to have had. It ties up with my background as an academic.

• (1740)

I think we in this House do have a strong obligation, each and every one us, to be conscious of the spending patterns of Government, of the need to make sure that the votes we take in this House and the direction we give to the Public Service of Canada about how to spend the money and which programs to spend it on are followed in a legal manner but also in a cost-efficient and effective manner. By bringing forward a Private Member's Bill, the Hon. Member for Prince Albert is, as other speakers have noted, advancing a cause which the Public Accounts Committee itself has historically advanced and one which the Auditor General has advanced since 1982.

I personally have some trouble with the notion of a series of reports. If that series of reports grows to the point at which every three weeks we get another one, I have fears about how that will be seen, unless we make some amendments on Parliament's side of the fence, and that may indeed be possible in the future.

If we move away from the notion of an annual Auditor General's report and to very common, frequent reporting, what will happen? As a Member of the House who from time to time has difficulty communicating with the general public about the Government of Canada, what it is doing right and what it is doing wrong, I must ask myself if we would lose something that is inherent in the public relations aspect of a major report coming down once a year.

The next question I must ask myself is if these reports are coming along, as the Hon. Member just said, on a completion date basis, what does that do to the committee itself? One of the real joys that I experienced as a new Member of Parliament when I was the Vice-Chairman of the committee and the Hon. Member from Westmount was the Chairman in 1979 was to discover a committee of Parliament that was non-partisan in nature and very consistently so. Members of all political persuasions shared the common goal of wanting to make public expenditures more efficient, effective and cost productive.

Every time an Auditor General's report comes out, there are press conferences and the Auditor General is called as a witness before the committee. The report is explored over two or three sessions so we get the flavour of what the Auditor General has discovered in the previous 12 months about the way the Government of Canada spends money and his feelings about the major areas where change might indeed be needed.

It has been the pattern of the committee to set up a year's worth of work in advance, to say: "Out of this collection of departmental reports and comprehensive audits, what is the committee's judgment about what should be the first topic the committee should tackle and what should be the second and the third and so on; what preparation do we as a committee need for holding hearings, for directing the researchers of the committee to prepare background material for members and for seeking out the proper set of witnesses; and what kind of timeframes are involved?"

I have always gotten a great deal of satisfaction out of that particular committee, in part because of the planned nature of the work. We are able, after the first week or two when the report is first laid on the table, to work quietly and efficiently as a committee without the kind of glare that very often comes from particular committee examinations. I thought that that helped the judgment of committee members. It has been an important part of why the activities of Public Accounts have been less partisan than some of the things I have experienced on the Labour, Employment and Immigration Committee.

If we are topical, there is a tendency to be political. We have an obligation to our own Parties, when there is lots of press about an issue, to advance the causes to which Members have collectively agreed. I think that that is appropriate for 90 per cent to 95 per cent of what we do in this Chamber. However, in the Public Accounts Committee, we are trying to get at the fundamental nature of the Government of Canada. It conducts not so much an examination of decisions made by politicians, by the Government of the day, by the Cabinet of the day, by the majority Party of the day, as it conducts an examination of how the servants of the people of Canada who work in the Public Service conduct the affairs of the nation relating to the instructions which we give them through legislation or policy pronouncements.

Would it be right for that committee to be hopping hither and yon, a day here, a day there and four days over there, simply because there is a constant stream of reports coming before it on different dates at different times? Inevitably, some of those reports would hit the table of the House of Commons when the same subject matter was coincidentally the major topic under discussion the week before in Question Period, or would become for some other set of reasons the major topic in Question Period the week thereafter. Then would we have suspicions that the Auditor General himself was being partisan? Would he all of a sudden be taking advantage of a political event in the country by putting the report on the table at an opportune moment to create maximum publicity?

If we began to worry that this independent office of the Auditor General of Canada was behaving in a partisan political fashion, then I suggest that the very important dimension of independence and non-partisanship which is critically important to the functioning of the office would begin to erode. Over five or 10 years, would it disappear? If it began to look as though the Auditor General was a tool of the Government of the day or a tool of the Opposition of the day, would it then have the kind of impact it deserves and which we so clearly want and need?

One of the real problems Members of Parliament face on a daily basis is having access to information. We have a Freedom of information Act, and through parliamentary reform, we can investigate, but at the same time there are many laws about the privacy and confidentiality that is a right of Cabinet and a necessary part of cabinet Government.

The Auditor General can follow an information trail from the start right through to the end in a way that the law would not allow Members of Parliament to do. The Auditor General can draw conclusions out of that right which Parliament has given him and thus inform us not so much of the specifics but of the generalities of a problem. If he does that for us on an annual basis in a major report that has high public visibility and high credibility and is sort of enshrined—we all know it is coming at the same time of year—then I think the perception of his independence is clearly enhanced. It would not be the Auditor General's fault that he happened to report on transport at a particular time when the annual report was due if it happened to be a political issue, but if he has the freedom of choice of when to report, there will be a lot more coincidences. Reports will appear in the middle of political upheavals of one kind or another.

If that independence and view of non-partisanship were to disappear, then I think we would be losing something that is critically important to this Chamber.

• (1750)

So I urge Members not so much to reject the argument of the Hon. Member for Prince Albert but to continue this debate. Perhaps there is some middle ground where the Auditor General should be encouraged to use the emergency power he currently has. Not too long ago we felt so strongly about the functioning of this House that we asked him to report as soon as he finished an audit, and he did. It was not part of the annual report but it was brought to this Chamber on a timely basis. Perhaps there could be some clarification so that that happens somewhat more often, but I do not think now is the right time to go this far.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, I have been rather perplexed at the nature of this debate so far. I looked back over my records, notes and files and found that all three political Parties over the last number of years have said that the ideas contained in this Bill are good ideas. The Auditor General has said that this is exactly what he wants to have done. The Standing Committee on Public Accounts has time and time again requested that these things be done. Financial analysts in every part of the country have at one time or another made representations to the Government saying that this is what they require. The economic think-tanks which meet regularly have said on a number of occasions that these are appropriate measures. The present Minister of State for the Treasury Board (Mr. Lewis) said that this was a great idea. I can go on and on listing all sorts of people who have made reasoned arguments in support of these points, but to my surprise, and I suspect that of most of us, when government Members got up today to speak they said that this is no longer appropriate. "We are going to speak against this Bill." They couched it in nicer terms than that, but the essence was that they are not going to proceed. I think I know why.

Every year when the Auditor General files his report there is a flurry in the House and editorials in the papers about how the Government is mismanaging the taxpayers' money. It happens every year and it is rather embarrassing for the Government. It is going to happen again next week. I suspect that what the Government is saying is that it is embarrassed every year because of how it spends taxpayers' money and it does not want to be embarrassed four or five or 10 times a year if the Auditor General were permitted to file reports after he has conducted a comprehensive audit on a government Department or agency.

It seems to me there are two reasons Members of Parliament are elected to form a Government. The first is to collect money from taxpayers in one form or another, and the second is to disburse that money in order to provide services to the taxpayers. One side of this issue is how we collect taxes, but we can leave that debate to another time because we all appreciate that there are many criticisms of that conduct at the moment. However, there are times when the Auditor General ought to have the opportunity to file a report on a particular occurrence if he decides to do so.

Two or three examples come to mind. I remember that not long ago the feeling was that spending in the Department of Regional Industrial Expansion was out of control. It became well known that millions and millions of dollars were not accounted for. The Minister was shifted out of the portfolio and a lot of serious questions were raised. I suspect that the Auditor General should have moved in right there and then and conducted an audit and made his report immediately. That was not done because he can only do so if he determines it to be an emergency. I am not sure how he would do that, but obviously a Minister mismanaging a Department is not an emergency.

Then I remember the furore over the scientific tax credit. Tens of millions of dollars were misappropriated, and I suspect in the end all sorts of criminal charges will be laid against those who misused that program. Again nothing was exposed, but I am sure the Auditor General would have loved to have a look at that.

What this Bill attempts to do is simply to change the Auditor General Act with respect to when it reports to the House of Commons and indirectly to the Standing Committee on Public Accounts. Given all the people who have suggested that we do this, I do not see why we do not, if we believe the taxpayer has the right to know how the Government is behaving with taxpayers' money. I think there is a will to do just that. I believe Members of Parliament are anxious to do just that. It would be in the best interests of the country and its taxpayers to allow this Bill by my hon. friend from Prince Albert to go to committee for further examination.

I know that my colleague from Ottawa Centre had hoped to make some comments on this Bill today and add his support because he was part of the cry that went out for more accountability so that we as responsible parliamentarians could explain to the people of Canada, our constituents, why the Government is spending money in this or that area and if there is a problem, to identify it quickly.

In the present circumstances, as you will know, by the time the Auditor General gets to a particular audit, it is well along in his year and by the time he reports it might be a year later. By the time the committee gets to it it might be two years out of date. Obviously this is not good enough.

I urge Members of the House to consider this Bill seriously and get on with making this very simple, straightforward change to the Act to allow for more accountability by the Government of Canada.

Mr. Felix Holtmann (Selkirk—Interlake): Madam Speaker, I realize I do not have a large amount of time to speak in this debate today, but if Members of Parliament were to look at what the Auditor General of Canada had to report for the period ending March, 1986, it would also be important for opposition Members, especially the Hon. Member for Ottawa—Vanier (Mr. Gauthier), to ask themselves some other questions. For example, where was he when the Auditor General was reporting during that unbelievable Liberal reign when the Government went from a $7 million deficit to a $180 billion deficit in 1984 when this Government took power? Clearly he was not even considering the Auditor General's yearly report.

Mr. Hovdebo: Yes, we were.

Mr. Holtmann: Not even once a year. Yet if you read what the Auditor General says now, there has been nothing but improvement since 1983. He goes on again and again about great signs of hope. Just look at his opening remarks.

Mr. Riis: You are being political now.

Mr. Holtmann: I am not being political. It is a fact. Clearly this Government has acted on what the Auditor General has said. Regarding initiatives taken towards accountability, and this is not a selected phrase, he said this Government has been accountable to the people of Canada and is moving very swiftly forward. He said that another sign of hope that those responsible for spending taxpayers' dollars were doing so more carefully lies in the increased emphasis on a need for restraint in public expenditures. It is clear that that initiative was taken from the Auditor General's reports of the past. It is clear that the Government is using the Auditor General's report to make decisions on how Canada should govern itself and how it can be prudent with the taxpayers' dollars. For the hon. gentleman to suggest that it report more often is not what is important at this time.

• (1800)

I realize that my time is up. I wish I could continue. I will be back at it again.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order shall be dropped from the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

LABOUR RELATIONS—FEDERAL MINIMUM WAGE

Mr. Reginald Stackhouse (Scarborough West): Madam Speaker, I rise to make some remarks to the House concerning the response to a question I raised in the House a short time ago on behalf of all those who receive the minimum wage for work under federal jurisdiction.

I find it shocking that there is at the present no regular and automatic method for reviewing and increasing the minimum wage in accordance with rises in the cost of living. The people who need the most protection are receiving the least insofar as there has not been in this country, as there is in many others, a way of regularly and automatically reviewing the predicament of those who need the protection of minimum wage legislation and regulation.

The minimum wage for occupations under federal jurisdiction in Canada has not been changed since May, 1986. That may not seem like a long time with regard to certain activities, but it is a long time for people who are trying to make a living on wages as low as $4, the current minimum wage for occupations under federal jurisdiction. That is especially so when we consider that the cost of living, according to the Consumer Price Index, has risen since the last minimum wage increase by 18 cents on $4.

We are asking people to believe and live as though $3.82 can equal $4, for the person earning $4 has purchasing power equal to that of the person who was earning $3.82 when this rate was struck. That is unconscionable. It certainly behoves the Government to take steps to ensure that there will be prompt review in the future and adjustment of the minimum wage in accordance with the cost of living as well as to ensure that this state of affairs is not repeated. Instead, we must replace the present system with one which calls for a periodic review and an adjustment of the minimum wage in accordance with the Consumer Price Index.

I am aware of some of the arguments brought against the latter suggestion. I point out that if those arguments are sound they should be directed against the indexation of the Old Age Security pension, the Canada Pension, the pensions of Members of Parliament and the pensions of public servants. In each of those cases I cited there is a quite proper and reasonable indexation of the pensions so that the purchasing power remains constant. No one I have mentioned in any of those pension funds needs the protection more than the person who is working for the minimum wage.

• (1805)

The rationale for a minimum wage which Canada and the provinces have had for approaching half a century is that the people with the least ability to increase their income will nonetheless have that which they must have in order to have a basic human existence. There is no one in this House who would deny any fellow Canadian that. I hope that in raising this matter for the consideration of the House, we will see the seriousness of something which I am sure has been overlooked in competition with other priorities, and that at the earliest possible date there will be steps taken to raise the minimum wage in the federal jurisdiction, bringing it more in line with such minimum wage rates as are now enjoyed by workers labouring under provincial jurisdictions such as the Northwest Territories, $5.00; Manitoba $4.70; Quebec and Ontario, $4.55; Saskatchewan $4.50; the Yukon $4.25. We thus see various jurisdictions in this country which have enacted that their workers must earn more, and will earn more, and I hope we will bring ourselves in line with those jurisdictions and, I hastily add, with the United States, Luxembourg, France and the Netherlands, each of which is now adjusting its minimum wage periodically in accordance with either the cost of living or the prevailing wage rate throughout their countries.

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Madam Speaker, first of all, I would like to stress that the Government is proud of the measures taken to protect the purchasing power of workers at the minimum wage since it was elected, and we will remain vigilant in this respect in the future.

The present Government made an in-depth study of its policy on the minimum wage in 1985, after which he announced an increase which brought the minimum wage of adult workers from $3.50 to $4 an hour; this is a 14 percent increase in real terms which came into force on May 26, 1986.

Furthermore, before this review, the minimum wage of workers under 17 was $3.25 an hour, 25 cents or 7 percent below the rate for adults. Since there was a danger that gap might fly in the face of the Charter of Rights and Freedoms, which prohibits discrimination on account of age, and since this Government remains strongly committed to the principle of equal pay and equal opportunity, we did away with the lower wage rate that applied to the young. The federal minimum wage for workers below 17 years of age was therefore raised to the adult rate, a significant 23 per cent increase.

The percentages of those two increases, 14 per cent in the case of the minimum wage and 23 per cent for the former youth rate, compare favourably with the 13 per cent increase in the consumer price index since this Government came to power in September of 1984. This last increase in the minimum wage is the first in over six years, since 1981. Currently, the federal minimum wage is more or less at mid-range of the various provincial rates.

This Government takes its role very seriously as regards minimum work standards. In a number of areas, for instance child care leaves, provisions against unfair dismissals, and provisions relating to lay-offs, the Government has assumed leadership. Our minimum wage policy complements our efforts to ensure a basic protection for those workers who are totally or almost totally deprived of negotiating power. That is the thrust of that legislation. We will go on ensuring decent minimum work standards in the interests of all Canadians.

We realize this is not perfect. But I suggest it can be viewed as a step in the right direction.

[*English*]

AGRICULTURE—GRAIN FARMERS—DEFICIENCY PAYMENT/CANADA-UNITED STATES TRADE TALKS

Mr. Maurice Foster (Algoma): Madam Speaker, on October 2 I asked the Minister of Agriculture (Mr. Wise) if he was going to make good on a promise he made in late August to western and eastern grain producers to provide some $3 billion in deficiency payments this fall. You will recall, Madam Speaker, that one year ago the Government made a commitment to provide a $1 billion deficiency payment to farmers. That was at the behest of the Premier of Saskatchewan who was locked in a serious provincial election. He called the Prime Minister (Mr. Mulroney) at five o'clock in the morning to get his support for a deficiency payment. This was to rescue him and to provide him with a political bail-out in that election.

• (1810)

Farmers are very concerned right now because the Minister made a commitment, or seemed to have made a commitment in principle, to provide a deficiency payment of some $3 billion. That would include the Western Grain Stabilization Fund payment of about $1 billion. In Question Period on August 2 the Minister seemed to welsh on that deal. He did not give any firm commitment that he would provide it. He talked a great deal about the method of payment, the timing of payment and all the rest of it. But he did not give any commitment.

I also asked the Minister in a supplementary question as to whether the hold up was with regard to the free trade negotiations. In fact, there are two developments in the free trade negotiations which have a great deal to do with the grain

industry in this country in that it is very clear now that the two-price system of wheat which provides a $280 million a year benefit to Canadian grain producers will be destroyed by the free trade agreement.

The Minister of Agriculture in Saskatchewan, and the Premier of the province, have owned up to that and have made it clear in the legislature. they have even convinced the federal government to provide a compensation for the loss of the two-price system of wheat. But there is another aspect as well. That is to say that in the agreement the United States undertakes to take "into account", I believe are the exact words, Canada's position with regard to its use of its export enhancement program. That program is essentially designed for the United States to buy markets in Russia, Saudi Arabia and other traditional markets for Canadian wheat producers, but not to exclude the use of that export enhancement program when it gives away one bushel free with every three that are sold. When the Minister said that the delay of the deficiency payment had nothing to do with the free trade negotiations, which were in the final throes at that time, I am not so sure that that was not a consideration.

In any event, western Canadian farmers and eastern farmers feel that they have been sold out by the Government on the free trade deal. They are wondering whether or not the Government will now make good on the deficiency payment of $3 billion which the Minister seemed to agree to in late August in the meeting in Winnipeg.

I certainly call on the Parliamentary Secretary in his response this afternoon to give a firm commitment that the Government will provide this deficiency payment and that it will not continue to stonewall into the fall months and the winter.

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Madam Speaker, when that question was raised last October 2, details had indeed been given to my colleague by the Minister of Agriculture (Mr. Wise).

At the meeting held on last August 27, our Government engaged in a consultation process with some 50 Canadian farm leaders to examine the national agricultural situation. Madam Speaker, it was our Government which established that process, that form of consultation with Canadian farmers, it is not . . . and I remind my colleague that recent polls have shown clearly that Canadians highly appreciate the work done by their Agriculture Minister. The satisfaction level is more than 70 per cent.

One of the main points is precisely the consulting attitude of our Government. As the Minister of Agriculture (Mr. Wise) recalled on October 2, this was the third meeting with farm leaders as we attempt to find with them ways of cushioning the impact of the continuing world trade subsidy war. The proposal put forward by the Canadian Federation of Agriculture is supported by a number of farm groups. We are well aware of that. If the proposal proves to be fair to all producers and if it proves to be market and production neutral, I think it could form the basis of a new program. Our department officials are now analyzing the proposal along with other possible actions by our Government. We have met CFA staff to discuss the matter and clarify various points. No commitment was given with respect to the dollar value of a program.

The farm leaders themselves estimated about $3 billion would be needed. I do not think the negotiations we have concluded with the United States should be taken as detrimental. They are one element amoung others, but there is no connection with this issue and I think, Madam Speaker, we will keep on meeting the needs of Canadian producers as we have done over the last three years. We will also continue our international activities because everybody is aware, and it is the main concern of our Canadian farmers' friends, that the international trade subsidy war must come to an end. Our Prime Minister (Mr. Mulroney) has put agriculture on the agenda of major powers. We will continue our efforts in that sense and I can assure my colleague that Canadian producers will not regret the consultation process we have undertaken with them.

• (1815)

[*English*]

APARTHEID—SOUTH AFRICA—AID TO FRONT-LINE STATES/ECONOMIC SANCTIONS—COMMONWEALTH CONFERENCE

Mr. Bill Blaikie (Winnipeg—Birds Hill): Madam Speaker, I rise today to follow up on a question that I asked in the House on October 13 which had to do with the Commonwealth heads of government conference that was going on at that time in Vancouver. I was concerned to receive assurances from the Government that the emphasis placed on one particular agenda item of the conference, that of aid to the front-line states in Southern Africa, would not be an occasion for de-emphasizing the need for tough economic action in the form of sanctions against South Africa. There had been some talk that this might become a substitute for or an alternative to sanctions. That is probably the case as far as Great Britain was concerned. As the conference unfolded, it became clear that Britain was willing to consider this whole matter of aid to the front-line states in a way that it was not willing to consider the question of sanctions.

Fortunately, it appears that all the other Commonwealth leaders did not see this suggestion of increased aid to the front-line states as an alternative to or a substitute for economic sanctions against South Africa. Some of the worry that I had at the time I raised the question has since been alleviated by the conference itself.

This might be an opportunity to say a word or two of appreciation for the obvious sincerity with which the Prime Minister (Mr. Mulroney) holds his views of opposition to apartheid in South Africa. On this side of the House, we were

all glad to see that the Prime Minister was generally recognized to have shown leadership on this issue, and generally recognized to have held his ground and the common ground of all the other nations of the Commonwealth, except Britain, with respect to the need for preserving those sanctions that are already there, and with respect to accelerating both the substance and the effect of sanctions.

We look forward to Canadian action on that. We not only hope but feel that the Prime Minister, in order to preserve and enhance that perception of integrity on this issue which he came out of that conference with, in a very short period of time will need to indicate what else Canada is prepared to do in order to make good the rhetoric of the Prime Minister.

• (1820)

It is certainly an occasion to notice that the Prime Minister in common with other leaders, resisted the obvious desire of Prime Minister Thatcher of Great Britain to roll back the sanction agenda and to change the focus of the Commonwealth in respect of South Africa.

It is always easier to show independence when it comes to a former colonial master, and we congratulate the Prime Minister on the extent to which he demonstrated that kind of independence of Great Britain. However, we have been independent of Great Britain for a long time now. Where we need to show an equal measure of independence in our foreign policy is the whole matter of Central America and our relationship with the United States, our current colonial master when it comes to foreign policy.

I hope that the same spirit of independence which imbued the Prime Minister on the occasion of the conference in Vancouver will soon imbue the Government in respect of its attitude toward Central America. I hope, in the same way as we have a Canadian Government ready to speak out independently against apartheid in South Africa, regardless of what Great Britain might think, and to advocate policies which are at odds with what Great Britain might think, that some day we will have a Government which is willing to advocate policies in Central America which are at odds with what the United States might think, a Government free to speak up against continuing American aid to the Contras, a Government willing to locate an embassy in Managua, and a Government willing to increase rather than decrease its aid to Nicaragua.

Canada could be doing a variety of other things which I argue today would be consistent with the spirit of independence in foreign policy areas that the Prime Minister displayed in Vancouver *vis-à-vis* Great Britain. We would like to see that same kind of independence displayed *vis-à-vis* the United States, particularly in respect of Central America and also in respect of other issues. We look forward to the day when the independent foreign policy perspective which the Prime Minister displayed in Vancouver will be comprehensive.

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Madam Speaker, I must thank my colleague for referring to our Prime Minister's (Mr. Mulroney) spirit of independence. In my estimation, if in recent months there was a country which showed openmindedness in all the conferences in which we as a country took part . . . On behalf of the Prime Minister, I am proud to accept this compliment from my colleague.

[*English*]

In that specific case the Government's commitment to assisting the FLS economies is well known. In total, Canada provides about $140 million in development co-operation to southern Africa annually.

The principal channel through which Canadian development assistance is provided to the FLS is the Southern African Development Co-ordination Conference, a regional organization of nine southern African states committed to accelerated economic development and reduced dependence on South Africa through increased regional integration and self-reliance. Canada has been one of SADCC's main supporters with annual disbursements of between $25 million and $30 million. These figures will, if anything, be increased over the next five years.

In addition, Canada provides assistance to individual front-line states through multilateral—food aid and humanitarian assistance—and NGO channels, as well as through the bilateral and specialized divisions of CIDA.

[*Translation*]

The issue of assistance to the front-line states, which we are debating, received attention most recently at the meeting of Commonwealth Heads of Government just concluded in Vancouver. Canada played a prominent role in developing an enhanced Commonwealth program to complement the work of other agencies in the region. Commonwealth leaders agreed to a statement and program of action which commits them, *inter alia*, to give priority attention to the rehabilitation and protection of the Limpopo railway line and the port of Maputo, to examine transit rights of the landlocked FLS of the region and to establish a special fund for technical assistance to Mozambique. They also announced their readiness to consult with a view to enabling those members in a position to do so, to make appropriate contributions to the security needs of Mozambique and other FLS requiring help.

For our part we have already made known our commitment to contribute $20 million towards the rehabilitation of the Limpopo railway line. We are in the process of examining ways in which Canadian support for the other elements of the Commonwealth statement and plan of action can best be implemented.

We do not consider assistance to the neighbouring countries as a substitute for firm economic action against South Africa. The Okanagan Statement issued on October 16 makes it clear that all members of the Commonwealth, except one, believe

sanctions to be effective and have agreed to a "wider, tighter and more intensified application" of them. We fully support that position.

• (1825)

[*English*]

We are prepared to invoke total economic sanctions, if there is no progress—there is no question about that—but we do not think the time is right. Such a decision would be dramatic but would leave us out of the process of seeking an end to apartheid.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.27 p.m.

HOUSE OF COMMONS

Tuesday, October 20, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

STRIKING—THIRTY-FOURTH AND THIRTY-FIFTH REPORTS OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour to present the thirty-fourth and thirty-fifth reports of the Striking Committee.

If the House gives its consent, I intend to move concurrence of the thirty-fourth report later this day.

GOVERNMENT OPERATIONS—FOURTH REPORT OF STANDING COMMITTEE

Mr. Felix Holtmann (Selkirk—Interlake): Mr. Speaker, pursuant to its order of reference dated June 23, 1987, I have the honour to present the fourth report, in both official languages, of the Standing Committee on Government Operations.

Your committee examined the resolution adopted by the House on February 10, 1987, regarding the erection of a statue in honour of former Prime Minister Lester B. Pearson, as well as the document entitled "Report on Commemorative Statues to Canadian Prime Ministers and Commemoratives to Other Eminent Canadians", tabled in the House on February 10, 1987.

We are satisfied that a suitable site is presently available on Parliament Hill for the erection of a statue of the Right Hon. Lester B. Pearson. In the longer term, however, we are of the opinion that alternative sites off Parliament Hill should also be considered in the planning of future commemorative statues.

I wish to thank Hon. Members for their contribution in drafting this unanimous report.

STRIKING—CONCURRENCE IN THIRTY-FOURTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, if the House gives its consent, I move, seconded by the Minister of State for the Treasury Board, that the thirty-fourth report of the Striking Committee presented to the House earlier this day be concurred in.

Motion agreed to.

* * *

• (1110)

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure and honour, pursuant to Standing Order 106, to present the following petition from a number of western Canadians.

They draw our attention to the procedure proposed by standing committee of Parliament's for dealing with refugees which they feel would fairly and effectively solve the problem of the backlog, which has the support of all the Parties in Parliament, as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress, and many other groups and individuals who have expertise in dealing with refugees.

The petitioners are asking the Government to withdraw Bill C-55 and substitute legislation embodying the principles that were reported from that standing committee of the House of Commons.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, question No. 185 will be answered today.

[*Text*]

STATISTICS CANADA—FOREIGN TRAVEL EXPENSES

Question No. 185—**Mr. Boudria:**

1. In (*a*) 1984-85 (*b*) 1985-86 (*c*) 1986-87 to date, what was the total amount spent by Statistics Canada on foreign travel and associated expenditures?

2. What portion of the cost was spent on (*a*) travelling (*b*) accommodation (*c*) food (*d*) entertainment?

Hon. Michel Côté (Minister of Supply and Services): Statistics Canada reports:

1. The amount spent by Statistics Canada on foreign travel and associated expenditures in 1984-85, 1985-86 and 1986-87, including travel to the United States, is as follows:

(a)	1984-85	$ 229,165
(b)	1985-86	$ 239,228
(c)	1986-87	$ 309,820

2. The costs spent on travelling, accommodation, food, entertainment and miscellaneous are as follows:

		1984-85	1985-86	1986-87
(a)	Travelling	$ 120,219	$ 119,941	$ 151,247
(b)	Accommodation	59,810	63,645	92,372
(c)	Food	30,986	32,533	45,049
(d)	Entertainment/Hospitality	1,086	—	97
(e)	Miscellaneous	17,064	23,109	21,055

[*Translation*]

Mr. Lewis: Mr. Speaker, I would ask that the remaining questions be allowed to stand.

Mr. Speaker: The question as enumerated by the Minister has been answered. shall the remaining questions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Friday, October 16, consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I am not going to take much time of the House, but I do wish to express my objections to the thrust of Bill C-55.

As you know, Mr. Speaker, we were summoned in the midst of the summer recess in order that Parliament could deal with what the Government of the day deemed to be an emergency situation. That resulted from the fact that 174 Sikhs landed on the coast of Nova Scotia. Because of this particular matter, and the queue jumping the Government deemed to be in vogue at that point in time, it required us to return to Parliament. However, we have dealt with that particular Bill, but there are linkages to this particular piece of legislation, Bill C-55.

In my view, the thrust of the Government's legislation points out a number of serious weaknesses, for instance, the pre-screening system, the safe third country concept, the refugee board, the appeal system, as well as the precedent that Canada has set for other countries encouraging them to consider similar action by turning a blind eye to the plight of refugees. The situation with regard to refugees ought to be clear to Canadians. We are a very fortunate country to have in our midst a large number of refugees from all over the world who have come to Canada and have become exemplary citizens for all Canadians to observe and, indeed, with whom to participate and interact.

With its obvious apparent weaknesses, this Bill ought not to pass Parliament. I wish to give credit to my colleague from Toronto who has led the charge in opposition to Bill C-55. He has set out very clearly and unequivocally the objections that he and other members of our Party have with regard to Bill C-55.

It is one issue when queue-jumping takes place and individuals jump ahead of the line who are not legitimate refugees. But the over-all Canadian policy which is now codified into law, particularly an appeal system which I and many lawyers and organizations in the community at large oppose for a variety of reasons, ought to be amended and amended very clearly in order that we can improve upon that system.

In summations, I am opposed to Bill C-55 for many of the reasons which have already been announced by my colleagues in the House. Upon reflection, I would hope that the Government would change this particular Bill in order to address the very serious errors and omissions which are tied into Bill C-55.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I welcome the opportunity to make a few remarks on third reading of Bill C-55. Perhaps it might be helpful if we put this debate in the context of some other things that are happening in the House of Commons. Yesterday, tomorrow, and for the days to come this week we will be debating the Meech Lake Accord. People will be talking about their vision of Canada. They will be asking questions about what is the role of Francophones within Quebec *vis-à-vis* Anglophones within Quebec. What is the role of aboriginal peoples in Canada? How do Francophones outside Quebec fit into the total structure of Canada? We will be doing a great deal of talking about the type of vision that we have of Canada as a nation.

While we are talking about our vision of Canada, the reality of Canada is being changed for the worst by the actions of the Government. I wish to give a couple of examples. There is the free trade sell-out of Canadian interests to the United States. There was last week's jackboot type legislation that undercut the whole tenor of collective bargaining in Canada when postal workers were forced back to work. Now we have Bill C-55 which is changing the reality of Canada in terms of our traditional openness to refugees from other countries.

I wish to emphasize the present reality. Since World War II Canada has received more than 400,000 refugees from other countries. Those people have made a signal contribution to the social, economic, and political life of Canada. In recognition of the work and attitude of Canadian people toward refugees, last year the United Nations High Commissioner for Refugees presented the Canadian people with the Nansen Medal. This was a very signal honour for the Canadian people as a whole. The great majority of Canadian people support the admission of genuine refugees to Canada. They wish the abuses cleaned up, but they wish Canada to continue to receive people from other parts of the world who are in genuine need.

With Bill C-55 we are returning to some earlier attitudes. We are turning back the clock, because the present reality of openness was, of course, not always the reality in Canada. We do not need to go too far back in our history to find some pretty shocking and disgusting incidents of racism. There are situations where racism was not only an incident but was institutionalized in our laws. For example, the Oriental Exclusion Act provided that male workers from Asia could come to Canada to work, but they could not bring their families. This was a cruel type of legislation that helped to perpetuate many stereotypes about Asians. Some of those stereotypes still linger in the minds of some Canadians.

Because people from India were British subjects and hence eligible to come to Canada as immigrants, Canada took a very devious round-about way of excluding them. We passed an Order in Council which required that they come on a boat directly from India without stopping in a third country, when we knew very well that there were no direct passenger lines from India to Canada. It is the same kind of government subterfuge which we see in Bill C-55. The Order in Council eventually led to the *Kamagata Maru* incident when a boat was chartered to bring people directly from India to Vancouver, and Canadian racism erupted in a very ugly manner which eventually led to the death of a number of Sikhs.

• (1120)

I would like to give some examples of earlier racism. We know the sad story of the turning back of the *St. Louis* with Jewish refugees on board at the close of the 1930s. These people had no alternative, when Canada and other countries shut the door to them, but the Holocaust of Hitler's Europe.

We can look at the attitude exemplified by R. B. Bennett on June 7, 1928, when he was Leader of the Opposition and spoke about European immigrants in the House of Commons. He said:

> —These people—have made excellent settlers; they have kept the law; they have prospered and they are proud of Canada, but it cannot be that we must draw upon them to shape our civilization.

That kind of racism was widespread at that time. I presume that my grandparents, and perhaps even my parents, supported that kind of statement, a statement which nobody in the House would support today.

On May 1, 1947, Mackenzie King said the following in the House of Commons:

> I wish to state quite definitely that, apart from the repeal of the Chinese Immigration Act and the revocation of order in council—regarding naturalization, the government has no intention of removing the existing regulations respecting Asiatic immigration unless and until alternative measures of effective control have been worked out—

We reject that kind of open racism in Canada today, although at that time Mackenzie King was probably speaking for a fairly broad cross-section of Canadian people.

I could look at the example of my own church, the United Church of Canada. By the time the Right Reverend Hugh McLeod gave his address as Moderator in 1962, I think the United Church had far surpassed him in its openness and its attitude. However, we see in his statement some of the regrettable attitudes which continue to linger in Canada. He spoke of what he considered to be "the disproportionate influx of Roman Catholics by immigration", and said the following:

> Perhaps Roman Catholics have been the only eligible immigrants available in large numbers, and as people they are doubtless estimable and capable of greatly enriching our nation, but as members of a Church which everywhere favours the establishment of a monolithic infallible authority under Rome, they may herald and achieve the end of liberty as we have known it and as we deem it necessary for life. Some will say, "But it is different here", and to them I say, "How is it different here?"

Such statements today can only make members of the United Church embarrassed that that attitude was common within certain sectors of our church just 25 years ago. Of course, the Moderator of the United Church never spoke *ex cathedra*, but that is illustrative of a certain attitude.

There are people today who want to go back to that kind of attitude. On September 19, 1987 *The Vancouver Sun* quoted former B.C. Supreme Court Judge J. V. Clyne saying:

> I'd not want to see us cease to be a white country.

Canada never has been a white country, and I do not think it ever will be. J. V. Clyne is living in some kind of racist imagination of his own which has nothing to do with the present reality of Canada or with the kind of vision of a Canada that we want.

We have a new reality in Canada which is ashamed of the racism of the past and is open to genuine refugees. At the same time it recognizes that there has been a change in the place of origin of most refugees. After the Second World War most of them came from Europe. Around the end of the 1970s and into the early 1980s they came from southeast Asia. Today, most of the refugees who are trying to come to Canada come from Central America.

Perhaps another element of reality at which we need to look is the administrative backlog that has been built up. There has been a lack of staff. The Department of Employment and Immigration simply did not have enough people on staff to handle in a rapid and efficient manner people who came and applied for refugee status, so there were delays. As a result of the delays, people would remain in Canada for a longer period of time than what would have been expected to process their

case. Because they could stay here for such a long period, they began to use the delays and to abuse the refugee policy. Of course Portuguese Jehovah's Witnesses making false claims of persecution is a predominant example of that. Jehovah's Witnesses themselves do not give any credence to the claims of persecution in Portugal.

There has been a number of studies of the administrative backlog and what needs to be done. The best known would be the study done by Rabbi Gunther Plaut. Standing committee recommendations called for a speedier process, but one which would continue to give people due process and would continue to give them the right to a hearing within Canada, the right to appeal, and so on.

Despite the recommendations of a number of committees, the Government refused to act, and the backlog continued to grow until today when it is estimated to be somewhere between 20,000 and 30,000 people who are backlogged, still waiting to find out their final refugee determination. Some of those people are genuine refugees; some of them are bogus refugees. However, the Government's refusal to act almost indicates that it wanted the crisis to develop.

I want to suggest that Bill C-55 is not aimed primarily at the backlog or at the causes of the backlog. Bill C-55 is aimed at the perceived threat of an influx of refugee claimants from Central America via the United States. It is not aimed at bogus refugees, although it will weed out some of them, but it is aimed at genuine refugees who will also have a much more difficult time getting into Canada.

In one year Guatemala had some 400 people applying to Canada for refugee status. Some 75 per cent of these people were recognized as refugees. In fact, the repressive conditions in Guatemala and El Salvador have produced hundreds of thousands of refugees. Many of them have gone to Mexico where they must exist in absolutely deplorable conditions in refugee camps. Others have entered the United States as illegal aliens. United States policy has made it almost impossible for those people to achieve refugee status.

In 1982, some 12,000 Salvadorans applied for asylum in the United States, and only 26 were accepted. Something like .2 per cent of refugee applicants were accepted as refugees coming from El Salvador.

Last year, the United States passed legislation which provided for fines of $10,000 for anyone employing or harbouring illegal refugees. When they are caught in the United States they are returned to their country of origin. If the country happens to be El Salvador or Guatemala, the refugee returnees are liable to torture, disappearance, or death.

• (1130)

Up until this year, if those people came to Canada they could be given special ministerial permits and relatively quick entry. Then new regulations were published last spring that slammed Canadian doors. It eliminated the list of countries, including El Salvador and Guatemala, to which we would not deport people. In January and February this year 2,300 Salvadorans and 600 Guatemalans came to Canada from the United States and together with about 1,000 Chileans who arrived by air they equalled two-thirds of the refugee claimants at that time.

Professor Reg Whitaker contrasts the difference between our shabby, mean-spirited treatment of Central American refugees with our fairly generous treatment of some 60,000 refugees from Southeast Asia in 1979-80.

Mr. Whitaker asks:

> What is the difference between the enthusiastic support for refugees in 1979-1980 and the closed door of 1987? Is it economic conditions in Canada? Hardly: unemployment is not worse now than then, and inflation is a good deal lower. Nor can it be racism, for Asians were the most discriminated-against group of immigrants to Canada.
>
> There is only one difference, but it speaks volumes about Canada's vaunted international generosity. The Vietnamese and Cambodians were fleeing Communist regimes recently installed following military victories over U.S. fire power. The Latin Americans are fleeing anti-Communist regimes sponsored by the U.S. Oppression is defined in terms of where the oppressors stand in relation to the Cold War—and woe to any refugees who find themselves on the wrong side of that divide.

If the motivation for Bill C-55 and the restrictive regulations published last spring are not racism, the Government at least is using racism as a tool to push this legislation through. We saw the phony crisis that erupted this spring over the boat people when 174 Sikhs waded ashore in Nova Scotia. Canadians should be asking which is worse, genuine racism or using racism as a tool? I suggest that this Government has been using racism as a tool to pass repressive legislation.

An Hon. Member: False.

Mr. Manly: There was a backlog, which the Government allowed to develop of some 20,000 to 30,000 people in the system and then suddenly when 174 people who happen to be Sikhs came ashore in Nova Scotia the Government discovered that it had a crisis. There were all kinds of inflammatory statements made by Members on that side of the House and members of the press who whipped up the situation.

Mr. Malone: False.

Mr. Manly: The Government called the House of Commons back into session to deal with what was perceived as a crisis. Bill C-84 was introduced. The Government attempted to get Bill C-55 passed in that mood of crisis although the Government had known of the backlog of some 20,000 to 30,000 people for a number of years. It is despicable the way the Government has handled the whole business of using 174 Sikhs to whip anti-refugee sentiment in Canada in order to get this Bill passed.

When the Government introduced it, every knowledgeable group—churches, bar associations and refugee assistance organizations—opposed it and detailed the problems with it. Instead of having a reasoned debate and attempting to make

reasoned and reasonable amendments, the Government has attempted to push the Bill through.

Bill C-55 is not the answer to the backlog problem. It hits out at the wrong people. The legislative committees on Bill C-55 and on Bill C-84 were forced to meet while one was being debated in the House. That put a tremendous amount of pressure upon the critics, the Hon. Member for Spadina (Mr. Heap) for our Party and the Hon. Member for York West (Mr. Marchi) for the Liberal Party. It was unfair to the critics and unfair to the witnesses who appeared before the committee who were trying to make their case. The Government attempted to force the legislation through with a hothouse atmosphere. Of course, it did not work.

Major concerns remain even after the Government introduced some minor amendments. These major concerns remain. As Ms. Kutz-Harder from the Inter-Church Committee for Refugees pointed out to the legislative committee:

> A few minor amendments cannot rectify the fundamental flaws of the current Bill C-55.
>
> We have reviewed the attempts by several groups to propose amendments which try to make sense of Bill C-55 and make it workable and just. However, clause by clause amendments cannot correct the fundamental flaws of the Bill.
>
> We ask the Government to begin again in the face of a more just and more viable alternative. The most responsible action which this legislative committee could take would be to make the recommendation that the Government reconsider and replace this Bill with legislation consistent with the widely supported alternative procedure, which would better protect genuine refugees and certainly deter abuse.

In its present form, Bill C-55 still gives immigration officials the power to screen out refugee applicants before they get a chance to make their case to the refugee division. It still denies them the right to a proper appeal process.

I would like to close by giving the last word to Victor Velasquez, Vice-President of the Canadian Hispanic Congress who said:

> We are convinced that the Bill worsens the situation of genuine refugees and makes protection for them almost inaccessible and practically illusory. We are facing an abuse psychosis and we are forgetting the universal values that we should maintain as human beings in dealing with other human beings who are fleeing from repression and death.

That is the reality of refugees in our world. Bill C-55 neglects that reality. It is trying to change the reality of Canada as being a relatively open decent society into being one of a closed door with a closed mentality.

I urge the Government to consider again whether it wants to enforce this kind of repressive reality upon Canada in 1987.

Mr. Heap: Mr. Speaker, I was interested in the remarks of the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) and, in particular, his remarks about what has been called the Sikh boat load and his suggestion that the Government used the occasion of that to promote racism as fuel for this legislation to pass. I would like to ask the Member to comment on another aspect of that same situation.

Throughout the year we have had growing suggestions associating refugee claimants with terrorism. There were a number of unfounded accusations. For example, *Maclean's* published that 33 of those people had criminal records. When the former chairman of the Standing Committee on Labour, Employment and Immigration, the Hon. Member for Calgary West (Mr. Hawkes), went on the air the day Bill C-84 was tabled, he made the astonishing statement that the Bill is not about refugees but security. He suggested that refugees are security risks or may well be.

In light of the fact that the RCMP then testified to our committee that in relation to the 11,000 people which the RCMP had to examine last year and up to August this year. having no regular visas, there was no evidence of a threat to Canada and that included the Tamil and the Sihks boats, would the Hon. Member comment on how he finds the public perception of the Government's words in cases like that relating terrorism to refugee claimants? Has this done any damage to the public acceptance of refugees?

Mr. Manly: Of course it has, Mr. Speaker. We need only to recall that the first person of the 174 from the boat load dealt with by the authorities before being released to the general public was the person with the highest profile and about whom the most questions were asked as to whether or not the individual might have some unsavory and possible terrorist connections. The Government zeroed in on the person with the highest profile first to get the maximum kind of—

• (1140)

Mr. Malone: You're imputing motives.

Mr. Manly: Yes, I am imputing motives. I think the motives of this Government are reprehensible and the Canadian people will judge it on those motives.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I think that Canadians want a fair and reasonable system for dealing with refugees. I think Canadians want a system that is consistent with our international obligations and the Charter of Rights. Unfortunately, the Bill C-55 before us today, is not that kind of legislation.

Yes, we do have a problem with bogus refugees. We are very well aware of that problem. That problem has arisen because the system has broken down under the weight of paper, memos and files going back and forth. It is a lousy system and people who work in the system know it is a lousy system.

Many recommendations have been made to improve the system. Since it has broken down it has provided people an opportunity to take advantage of it, and there have been bogus refugee claims. The bogus claimants have felt safe to remain in Canada for a very long period of time under the current inefficient system while waiting for the processing of their bogus claims.

I share the concerns of my constituents and the concerns of many Canadians who feel that radical change is needed. Nonetheless, I cannot support this Bill because it will not attack that problem. What it will attack is genuine refugees. I think we will have on our consciences, if this Bill passes, that some genuine refugees will be turned away and returned to countries which are not safe. They will then be sent back to their own countries which they fled in the first place. We have to keep in mind that this inhumane Bill means that some people will die and some people will be tortured.

In my riding, there are a large number of immigrants. Many people are trying to get relatives into Canada legitimately, using the proper channels, and it is very frustrating for them to see other people make bogus refugee claims. That is a perfectly proper concern. We would like to see improvements made in the processing of immigrants and certainly in the processing of family reunification cases. That would be fair and highly desirable, but having an unfair process for refugees does not help immigrants either. It simply creates bad feelings.

I am pleased to see in my own riding that refugees are a matter of concern. A number of local churches have supported refugees. There are local committees on refugees and local agencies, and churches have sponsored particular families. The Woodgreen Community Centre Red Door program and St. John's Presbyterian Church have sponsored refugee families. My own church, St. Barnabas, has recently sponsored a refugee family which is integrating very well, considering their situation of confusion and desperation until they can get their long-term problems sorted out. In the meantime they are being treated well as refugees and their needs are being looked after. The Judgment Centre for Social Faith and Responsibility deals with the refugee question and indeed has come up with a number of proposals for better ways to change our laws.

I would like a take a few moments to look at what happened to get us in the mess we are in and why we need to have a better system. Canada's present law, the 1976 Immigration Act, provides for a system for the examination of claimants and decisions by the Refugee Status Advisory Committee. It is a very cumbersome process. It has broken down because the number of claimants increases faster than the number of staff members needed to deal with the cases, so a great backlog has developed. Once the backlog developed, people knew it would be a couple of years before their claims would be processed and they began to take advantage of that.

There are fraudulent immigration consultants offering services and charging very high fees to people wanting to make use of their services to get into Canada in the hope that they will be able to get themselves settled while they are moving slowly through this very cumbersome procedure. The case of the fraudulent Jehovah's Witnesses from Portugal certainly shocked people. Yet when this happened, did the Government do anything about it? It waited for months before it even acted. The Government delayed imposing a visa requirement for 14 months after the scam was discovered, and 3,500 bogus claimants apparently managed to make their way in.

The Government has only itself to blame for this great pile-up of bogus refugees. It has not acted promptly. The law does need revision. The Standing Committee on Labour, Employment and Immigration tabled a report in 1985, as a result of a study. This report proposes a swift, fair system of refugee status determination. The report proposes that a refugee claimant be sent directly to a refugee board without immigration procedures first. The refugee board would consist of people who would be trained to recognize legitimate refugee claims and a decision would then be made by them.

The Government was required to reply to the report four months after it was submitted, but it has never replied comprehensively to the report. Instead of dealing with these quite reasonable recommendations, it brought in its own Bill C-55. This Bill, if it is passed, would send a refugee claimant first to an immigration inquiry to determine whether or not there is any reason not to remove him or her. The immigration adjudicator, a member of the refugee division at this inquiry, examines only for the criteria of eligibility and credibility. This means that he does not judge the merits of the refugee's case itself, but only whether the claimant could have been safe in another country through which he passed and whether he could be removed to that other country.

What is wrong with this, of course, is that there is no guarantee, if the person is deported to the safe country from which he came, that he will be able to stay in that country. Of course, the prime example of this is Latin American refugees who go first to the United States. The United States is deporting refugees to countries where there are reprisals, torture and the disappearance of persons. While the United States will not harm these people directly, it will deport them to a place that will. Canada would then be doing indirectly, by deporting to the United States, what in good conscience we could not do and what would be so clearly and flagrantly contrary to our international obligations as a member of the United Nations. We could not deport people directly to a country where they are being persecuted but some of those people will, by being deported, indirectly end up back in those countries.

The New Democrats very strenuously oppose Bill C-55. It does have a few good points which have been remarked upon by other speakers. But I want to focus my remarks on what is very wrong with this Bill and how it goes completely against the obligations we have undertaken under the United Nations Convention that requires that everyone be accorded the right to make a refugee claim.

The United Nations Charter of Human Rights says that every persecuted person has the right to seek the protection of another Government. The Supreme Court of Canada decision in the Singh case in April of 1985 said that on the basis of the Charter everyone physically in Canada who makes a refugee claim has the right to be heard in person by the body that will decide the merits of the case. This Bill would certainly go against the rationale of that decision. The Charter of Rights also guarantees the right of access to counsel and there is a

right of appeal implicit in Canadian law which may be defended on Charter grounds.

• (1150)

Bill C-55 provides the right to appeal on only the most narrow and technical grounds, and limits the right to counsel. Counsel may not be legal counsel or counsel of the person's choice; counsel may be appointed, which would certainly not fulfill the requirements of the Charter of Rights.

Many Canadians have raised objections to Bill C-55. The Catholic Bishops have very strongly asserted their opposition to the injustice of this Bill. They say:

[*Translation*]

> The Bill presented to Canadians fails to abide by any of the principles we have always supported. It is also regressive as far as our international responsibilities are concerned. Furthermore, it is unfair to refugees and to other countries of first asylum that are already overburdened.

[*English*]

The Canadian Conference of Catholic Bishops called instead for legislation which would give all claimants access to a full, fair, and independent hearing with a meaningful appeal procedure which would deal with the substance, something which Bill C-55 does not do. The Conference notes that this is a departure from our international obligations and how unfair it is to send refugees back to the country from which they came directly to Canada because these countries themselves are often very overburdened with refugees. Canada is exporting a problem which we are certainly able to handle as a relatively well off and well organized country.

According to the Canadian Conference of Catholic Bishops there is a false premise that Bill C-55 will protect genuine refugees. It will not do that. They say that the preliminary hearing is no more than an elaborate mechanical screening. They note that the abuses which are alleged and are the pretext for Bill C-55 are entirely the result of delays in reforming the present system. The answer, therefore, is to reform the present system.

Finally, they state that they will resist with unflagging determination the concept that this compromise is just for refugees. Refugees are among the most powerless people in today's world. We all know that to be the case. They are exploited, oppressed and fearful. When they arrive they have to make decisions and have decisions made on their behalf at a time of acute stress for them.

Rabbi Gunther Plaut is very well known for his work on refugees. He is a Canadian, having come here as a refugee. He has called for humane refugee procedures which will respect our international obligations. In *Heart of the Stranger*, a report on refugees, he stated:

> We have a Bill that was constructed by the Commission of Employment and Immigration and is brought forward as the will of the people . . . . This Bill has the wrong focus. It is not a Bill to determine refugee status primarily: it is a Bill on how to deport people primarily . . . . It is filled with constitutional problems. The process it proposes is not shorter but longer.

Unfortunately, all of that is true. All of these criticisms are perfectly correct and are shared by many Canadians; experts, voluntary groups, church groups, and many others who are concerned that Canada live up to its obligations.

The Jesuit Centre for Social Faith and Justice, which is based in my own riding but which, of course, has a mandate much beyond that, has come forward with many recommendations on how to deal with the situation and supports the previous Standing Committee on Labour, Employment and Immigration approach which was a much more humane and probably more efficient approach.

The first step that they propose is that the claimant be examined by an immigration officer and referred for inquiry. Second, there would be a hearing before a two-person board which would be held within two weeks and the decision would be immediate. This would cut through the problem of cases piling up for two or three years which makes it possible for bogus refugees to take advantage of the system. Third, if the person is refused he or she could apply for a review to a centralized review board. Again, a decision would be anticipated within weeks. Therefore, an appeal would be allowed but it would be a speedy procedure. Fourth, if the person's appeal was refused, the person could appeal on legal grounds to the Federal Court. There are only four steps. Everyone would get a hearing and it need not take a very long time.

The Jesuit Centre for Social Faith and Justice notes all of the problems associated with the lack of access to counsel. They note the problem, with which anyone who has worked with refugees is familiar, that the person needs a bit of time to find out what is happening. Genuine refugees are scared and upset when they arrive. They may be ill. They have all kinds of problems. In order to make such fundamental decisions they need time to talk to people, to establish trust, and to know whether the advice they are getting is reasonable.

These people have been abused by the authorities of their own countries. They need time to figure out what authority figures can be trusted and where they can get fair advice. The procedure proposed in this legislation does not allow for that. They would be put through the procedure without counsel of their own choice. They would have to make a claim instantly and would have to make decisions before they are properly prepared to do so.

If the credible basis test fails a person can be deported back to the country for which they feel persecution without a full hearing. What is the credible basis and how accurate are the Government's criteria? We know that the Government can make mistakes in these matters. We know that for a number of months Chile was not considered to be an unsafe country. Instead of looking at the person's actual situation there is an objective list. The list can be out of date and the person's circumstances may be different from those of other people. There is no provisions in Bill C-55 for examining the actual circumstances of an individual.

We need a crackdown on abuse. We want a better and more efficient system which works speedily, but it must have proper procedures for control as well. It must have proper appeal procedures, opportunity for counsel, et cetera.

I would like to say a little about the Government's approach to this issue. I am very concerned about the approach contained in Bills C-84 and C-55. This is Draconian and very cynical legislation. It foments bad feelings. At a time when we have unemployment and other difficulties the Government is taking a get-tough approach. With bogus refugees, ambiguous situations, and growing numbers of refugees the Government wants to get tough.

Only very recently Canada became humane in its refugee determination process. We have a sorry history in this regard. We have turned away Jews and Sihks who were persecuted when they returned to their countries. Frankly, we had a racist immigration policy until very recently which, of course, also affected the refugee process. However, Canada finally did sign and ratify the United Nations Convention on Refugees and has done some very good work on refugees. We accepted a large number of people from Southeast Asia and dealt with them in a very humane way.

In the meantime Canada has changed. With Bills C-55 and C-84 we are taking a big step backwards. Instead of building on Canada's recent steps toward being humane, generous, reasonable, and exercising our international obligations, we are going backwards. This is unfortunate.

• (1200)

I call on the Government to live up to its commitments, to show leadership, and not be cynical. I call on it to reconsider and replace Bill C-55 with legislation that would be humane and just, in accord with our principles in the Charter and with the United Nations Convention.

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I cannot really say that I am glad to take part in this debate because this legislation is so poor that one would rather not see it before the House. However, I will share a few of my thoughts about the Bill.

In August the Government called Parliament back for an emergency session in order to deal with refugees. We are still here many weeks later dealing with legislation that I believe is politically motivated.

While we are dealing with two pieces of legislation concerning refugees, Bill C-55, which concerns the over-all refugee system, and Bill C-86 which deals more specifically dealing with people arriving here by boat with seeming impunity, we are essentially with one issue. That issue is the fairness of our immigration and refugee systems. The events which have occurred in the last while have caused Canadians to put in doubt our refugee and immigration systems. Many Canadians have the impression that the system is open to abuse because many have spent years trying to gain access to this country for their relatives only to be frustrated in the majority of cases, and suddenly they see refugees getting on a boat and being able to come to Canada where the doors are open to them. People have felt that this is unfair and have demanded that the Government take the appropriate action.

The Government studied the situation and decided that this was a political opportunity to show Canadians that it was responding to their sentiments. Therefore, it drafted some very tough legislation and the Prime Minister (Mr. Mulroney) announced that he would call back Parliament for an emergency sitting to deal with queue-jumping and the fact that so-called refugees were getting through an open door while the relatives of other Canadians could not get into Canada. According to parliamentary reform, the House is not supposed to sit during July and August. Yet, the Prime Minister disregarded this and announced that he was calling an emergency session of Parliament so that he could appear to be taking action and showing strong leadership.

It is interesting to note that the Government called back Parliament last summer as well, in a similar situation, choosing to serve its own political interests rather than respect parliamentary reform and follow the parliamentary calendar upon which we all agreed. Of course, the Government is taking every political opportunity it can, because it is so low in the polls it is afraid it will never regain its standing.

Mr. Nickerson: We are rapidly gaining.

Mr. Keeper: I hear a faint echo that the Conservatives are rapidly gaining. It depends whose poll one reads.

It took the Prime Minister 10 days after his announcement to call the emergency session of Parliament. The Deputy Prime Minister (Mr. Mazankowski) explained that the Prime Minister did not have time to write the appropriate letter. However, one would assume that an emergency session of Parliament is meant to deal with an emergency situation.

While the Prime Minister eventually found the time to write the letter in order to call back Parliament, summer has long since passed and the leaves are turning colour. It will not be long until we feel the cold winds of winter, yet we are still in an emergency session, presumably to deal with the emergency.

The fact is that we have dealt with many other pieces of legislation since we have returned. Furthermore, Question Period has functioned in the normal fashion, during which we have dealt with the issues that appear on the front page of *The Globe and Mail*. In other words, we have been proceeding with the normal day-to-day work of the House of Commons.

Mr. Heap: Was Meech Lake an emergency?

Mr. Keeper: My colleagues asks whether the Meech Lake Accord is an emergency. We dealt with that question yesterday and will be dealing with it in the days to come. Obviously that question must be dealt with, but surely it is not an

emergency and not the reason that the Prime Minister called back the House of Commons.

When one considers the delay in calling back the House of Commons and the fact that the Government introduced other business that takes place in a normal session of Parliament, one must question whether the Government really called back Parliament in order to deal with an emergency. Rather, it raises the possibility that the Government was trying to take advantage of a political opportunity as a result of the hysteria and fear developing among Canadians because of the arrival of refugees to this country in boats operated by private contractors.

Clearly, the way this question has been handled in Parliament indicates that the only emergency was for the Government to take advantage of a political opportunity. I question whether the Government is dealing with an emergency when we are here going about the normal work of Parliament on a day-to-day basis.

Let me deal more specifically with Bill C-55.

Mr. Friesen: It is about time.

Mr. Keeper: My colleague wants to hear about Bill C-55. I will certainly give him my analysis and hope that he will meet the challenge and speak to the Bill himself in order to explain his point of view.

• (1210)

Our Party believes that where the refugee system is being abused there is a need for change, but there are ways of changing the system that are fair. There is a need to take action with regard to the refugee determination system. Certainly the backlog which exists in the refugee determination system indicates that the system is not up to par and must be reformed. We support change in this area.

However, once again, rather than reforming the substance of the refugee determination system, rather than changing the system to bring about better results, it appears that the Government is grasping at straws, seeking to grab a political opportunity. The Government came in with heavy-handed legislation, with a sledge-hammer, and really sought to give the impression to Canadians that it is going to be tough on the abusers of the system. There is nothing wrong with being firm, in playing the tough guy role, but if one goes too far and puts at risk the possibility of genuine refugees coming into this country, people who are seeking a safe haven, then the Government itself begins to abuse the refugee determination system by using it for political purposes.

In effect, what the Government has done is said to the Canadian people, "We are going to be tough on abusers". In order to sustain that impression it has brought in legislation so sweeping in its implications that it has put in doubt the opportunity of people who are not abusers, but who are in genuine need of protection, of coming into this country. This is an important point.

Canadians are a generous and compassionate people. For years they have had a reputation of being open to people from other parts of the world when there was a need. Canada is a nation of immigrants, for the most part. Canadians want to help other people who are in danger when it is possible. They want to help people whose lives are at risk. Obviously, they do not want someone coming along and telling a big story just to get into the country, someone who could not normally get into this country. That is not what we are talking about. We are talking about people who are in genuine danger, who are living in some of the countries in Latin America where their lives are at risk because of civil war, those who have decided they are no longer willing to put up with dictatorial regimes and have struggled to overthrow those regimes and, in the process of doing that, have put their lives at risk. These people must seek refuge elsewhere, a safe haven, and Canadians have provided that safe haven. We do not want the system to be abused. We want to be able to continue to offer a safe haven to people who need it.

This legislation allows the Government to play the tough guy. We do not mind if it wants to play the tough guy as long as it does not carry it so far that it actually begins to hurt people. The problem is that the Government has carried it too far. This legislation has a number of key faults, one of which is that people will not be accepted as refugees if they come here from a country that is considered to be a safe country. For example, there are people from a Central American country who are temporarily in the United States and want to come to Canada because the United States will not give them haven because of the attitude of its president, Ronald Reagan. This provision puts the safety of these people in doubt.

Mr. Friesen: Are you sure about that? Ask your neighbour if you are accurate.

Mr. Keeper: I hear the heckling and I appreciate the effort to engage in debate. I would urge the Hon. Member to rise at the end of my comments and enter a full speech on the record—give us his wisdom. We will certainly listen. We are prepared to hear him out because we want the full light of debate to be put on this legislation.

What I am saying is that it is likely that a Canadian Government in establishing what are safe countries would consider the United States to be a safe country. It would certainly be surprising if a Canadian Government in its refugee legislation was to say that the United States was not a safe country. I think that would shock most ordinary Canadians. It might even have a diplomatic repercussion for Canada. Who knows, Ronald Reagan might even tear up the free trade deal and go off in a huff someplace, which would not be a bad thing.

It is likely that the United States would be considered a safe country, yet we know that for people coming from Central American countries, where the United States is involved in its civil conflict, the doors are not open. The American administration really does not consider those people to be refugees.

Yet they are refugees in the international sense of the word, in the sense that their lives are in danger through political conflict in their own countries.

These people are in need of safe haven. They should be able to have an adequate hearing in this country, and if their case is genuine we can open our doors to them. This law is flawed and this is one of the specific ways in which it is flawed. Another flaw is that there is no assurance in this legislation that someone will in fact receive a hearing, that they will be able to tell their story, make their case and indicate the reasons why Canada should accept them as political refugees. There is no assurance that they will have such a hearing. In fact, this legislation has a provision under which many people would be screened out before they could even get to Canada to receive a proper hearing. This legislation is seriously flawed.

It is important to realize that Canadians not only are generous and compassionate when it comes to people needing refuge, we have an international reputation as being a fair and just country. This reputation has been muddied by the international critiques of this legislation. Agencies of the United Nations have said, "Hold it, Canada. This legislation looks like it is going to do harm to genuine refugees. It looks like it is unfair". When an international body such as the United Nations says to take another look at our legislation, the Government ought to do so.

• (1220)

In closing, I wish to say that we were recalled for an emergency session in order to deal with refugees and queue jumping. While we wish the abuses of the system to be eliminated, at the same time we wish Canada to maintain its tradition as a compassionate country that has an open door to people who are in genuine danger and who need a safe haven. This legislation fails to meet those criteria, or meet that test. This legislation gives us a black eye internationally. This legislation has not been brought in to reform the refugee system. The only conclusion I can come to is that it was brought in to bolster the political agenda of the Government, for it to take advantage of a political opportunity to play the tough-guy role on the national stage in order to bolster its Gallop and Angus Reid ratings.

Mr. Hockin: Speak to the Bill.

Mr. Keeper: An Hon. Member has stated "speak to the Bill". I invite the Hon. Member and his Conservative colleagues who are heckling me to rise in the House and speak to the Bill. We will listen to what they have to say. Let them rise and add to the discussions and debate on this Bill. These are important matters, and we have raised crucial questions on the fundamental fairness of this legislation, as have international bodies such as the United Nations. I challenge Conservative Members to rise in the House and refute what we have said. If they cannot refute it, withdraw the legislation.

Mr. Heap: The Hon. Member has referred to the public excitement and anger surrounding the arrival of the boat load of Sikhs in the summer. I am wondering if the Hon. Member can tell us the responses of the people in his own constituency, or in the parts of Winnipeg that he knows, both immediately in the first few days following that incident and since then. The reason I ask is that my own experience was that constituents in Spadina were not nearly as upset at the outset as we have been told in general, and furthermore when they had a chance to learn more about the facts of the case they were even less upset by the arrival of the boat load, but became more upset by the legislation.

I received plenty of phone calls, but they were mostly from people in constituencies represented by Conservative Members of Parliament. Certainly in some cases it was quite evident that they had been put up to it by their Conservative Member who claimed, quite falsely, that the NDP and the Liberals had blocked Bill C-55 in the spring. Of course that is ridiculous since we have only a quarter of the votes we could not do that. The Government had not even tried to have more than three hours of debate on the Bill.

I found that there was not nearly the spontaneous anger at the Sikh boat load, at least in my part of Toronto, that some people had claimed there was all over the country. I would be interested to know what the Hon. Member can tell us of the opinions, both during the summer and at this time, of the people in his riding; church people, non-church people, people with knowledge of those matters, or people who receive their information from the front page of the paper or from television.

Mr. Keeper: I thank my colleague for his question. Clearly this legislation and the events that led up to it require sober reflection. Early in the summer many headlines and television newscasts focused upon the boat people, and the people who were coming into the country. I must say that that type of coverage caused concern, certainly in the short term. I think that the Government saw that. Of course, there was much more hullabaloo and excitement in the press than at the grass roots level. That is not to say that there were not individuals who were generally concerned. A lot of people who were concerned were immigrant people who felt that, after struggling themselves to get their relatives into Canada, it was not fair that someone should be able to come in the back door without getting into line.

I found that as I talked to people and as they became aware of the contents of the legislation, they agreed that the legislation should not be so Draconian that it closes out or puts at genuine risk the possibility of real refugees coming into the country. People wished the abuses dealt with, but they certainly did not want the Draconian type of legislation that the Government has brought in.

The people have also begun to see through the smokescreen of the Government that, while it has been seeking to focus their attention upon refugee abusers, it has done nothing on

the central concern of the people in my riding which is family reunification. The Government has done nothing to make it easier for people to bring their relatives to this country. That is where their genuine need lies, and what they wish to see the Government act upon. Even during the hottest moments of the discussion their concern was on family reunification because they were looking at it from a fairness point of view.

There are many people in my riding who follow refugee, immigration and justice matters on a regular basis, particularly people who are involved in the churches. They were shocked and outraged by the legislation. They were disgusted. I do not know the correct word to use to describe how they felt about this legislation. Clearly they were saying that the Government has gone too far. It has gone beyond what is acceptable to Canadians. It is fine for the Government to play politics, but when it goes as far as to bring in the type of legislation that we have in the House today, legislation which will make it doubtful that even genuine refugees can gain access to Canada, then they say that the Government has gone too far, it should back off, and reconsider what is being done.

Mr. Hovdebo: I wish to follow up on that particular train of thought. I found that a great number of people were concerned about queue-jumping. Perhaps the Hon. Member can shed some light on this. My understanding is that the queue for refugee claimants is quite a different queue than the one for regular immigrants, family reunification, business, or commercial entrants. Therefore, even the refugees coming in on the boats were not actually displacing any person in a particular queue. I wonder if the Hon. Member would comment on that.

Mr. Keeper: My colleague has raised an excellent point. It brings some facts to this discussion. The reality and the fact is that no one's place in the line to bring in a relative for family reunification was disturbed by the entry of refugees into this country. In fact, if I understand correctly the comments of my colleague, who is a critic in this area and whom I have heard speak on previous occasions, the line for refugees was not full. In other words, there was still room under the allocations. I would think the same thing would apply under family reunification.

The point is that there are two different lines, two different movie houses. Those people who were coming in as refugees did not in any way retard the entry of anyone's relative. That is not to deny the point that Canadians, particularly Canadians of immigrant origin attempting to get their family members into this country, are not having a hard time. It is like dealing with a brick wall.

• (1230)

The Government has made as much a mess of its family reunification program as it has of the refugee determination process. While it is playing politics on the backs of refugees and putting at risk genuine refugees, when it comes to family reunification the Government is being hard-nosed and is not demonstrating any generosity of spirit.

Most Canadians would agree that preference should be given to the family or relatives wanting to join immigrants living in Canada.

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, the Government brought the House back several months ago—it seems almost like a year ago but it cannot be that long—to deal with a refugee crisis. It claimed that the crisis would be dealt with on an emergency basis by Bill C-84, an Act to amend the Immigration Act. Today we are talking about Bill C-55, which is also an Act to amend the Immigration Act.

The two Bills were supposed to deal with the so-called emergency. Bill C-84 was supposed to keep people offshore who wanted to get into Canada. It was supposed to keep the door locked. Bill C-55 was supposed to deal with immigrants who managed to land in Canada. The intent of the Bill was to deal with immigrants, refugees, or whoever got into Canada, and to establish ways in which to send such people back.

As I say, we have two pieces of legislation. One is intended to keep them offshore and the other is intended to send them back if they get into Canada. That seems to be the main intent of the two Bills.

We should be looking at what Canadians expect from this kind of legislation or from any Government that is dealing with people. That is what we are dealing with here. We are not dealing with something nebulous which came in from Mars or from anywhere else. We are dealing with people who inhabit and share the planet Earth with us. They expect compassion and knowledge of the situation from any Government dealing with people. They expect the Government to have a listening ear in terms of their concerns, complaints, and the conditions under which they survived and which sent them to us. They also expect such a Government to make judgment on the basis of what it hears with a certain amount of compassion.

Canadians would also expect a very logical approach in legislation which recognizes and understands the problem being solved or supposedly solved by the proposed legislation. They would expect sensibility or a lot of common sense in dealing with these situations and with people in such a way that it arrives at a logical answer to most questions.

Last, and perhaps most important, they expect a certain amount of sensitivity to the needs of the people who are trying to get into Canada. In many cases they have been forced out of their homelands or have found themselves to be in danger. It should also have sensitivity to the fact that if they are arriving at our shores they may not have the kind of documentation or the kind of attitude which we would think is particularly good.

If any of us found ourselves to be in a position where we had to impress someone so that we could remain in Canada, we would be under such pressure that we might say and do things that would not help us along. We would not be ready for the kind of pressure put upon us and, consequently, the pressure would expand and have a real effect on us.

The Bills, the Government, and the bureaucrats should be sensitive to these facts. However, neither Bill C-84 nor Bill C-55 take into consideration any of the things we would expect in legislation dealing with people. It is not legislation which deals with money or property; it is legislation which deals with people, fellow inhabitants of this planet. We do not find compassion, logical approaches to the problems, common sense or sensible solutions, or sensitivity to the needs of people in these Bills.

Although Bill C-55 may have some very good points in terms of dealing with the problems which all of us recognize, it does not fulfill the expectations of people in terms of dealing with immigrants and refugees.

For years Canada has had a policy of welcoming immigrants and refugees according to processes established by law. These procedures were intended to limit abuse of the laws so that there would be no interference with the proper acceptance of immigrants and refugees. We in the New Democratic Party—and particularly our critic who has spent much time on it—know that the system broke down because too many people were coming into Canada. We also know that there was a need to change it and that it broke down because there were changes in the world structure. Refugees were being produced around the world at a much greater rate than we had ever seen before. Also, refugees who had been going to other parts of the world, such as Europe and Third World countries to a great extent, were not being accepted any longer. As well, because of economic situations and starvation in other parts of the world refugees were being created faster than other parts of the world could accept them.

It is interesting to look at the kind of situation which creates refugees or at the number of refugees which are being created every day. In the eyes of the Government, and in the eyes of many people, 174 people landing off the shores of Nova Scotia constituted a crisis about which something had to be done. It resulted in Bill C-84, and Bill C-55 which had been introduced earlier.

I think it is important to put before the House and before the people of Canada the fact that every day for 365 days per year for the last 30 years an average of 700 people have become refugees. These figures are important to know. For instance, today in Central America there are one and a half million refugees. There are two million Palestinian refugees in the Middle East, and some of those refugees from Israel, the Gaza Strip or Jordan are second and third generation. Three million Afghans have fled to Pakistan and Iran since the Russians invaded Afghanistan in 1979. Some two million people were displaced in Vietnam, Kampuchea and Laos over the last 10 years. In 1980 to 1985 some 400,000 people were forced to flee from Uganda. Millions of Africans have been displaced by war, internal oppression, famine and ecological disasters, such as the advance of the Sahel.

• (1240)

All of these are ways in which people become refugees and we think here in Canada—one of the richest countries in the world if not the richest—that when 174 refugees land off the coast of Nova Scotia that constitutes a crisis which requires Draconian legislation to ensure that it does not happen again. Compare the 174 refugees in Canada to the 400,000 who have been forced into refugee status by the famine in Africa.

Where are these millions of refugees going about whom I have spoken? Some of them are coming here but most are going to Third World countries. The average income of the inhabitants of those Third World countries is about $700 a year. I think that should give us a pretty good idea of what kind of a crisis there is with immigration and refugees in Canada. The basis of the Government's reaction to it should be looked at very closely. Can it be considered anywhere near a crisis? Obviously not.

If you were living in Malaysia over the last 10 years, Mr. Speaker, you would have expected 20 times as many boat people to land on those shores or on the shores of Hong Kong, if they could get that far, or on any islands surrounding that area. Every day in the summer 20 times as many as the 174 who landed in Nova Scotia land in Malaysia. If we have a crisis, then their crisis must be devastating.

Our Government decided, however, that there was a crisis and we would have to shut the doors as quickly as possible. As far as I know, no Canadian, outside of this Parliament possibly, has ever suggested that we leave the doors absolutely open to refugees and immigrants. Canadians have suggested some kind of control. That control has been set up and it has worked fairly well.

I know the Hon. Member for Winnipeg North Centre (Mr. Keeper) talked about the slowness of family reunification which has been a problem. But still that aspect of immigration has moved along. A certain number have been allowed each year, but the process is slow and needs to be improved.

No one is suggesting that we shut the doors entirely. We are suggesting that we look at the existing structure, what is the Immigration Act, what is being supposedly amended and improved by Bills C-55 and C-84. We should find out whether they actually do what is intended to be done. We find that even as certain objectives and recognition of responsibility are stated as far as Canada is concerned, those two Bills, Bill C-55 in particular, do not do what those objectives say they should.

I think I should spend a little of my time looking at the real faults, recognizing that the Government tried, and we appreciate that, to improve Bill C-55. Unfortunately, the concerns that we, the church groups and immigration groups had back in May when the Bill was before the House still remain. The Government has not dealt with them. The Government used the 174 refugees arriving off the shores of Nova Scotia as a reason to bring Bill C-55 into the emergency session practically unchanged. The Government did not deal with the concerns

expressed by churches, refugee groups, lawyers and people helping refugees.

Mr. Friesen: That is not accurate.

Mr. Hovdebo: The Government did not change the Bill enough to alleviate those concerns. The shortcomings are still in the Bill. I suppose we could go over many of the faults in the Bill. First, the one that concerned most people last spring was the denial of the right to be heard. That position was not dealt with in Bill C-55. Nor is it in the changes to the Bill. I know that during 44.5 hours of testimony most people addressed the issue of the right to be heard, but did they not change the position of the Government. Consequently, the situation was not changed.

The UN covenant and protocol relating to the status of refugees signed by Canada in 1967 in Article 33 states that no country shall expel or return a refugee in any manner whatsoever to the frontiers of territories when his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular group or social opinion. The recognized logic of this is that Canada has solemnly agreed that no one who is inside our borders who claims to be a refugee will be shipped out unless and until Canada has decided that the person's claim is unfounded.

• (1250)

We are now setting up a situation which makes it impossible for many people who would claim refugee status in Canada to be heard by the Canadian people. These two Bills will send them away as they come offshore or as they enter the country, even if they have not had an opportunity to be heard. In doing so, we are in contravention of the Convention because this violates Article 33.

Those are the kinds of things which have made me, other members of my Party and members of the public decide that this Bill should be withdrawn to allow us the opportunity to make the kind of changes that will make the system compassionate and humane.

Mr. Keeper: I have just answered some correspondence from residents of my riding and I have a letter here from a Mr. David Bergen of Langside Street in Winnipeg. He takes aim at the Government on a number of issues and says:

—the issue which is uppermost in my mind right now . . . is the Government's anti-refugee and anti-immigration attitude. I feel that the Tories are using the recent arrival of Sikh boat people to stir up racial prejudice and to provide a pretext for closing the door to thousands of legitimate refugees whom Canada is duty bound to accept under the United Nations accord. I fear that Bill C-55 (or the new version of it that the Government seems in such a hurry to get passed) will result in the exclusion of large numbers of people fleeing persecution, especially those refugees fleeing from El Salvador and Guatemala. Most of these refugees have no choice but to pass through the U.S. on their way to Canada, but under the new legislation they would be deported because the U.S. is a "safe country"—ignoring the fact that Salvadoran and other Central American refugees are being deported from the U.S. because the American Government does not acknowledge that a human rights problem exists in those countries whose governments it is propping up.

I also note that the American Civil Liberties Union has found at least 50 cases of people who have been returned to their countries of origin from the United States being killed in El Salvador and neighbouring countries.

I wonder if my colleague would like to comment on the concerns my constituent raised about this legislation. It sure does not sound like the attitude the Government thinks all Canadians have with regard to the refugee determination process.

Mr. Hovdebo: Mr. Speaker, the denial of the rights of refugee claimants to be heard means that they will be shipped offshore before they are heard. The first test of whether or not they shall be accepted and heard in Canada is the determination that they may have come through what are considered to be a safe third countries. That is what concerns the constituent who wrote to the Hon. Member.

The decision of whether or not a country is a safe third country is done mechanically. The bureaucrats look at a list of countries that are considered to be safe third countries, countries which comply with Article 33 of the Convention. But there have been cases of persons being rejected at Canada's border, sent back to the States and then sent from the States back to their country of origin and there have disappeared. The fact that a country says it complies with Article 33 does not necessarily mean that it does.

This test sounds like a good idea at first, but if we refuse to hear the refugee's story, we do not know whether the third country will be safe for him or whether it will ship him back to his country of origin where he will be persecuted or even killed. The concern raised by the Hon. Member's constituent is a concern which many people have had, and was one of the concerns of the churches, the refugees groups and the law reform groups that dealt with this Act back in its early stages. The safe third country concept does not become a direct violation of the Convention—it is an indirect violation.

Mr. Heap: Mr. Speaker, the Hon. Member referred to refugees in Africa. I know he is one of the few Members of this House who have some direct knowledge of Africa. I wonder if he could give us his opinion on whether the millions of refugees in Africa all wish to, would have the means or would intend to come to Canada, and if not, what he thinks is their future and what he thinks are Canada's obligations.

Mr. Hovdebo: Mr. Speaker, I spent four years in northern Nigeria on the very borders of the Sahel. During that period of time we dealt with starvation and famine in the countries of northern Nigeria, Chad, and Niger. Canada has an excellent record of assistance in those countries. However, those people do not want to go anywhere but back to their land. They have no intention of being refugees in any other country but a place where they can wait out the period of time necessary for the situation to change enough that they can live in their own home countries. There is no doubt that we have a responsibility not only to feed them and to make sure they survive, but also

to make arrangements which will allow them to move to where they want to live.

Mr. Deputy Speaker: It being one o'clock, I do now leave the chair until two o'clock this afternoon.

At 1 p.m., the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

EMPLOYMENT

INVITATION TO QUEBEC PREMIER TO REJECT FREE TRADE AGREEMENT UNTIL GOVERNMENT TAKES MEASURES TO PROTECT VICTIMS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, on October 5 this year, the Prime Minister of Canada (Mr. Mulroney) admitted there would be losers, that some workers would lose their jobs as a result of the Free Trade Agreement between Canada and the United States.

The same day, an economist at the University of Montreal published a study revealing that Montreal would lose 10,000 jobs in the short term as a result of free trade. Today, a study ordered by the Canadian-American Group sponsored by the C.D. Howe Institute recommends setting up programs to help the victims of free trade. Furthermore, all the experts admit that workers in the textile, footwear, clothing, shipbuilding and railway transportation industries will be severely affected.

Mr. Speaker, before anyone ratifies this Free Trade Agreement, we should first consider the potential victims.

All Conservative Members in this House should force the Government to set up retraining programs ... in fact, older workers will be the worst off because the Government has cut the early retirement program that was coupled with unemployment insurance, and we know that the Minister of Employment and Immigration (Mr. Bouchard) is discriminating against older workers with respect to unemployment insurance benefits.

I urge the Premier of Quebec to refuse to consider the Free Trade Agreement unless the federal Government takes steps to protect workers who are potential victims of this Agreement.

[*English*]

CITIZENSHIP

OATH OF ALLEGIANCE—RETENTION WELCOMED

Mr. William G. Lesick (Edmonton East): Mr. Speaker, it is with a great sense of satisfaction and pride that I note the tremendous reception the people of Saskatchewan have given to Her Majesty Queen Elizabeth.

Although my ancestry is not related to the Commonwealth and I am but a first generation Canadian, I am proud to be a loyal subject of so great and regal a monarch and pleased that the people of Saskatchewan have been so gracious to her. Therefore, I am astonished to learn of a faction in Canada committed to eliminating any mention of the sovereign in a proposed new citizenship oath. That means new citizens would not swear loyalty to the Queen but to the Constitution. Somehow that does not seem right.

There has been so much talk of late about maintaining our sovereignty and differentiating ourselves from our neighbours to the south; what better way is there than belonging to a Commonwealth and respecting an allegiance to a monarch? The Queen's loyalty to Canada has been unswerving.

Three cheers for the Secretary of State (Mr. Crombie) who assured the Hon. Member for Peterborough (Mr. Domm), indeed all Canadians, that it is not the Government's intention to withdraw the reference to Her Majesty from the Oath of Allegiance.

* * *

EXTERNAL AFFAIRS

NICARAGUA—VICE-PRESIDENT'S VISIT TO CANADA

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, this week Ottawa is host to the Vice-President of Nicaragua, Mr. Ramirez. Many Canadians hope that the Canadian Government and the Prime Minister (Mr. Mulroney) in particular will use this visit as an opportunity to show the same independence from the policies of Ronald Reagan that he showed in Vancouver from the policies of Margaret Thatcher.

We hope that in the discussions with the Vice-President of Nicaragua this week Canada will be able to consider what it can do in its own judgment and on its own merits, and not have to look south for tacit approval, to use an expression from a newspaper article today, in responding, for example, to a request by Nicaragua that Canada participate in a peacekeeping force, or whatever the request of the five Central American countries might be. This should be an occasion for the Prime Minister to show that Canada has an independent foreign policy not just with respect to South Africa and our former colonial master Great Britain, but with respect to Central America and our current colonial master, particularly since 1984, the United States of America.

PUBLIC WORKS

RED SWASTIKA PAINTED ON CANADA POST PROPERTY

Mr. Gordon Taylor (Bow River): Mr. Speaker, when I first read the story which appeared in *The Edmonton Sun* last Sunday indicating that Dave Werner, President of the Alberta Federation of Labour, had painted a large swastika on Canada Post property, I was angry. This, I thought, is an insult to every veteran in Canada who fought against Nazism, and for a democratic Government that reflects the thinking of the people by doing things such as keeping the mail moving so small business and the rank and file would not be inconvenienced, and workers would be properly compensated for their work.

Then I read the story again. Behold, it was not a black swastika, the symbol of Nazism, but a red swastika, the symbol of the virtues of the heart; life, happiness, and good fortune.

Certainly defacing public property was an act of vandalism and the President of that Federation should have outgrown such a juvenile act, but as long as the red swastika remains on that fence it will say to Canada Post: "From the heart; good luck, good fortune and happiness!" I now wonder, because of this grievous error, will the NDP cancel his membership?

* * *

[*Translation*]

RAIL TRANSPORT

REQUEST FOR REBUILDING OF SAINTE-ANNE RIVER BRIDGE

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, a decision that will have a serious impact on the economy of the regions of Mauricie, Portneuf and Quebec City was made last August by Canadian Pacific.

The company confirmed it did not intend to rebuild the bridge over the Sainte-Anne River that was swept away by a combination of ice and spring floods last April. It explained that a study had been ordered and the results would be forthcoming in two or three years' time. This is a deplorable excuse. Meanwhile, at a time when VIA Rail is doing so much to improve the quality of its service, millions of dollars are being spent to build intermodal stations in Quebec City and Trois-Rivières.

Canadian Pacific's decision is unacceptable in more ways than one, and it proves that the company has failed to consider the well-being of the community, since the decision is a threat to the economic development of the entire North Shore between Quebec City and Montreal.

For these reasons, Mr. Speaker, I ask the Minister responsible for the Canadian Transport Commission, which has every authority over CP, to take the necessary action to have the railway bridge at Saint-Anne de la Pérade rebuilt.

I also want to express my support for colleagues in neigbouring ridings who are trying to get rail passenger traffic on the North Shore between Montreal and Quebec City restored as quickly as possible.

* * *

• (1405)

[*English*]

ROYAL CANADIAN MOUNTED POLICE

RECOGNITION OF WORK OF CONSTABLE FUDGE

Mr. Thomas Suluk (Nunatsiaq): Mr. Speaker, we all know that the red-coated Mountie is probably the best known and most internationally recognized symbol of Canada. Over the past 114 years the RCMP has acquired a world-wide reputation for excellence, and legends surrounding the force have sprung up, many, if not most, originating in the Canadian North.

Recently the arrest of American fugitive Charles McVey by Corporal Dan Fudge of RCMP Teslin Detachment, Yukon Territory, has again given the force international prominence and perhaps added another northern legend.

As a result of his actions, the Government of the United States recognized him with two presentations. On October 15, 1987, Corporal Fudge was presented with the Outstanding Public Service Medal at the Pentagon by the U.S. Department of Defence. The following day he and another member of the force, Constable Vander Leek, received a citation from the U.S. Customs Service.

I believe we can proudly applaud the excellent work of this unassuming and obviously dedicated young man and rightfully claim that the stuff of legend can still be found under that Canadian symbol, the Mountie uniform.

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ENVIRONMENTAL AFFAIRS

IMPORTANCE OF BRUNDTLAND REPORT

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, *Our Common Future*, the report of the World Commission on Environment and Development, is currently being debated at the United Nations. This is a landmark, even revolutionary, report in the significance of its rethinking of the issues of the environment and economic development.

It is a report with hope also. It argues both for economic growth and the active combating of poverty, especially in Third World countries, along with concern for sustainable development.

S. O. 21

The Brundtland Report promotes an intertwining of economic and environmental concerns in all stages of planning. It calls on us all, especially in industrial countries, to change our ways, to produce more with less, to develop renewable sources of energy, to change our positions on international development to assist other countries to reach sustainable development as well, and to change our policies with respect to our native peoples. We must consider the real costs of environmental pollution and ensure that it becomes cheaper not to pollute than to pollute.

This is not the time for pious statements about the Brundtland Report. It is a time for a serious rethinking of our ways. This report will require serious study and I hope it will receive it in this House soon. We need social and political change. We can and must do it for "our common future".

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HUMAN RIGHTS

U.S.S.R.—PLIGHT OF YURI SHUKHEVYCH

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, Yuri Shukhevych has spent 33 years in Soviet labour camps, prisons, and internal exile. He was first arrested as a 15-year-old boy and sentenced to 10 years imprisonment for the crime of being the son of the Commander in Chief of the Ukrainian Insurgent Army. After serving the original 10-year sentence Yuri was re-arrested in 1958 for his continued refusals to condemn or renounce his father.

Shukhevych's plight has earned him the title of "The Eternal Prisoner". After years of imprisonment his health has suffered greatly. In 1980 part of his stomach had to be removed, followed by operations for cataracts and detached retinas in 1982. He has lost 99 per cent of his vision.

• (1410)

Shukhevych's plight is a warning to us all. As long as the Soviet Government continues to violate the fundamental human rights of its own citizens, the western nations must continue to view the so-called policy of "glasnost" with suspicion. I call on the Secretary of State for External Affairs (Mr. Clark) and the Government of Canada to use all of the resources at their disposal to effect the immediate release of Yuri Shukhevych and to send a clear reminder to the Soviet Government of its obligations as a signatory of the Helsinki Accords.

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF PRINCE EDWARD ISLAND PREMIER

Mr. George Henderson (Egmont): Mr. Speaker, I want to express my dismay over the comments of the Deputy Prime Minister (Mr. Mazankowski) as reported in *The Globe and Mail* on October 17, 1987. Apparently the Deputy Prime Minister is upset with the Premier of Prince Edward Island who stated that the energy provisions of the free trade deal were not discussed at the Premiers' briefing.

The Deputy Prime Minister disagrees with Premier Ghiz and he is reported to have said: "Perhaps Mr. Ghiz was more interested in discussing potatoes." I want to remind the Hon. Member that our potato industry is very important, but we are also deeply concerned about our future energy supplies.

The consumers on our Island already pay the highest electricity rates in Canada. I believe that the Premier of Prince Edward Island expressed his genuine concern and I am disappointed that the Hon. Member for Vegreville would make this condescending remark. I am surprised that he would insult all those who are in our potato industry. Surely the Deputy Prime Minister now realizes that insulting Canadians will only make this free trade sell-out look even worse.

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[*Translation*]

POLITICAL PARTIES

REQUEST FOR CLARIFICATION OF SOCIALIST PARTY'S DEMOCRACY

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, throughout the world, socialist parties are totalitarian and centralist. However, when they see it is to their political advantage, they try and adapt to local custom. In Quebec, they do not use the same vocabulary they use for the rest of Canada. But how different is it?

The socialist leader should explain to the House why his only elected Member in Quebec slammed the door at his Party's meeting in Quebec.

Where is the democratic process in this Party? How come the Director of the Centrale de l'enseignement du Québec, Mr. Michel Agnaïeff, has more clout than the entire Quebec Socialist Caucus? Unless the socialist leader exlains otherwise, we will have to conclude that he is merely a mouthpiece for the labour establishment and the Socialist International.

[*English*]

INCOME TAX

LOW LEVEL OF TAX PAID BY CORPORATIONS

Mr. Simon de Jong (Regina East): Mr. Speaker, average Canadian taxpayers are fed up. They are fed up with a tax system that allows 80,000 corporations with profits of well over $10 billion to escape paying a single cent in tax, while many more only pay a small token fee.

Average taxpayers are wondering why Edper Investments Limited, a holding company controlled by multi-millionaires Edward and Peter Bronfman, paid just $6,000 in taxes in 1986, despite enjoying after tax profits of $207 million.

Average Canadian taxpayers are asking why the Bronfman brothers, estimated to be worth over $650 million, are paying less in tax than they are. Canadians are fed up with this unfairness. They have had it with the Government's tolerating and indeed contributing to it in budget after budget. They are as mad as hell and you can bet that they won't take it any more.

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TRADE

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF MANITOBA PREMIER

Mr. George Minaker (Winnipeg—St. James): Mr. Speaker, an article appeared in the Winnipeg *Free Press* on October 9, entitled "Does Pawley speak for Manitoba or the NDP?"

It accurately points out that in 1985 Premier Pawley not only advocated free trade with the United States but the creation of a common market. Premier Pawley said that he would support free trade: "as long as we preserve existing jobs, through a program of transition and analysis and at the same time obtain a guarantee to an access to future markets." That is exactly what our Government has achieved.

Now what has happened to Mr. Pawley? The federal NDP Leader, the Hon. Member for Oshawa (Mr. Broadbent), and their Vice-President, Bob White, must have got to him.

Everyone knows the NDP support free trade and foreign investment, but only in Oshawa.

Premier Pawley's logic to support free trade in 1985 still exists today. Mr. Pawley's slogan in the last election was: "Standing up for Manitobans", but for whom is he standing up now? The federal NDP? He must stop being controlled by the big unions and their leaders in Oshawa.

Let us give Manitobans the opportunity to realize the benefits of free trade.

• (1415)

TRADE

OPPOSITION TO CANADA-UNITED STATES TRADE AGREEMENT

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, free trade to this Government is alleged to mean that we as Canadians get access to the American market, but in fact the Americans get us and our economy for free. That is right, Mr. Speaker. According to the President of the United States, this trade agreement puts Canada in a continental union with the United States.

Clearly this is not in the best interests of a united, strong Canada. Realistically it is not surprising, given the Government's record and the Prime Minister's (Mr. Mulroney) obsession with pleasing the Americans.

On March 13, 1986, the Prime Minister said: "We will spare no effort to secure our access to the U.S. market". Well, he certainly spared nothing and he gave away our economic sovereignty in so doing. But the good news is that this deal can still be stopped. The United States must continue to be our most important trading partner, but we must not try to buy our way into one major market at the price of our sovereignty as the Government of Canada has done in this proposed free trade arrangement with the United States.

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

SITUATION IN STOCK MARKETS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is directed to the Minister of Finance. Yesterday the stockmarkets around the world declined by a record amount. The Dow Jones fell by 500 points and the Toronto Stock Exchange fell by more than 400 points. Similar things happened in the Montreal Stock Exchange.

At 2.03 p.m., just before I came into the House, the Toronto Stock Exchange had fallen by an additional 333 points. That is 733 points in two days.

However, if we can judge by the Minister's answers in the House yesterday, he does not think the situation is too serious. Yesterday in reply to a question the Minister said:

> I think the Leader of the Opposition is exaggerating in his reference to this morning's activities on the markets.

The Minister then went on to say—

Mr. Blaikie: Order.

Mr. Young: Question.

Mr. Garneau: —and I quote: "There have been some corrections in the financial markets". With the situation

deteriorating by the hour on Canadian stock exchanges, does the Minister still believe that only "some corrections" have taken place in the stockmarkets which do not require any government action? Or has he finally realized, like all Canadians, that this is a major crisis which requires more than the Minister's passing interest as he watches from the sidelines as the world passes by?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me respond to the Hon. Member's question by saying the Government has taken some action. As I indicated earlier today I have spoken to most of my colleagues in the G-7 countries and there appears to be a broadly agreed point of view that we should be doing what we can to stabilize markets by ensuring that there is an adequate degree of liquidity in the financial markets. This has been done in Canada. For example, the Bank of Canada has acted accordingly.

The result has been a drop in interest rates in this country and other countries as well. I think this will contribute to achieving a greater degree of stability in the stock exchange markets.

However, I think we should be careful to understand that the stock exchange markets are the markets that have been the volatile ones. The bond markets, the interest rate markets, the foreign exchange markets, have been relatively stable during this period.

MINISTER'S POLICY

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, it was clear to all Canadians, except, of course, the Minister of Finance, that there was a very serious situation developing in the stockmarkets of Canada and the world. I suggested to the Minister that some action be taken in terms of interest rates. This is exactly what he announced he has done today.

What prompted the Minister to abandon his laissez-faire policy of yesterday? Was he overruled by the Cabinet?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I do not think this is the time to use these sorts of partisan jibes. I have indicated very clearly what I believe is necessary for achieving greater stability in the markets.

• (1420)

I have indicated to the House, as well as outside, that the underlying economies of Canada and the other G-7 countries are performing quite well. We reviewed this at the G-7 meeting in Washington toward the end of September, and that was the conclusion that we arrived at.

What we have seen is a major decline in stock markets. But I should draw the Hon. Member's attention to the fact that the Canadian market is below what it was at the beginning of this year, but not that far below what it was this year. The point I am making is that there was a substantial run-up in the market during the course of 1987. This has been taken away as a result of the decline, but the underlying economies are still very strong.

[*Translation*]

Mr. Garneau: Mr. Speaker, the Minister referred to the good performance of our economy. Granted, but I may remind him that those are the same comments President Hoover made in 1929. He even went to a baseball game to show that everything was o.k.

Some Hon. Members: Oh, oh!

Mr. Garneau: It is a historical fact. It's absolutely true.

REQUEST FOR CLARIFICATION OF MORNING DECISION

Mr. Raymond Garneau (Laval-des-Rapides): I would like to ask the Minister whether the decision he announced this morning to establish greater liquidity in the financial markets was made after consultation with members of the Group of Seven or did Canada act on its own in this case?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I said in my answer that the decision that the Bank of Canada made today was based on consultations with my colleagues in the Group of Seven and consultations by the Governor of the Bank of Canada with other countries. I think the decision to provide for increased liquidity in the financial markets will help stabilize the market. I think we should understand that the present lack of stability is in the stock market, not in the financial or exchange markets.

[*English*]

GOVERNMENT ACTIONS

Hon. Herb Gray (Windsor West): Mr. Speaker, I wish to ask the Minister of Finance a question which I am sure is on the minds of millions of Canadians today in light of the world-wide stock market crash. The question is the following.

What is the Government doing, and what will it be doing to prevent this world-wide stock market crash from leading to a serious economic downturn, or worse, right here in Canada? Can the Minister gives us a clear and detailed answer, not only in terms of current action, but what it will be doing in the future?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have indicated what we are doing in the markets today through the Bank of Canada, and I think that this is having the desired result. We have seen a substantial drop in short-term interest rates where the bank rate, if it were to be set today, would probably be down three-quarters of 1 per cent.

The House Leader of the Liberal Party is asking what might we do in the future. It is important to realize that the underlying economies—the real economies as opposed to the stock market—in Canada, in the United States, and in other major industrialized countries are operating quite effectively.

If there is a need for further policy responses as things develop in the weeks or months ahead, we can review that at the time. I do not think it is appropriate to jump to conclusions on the basis of one day's understanding of a major decline in the market which took place yesterday.

Mr. Gray (Windsor West): Well, Mr. Speaker, the Minister speaks of one day, but it was some day!

[*Translation*]

WORKERS' PENSION FUNDS—GOVERNMENT'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, one of the experts said that the world-wide decline on the stock markets wiped out $3 billion worth of securities held by Canadian pension funds on which millions of Canadian workers depend for a safe and secure retirement.

I want to ask the Minister what the Government will do to restore and safeguard the value of these pension funds, to give Canadian workers the assurance of a safe and secure retirement. Could the Minister give us a concrete answer today?

• (1425)

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am glad that the Hon. Member has raised this point. I think Canadians should understand a few things about the state of their pension funds.

One is that there has been a significant increase in stock market prices over the last number of years. As I pointed out earlier, the current level of the Toronto Stock Exchange is what it was toward the latter part of last year, so that we have not lost a major amount in the longer term perspective.

The second and I think more important point is that the large majority of the assets in these pension funds are invested in bonds and in real estate. Both these markets have not been affected by the drop in the stock market. In fact, as I have indicated, the bond market has been up quite significantly and that should result in good profits for pension funds in that part of their investments.

[*Translation*]

REQUEST FOR MEETING OF GROUP OF SEVEN

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Minister of Finance.

The Minister said that he contacted the Group of Seven. He also said the crisis was a one-day crisis. The Minister knows perfectly well that the crisis is continuing today as well. It is world-wide.

In this context, is the Minister prepared to ask for a meeting of the Group of Seven?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think it is very important to realize that my colleagues and I have had many consultations with the Group of Seven, and that we, like the other countries, have taken steps to deal with the situation here in Canada. The Governor of the Bank of Canada has decided to increase liquidity in the financial market, and I think the result is promising. There has been a drop of nearly 1 per cent in the interest rate. That is a good way to encourage stability in the markets.

[*English*]

REQUEST FOR GLOBAL ECONOMIC STRATEGY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, as the Minister knows, the crisis which the world is now facing in terms of the decline in stock market values has already vastly exceeded what happened in 1929.

It is encouraging that principal industrial countries are responding in a quicker and more positive direction than was the case in 1929.

However, this having been said, does the Minister not think that it would be useful for the G-7 actually to have a meeting to try to co-ordinate on a global basis an economic strategy to head off what followed 1929?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I appreciate the views of the Hon. Member. What I should say to him is that we have been having meetings of the Group of Seven on a regular basis. We had our last meeting at the end of September in Washington, at which time a number of matters were discussed.

As I indicated earlier, there have been discussions yesterday and today with members of the Group of Seven. We have compared the situations in each other's markets and compared what we can do to address the great instability or volatility in the stock markets.

However, the result of the decisions we have already taken has been good stability in the foreign exchange markets and a drop in interest rates. I think that, as a preliminary approach to the effects of the drop in the stock market, this is a good one.

We will be watching it very closely. We will be consulting on an ongoing basis. If it is appropriate to have a meeting of the G-7 countries, then we can proceed on that basis at that time.

• (1430)

GROUP OF SEVEN

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister has said that the G-7 has been meeting on a regular basis. That is true, but the last meeting was two weeks ago. To understate it a wee bit, the world has changed a little since then. The one concrete change announced by the Minister which has taken place here, which is encouraging and is in the right direction, is the move to keep interest rates down. That is the sole initiative, if I understood the Minister correctly today, which the Government of Canada plans to take.

Again, does the Minister not think now is the time that the Government of Canada, in a constructive way, propose to other members of the G-7 that their Ministers of Finance get together for a meeting to map out a strategy to head off a deepening of this very serious crisis?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, we did map out a strategy at the meeting we had in the Louvre in February of this year that has served the seven countries and the world well.

Mr. Riis: The results were a little questionable.

Mr. Broadbent: It has not worked very well.

Mr. Wilson (Etobicoke Centre): The Hon. Member says that it has not worked out well. Since then we have seen a remarkable degree of growth, particularly in the Canadian economy. We have good stability and exchange rates.

Mr. Riis: A trillion dollars lost in one day.

Mr. Wilson (Etobicoke Centre): The Hon. Member said the Canadian dollar has gone down since then. That is not true, it has gone up since then.

Mr. Riis: I said a trillion dollar loss.

Mr. Wilson (Etobicoke Centre): In that meeting we agreed as countries to undertake certain policy initiatives. The Americans have followed through on theirs as have the Japanese, the Germans, the Canadians and the other countries. We have a strategy. We have been following it and the underlying economies, as I have said, are operating very effectively. I think that is a tribute to the success of that strategy developed at the Louvre.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—DISPUTE SETTLEMENT MECHANISM

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I want to raise a question with the Minister for International Trade. This weekend there was a conference on international law which brought together a number of Canada's most distinguished jurists in the area of international trade. The conclusion out of that meeting by a number of the participants was that the proposed dispute mechanism entrenched in the free trade proposal will be a contravention of the Charter of Rights because it only allows appeals and a judicial review by Governments and not by individuals. In fact, this raises the question of contravening the individual rights of Canadians to make application for review.

Mr. Crosbie: That is silly.

An Hon. Member: Sit down.

Mr. Axworthy: I know there are a number of Tory cabinet Ministers who are unlearned as far as the law is concerned.

I would like to quote from a statement by Gowling and Henderson which I think we recognize is a reputed law firm. It says, "The important question that arises is whether the free trade agreement will deprive Canadian producers, importers or exporters of the judicial review remedy and, therefore, such a procedure would not be in accordance with the principles of fundamental justice as contained in the Canadian Charter of Rights."

Mr. Clark (Yellowhead): Who is their client?

Mr. Axworthy: That is an important question, Mr. Speaker.

Mr. Crosbie: That is twaddle.

Mr. Axworthy: If the only deal which the Government got will contravene the fundamental law of the country, what does the Government intend to do about that kind of serious dilemma in which it puts Canada by signing something which goes against the fundamental law of the country?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I am not aware of the report which the Hon. Member has quoted. I personally fail to understand why a trade agreement that will create jobs, preserve Canada's standard of living and preserve our sovereignty, would be in contravention of the Charter of Rights. If that were true, I suppose the Hon. Member might be suggesting that our membership in GATT, which also has a dispute settlement mechanism, contravenes the Charter of Rights.

Mr. Axworthy: Mr. Speaker, the abysmal ignorance of this Minister about the law of this country is incredible to behold.

Mr. Speaker: The Hon. Member will put his question without argument.

Mr. Axworthy: Mr. Speaker, the fact that the Minister of Trade is unaware is not justification for the Government to go ahead and sign a deal which a number of Canada's most distinguished lawyers in the field of international trade have suggested that the dispute mechanism will, in fact, contravene the Charter of Rights because it denies judicial review. It may be that the Minister does not understand the principle of judicial review. It would seem to me that we are now signing an agreement that will be challenged in the courts and, therefore, will become totally irrevocable.

Mr. Speaker: I would ask that the Hon. Member put his question.

Mr. Axworthy: Mr. Speaker, her ignorance is only exceeded by that of her colleagues.

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member for Ottawa Centre.

Mr. Axworthy: Mr. Speaker—

An Hon. Member: You were not recognized, Lloyd. Sit down.

Mr. Speaker: The Hon. Member for Ottawa Centre.

* * *

[*Translation*]

THE ECONOMY

MEASURE TO REASSURE INVESTORS—GOVERNMENT'S POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is also directed to the Minister of Finance. The Minister has just informed us he had no plans for calling a meeting of the Ministers of the Group of Seven, and that he has taken steps to provide for a temporary drop in interest rates. Does the Minister have any other measures in mind to reassure investors and to start the process of economic rebuilding that will be necessary after the past two days decline on the stock market?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the conclusions which the Hon. Member is drawing are, to choose my words carefully, somewhat excessive. We have a strong economy. We have an economy that has performed extremely well this year, let alone over the past three years, under a strong economic plan which has been clearly followed by our Government. It has resulted in the nearly one million jobs that have been created and in Canada leading the G-7 countries in economic growth, productivity performance and job creation.

I am not denying that we have had a major drop in the stock markets. That is evident. But what I think we must not do is jump to conclusions that might not be warranted by the facts. We should watch to see what happens with the markets over the next few days and weeks and then we can have a look to see whether some further policy response is necessary. Let us not jump to conclusions.

MINISTER'S POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, we face a situation in which the Toronto market has dropped by some 35 per cent from its peak for this year, in which there has been a world-wide crisis on the stock exchanges which is only outmatched by what happened back in the 1929 crash and the Great Depression of the 1930s.

Simply, apart from a temporary reduction in interest rates, does the Minister have any other specific and concrete measures in mind which he can inform the House of now, or is he still taking a wait and see attitude?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think that all Hon. Members should be quite careful about the type of rhetoric which they use in addressing questions.

I have made it quite clear that I am in continuing touch with my colleagues in the G-7 countries so that we can review the situation on an ongoing basis. We have reviewed our economies quite recently. The conclusion we came to at that time was quite a positive one. Let us not jump to conclusions. Let us watch how things develop.

As I said, I believe to the Member's Leader, if there is a reason to have a meeting of the Group of Seven countries then I would be very happy to participate, but let us not have a meeting too soon without ensuring that we know the extent of the situation that we face.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT OF STOCK MARKET SITUATION

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is for the Prime Minister. Millions of Canadians will want to know the effect this crash will have on the so-called free trade agreement or economic constitution with the United States. They will not be able to ask the Prime Minister, but at a private meeting tonight some 150 businessmen from Canada and the United States will be able to ask the Prime Minister in a very private way what kind of effect this crash will have. I would like to ask the Prime Minister why it is that he will meet with Americans for a private briefing when he will not even table the relevant documents with respect to the economic union agreement here in the House of Commons.

• (1440)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the statement of my hon. friend is of course both false and misleading in regard to tonight's meeting. I was invited, as were other Prime Ministers, to address the BCNI and other groups. It is their choice as to the manner of the meeting. I have met in similar circumstances with leading unions, universities, and multicultural groups, and will continue to do so because I think it is of benefit to have a dialogue between Candians.

[*Translation*]

REQUEST FOR INFORMATION

Ms. Sheila Copps (Hamilton East): Mr. Speaker, if the Prime Minister is really interested in dialogue, he will have no objection to our being provided with a transcript of all remarks made during the meeting this evening. So, if indeed his quest for truth is genuine, I should like to ask him whether he is prepared to give us, Members of the House of Commons, the same information he is prepared to give this evening to his

American bosses who will attend the meeting to unveil here in Canada the scenario of our economic constitution with the United States? Is he prepared to give us at least the same information?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I will be pleased to send the Hon. Member a copy or transcript of my speech. It will undoubtedly be the most enlightening reading material the Hon. Member has laid her hands on since way back when.

* * *

[*English*]

THE ECONOMY

SITUATION IN STOCK MARKETS—REQUEST THAT MINISTER MAKE STATEMENT

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is directed to the Minister of Finance. The Minister of Finance can describe what has happened in the last two days as a decline in the market. I want to suggest, and I am sure most Hon. Members would agree, that Canadians today are feeling very uneasy. The future is anything but sure and they are looking for some strong signal, a beacon of confidence, from the Minister of Finance. So far, all we have heard the Minister say is that he has taken some steps to ease interest rates today.

Does the Minister of Finance really think, considering the uncertainty that exists in our country today, that he ought not to make more of a statement about what action he is prepared to take on this very, very critical issue?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have said we have taken steps to increase the amount of liquidity in the financial markets and that this is having the result of getting interest rates down. I have also said that I am in continuing contact with the other members of the Group of Seven, and I would think that Members opposite would be very pleased now that we are a member of the Group of Seven that we can participate in that organization in these consultative and co-operative approaches to ensuring that we bring the full force of the seven largest industrialized countries to bear on these problems.

I will not repeat the response I gave to the Hon. Member's colleague. We are watching this on an ongoing basis and if further steps need to be taken, we will take them.

INTEREST RATE LEVELS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, rather than stand back and wait for the situation potentially to deteriorate further, why would the Minister of Finance not call a meeting of the Group of Seven and propose a co-operative strategy to deal with this very serious situation? If he would not consider that, would he explain why he would not take that positive initiative?

Is the Minister of Finance also saying that, while he has met with the Governor of the Bank of Canada and that interest rates are holding today, he is committed to ensuring that interest rates will not go up in the immediate future?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, to take the Treasury Bill as an example, the Treasury Bill at the end of last week was trading at around 9.68. The latest information that I have here indicates that it is trading at 8.50. That is down over a point in one day.

I think it is very clear that we are taking decisive action, action directed at the immediate problem. We have also held discussions with many of my colleagues in the Group of Seven and we are prepared to continue those discussions. If it is appropriate to have a meeting, then I will be encouraging my colleagues to get together for a meeting.

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HOUSE OF COMMONS

PRESENCE IN GALLERY OF PARLIAMENTARY DELEGATION FROM SUPREME SOVIET OF THE U.S.S.R.

Mr. Speaker: I wish to bring to the attention of Hon. Members the presence in the gallery of a parliamentary delegation from the Supreme Soviet of the U.S.S.R. led by Mr. Efrem E. Sokolov, member of the Presidium of the U.S.S.R. Supreme Soviet.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF VICE-PRESIDENT OF NICARAGUA

Mr. Speaker: I wish also to bring to the attention of Hon. Members the presence in the gallery of a delegation from Nicaragua, led by His Excellency, Sergio Ramirez Mercado, Vice-President of Nicaragua.

Some Hon. Members: Hear, hear!

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TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON FISHING INDUSTRY

Mr. George Henderson (Egmont): Mr. Speaker, my question is directed to the Minister for International Trade. According to Mr. Richard Gutting, Vice-President for Government Relations with the National Fisheries Institute in the United States, the omnibus Trade Bill now before Congress will drastically change the U.S. trade laws, especially as they relate to fisheries. For instance, in future countervail

actions, unemployment insurance benefits could be defined as a subsidy to our fishermen.

Will the Minister now admit that our fishing industry under the free trade deal and the dispute settlement mechanism will be subject to even more harassment by American fishing lobbyists? Why did the Minister and the Government not obtain more protection for Canadian fishermen?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I would like to draw to the Hon. Member's attention the statement of the President of the Fisheries Council of Canada who said that we will be getting better access to a market of 250 million people for our processed products. That is the view of the Fisheries Council of Canada, not the view of the Hon. Member opposite.

PROTECTION OF UNEMPLOYMENT INSURANCE PROGRAM

Mr. George Henderson (Egmont): Mr. Speaker, I am sure that the big fish companies will do well with or without a trade deal. I and my party are concerned about fishermen who are trying to draw unemployment insurance in the wintertime to see them over the year.

According to the document, the fishery will have the full benefit of the protection of the agreement on countervail and anti-dumping. Can the Minister define what she means by protection and can she categorically state today that there will be no more countervail action by the Americans against Canadian fish products in the future?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, we have told the House on a number of occasions that social programs such as unemployment insurance are not part of the trade deal. They are preserved and protected.

May I tell the Hon. Member of the views of the President of National Sea Products Limited who said that the most important aspect for them was the dispute settlement mechanism which deals with countervail and anti-dumping, and they got that. He said, "It's a hell of a gain for Canada".

* * *

FINANCE

PENSION FUNDS—INVESTMENTS OFFSHORE

Mr. Neil Young (Beaches): Mr. Speaker, my question is directed to the Minister of Finance. As the Minister knows, some $130 billion has been invested in Canadian pension funds, and under the changes coming out of the 1985 Budget nearly a third of those funds are permitted to be invested offshore in other countries.

Could the Minister advise the House whether or not he has investigated to find out what amount of those pension funds has actually been invested offshore, and in particular could he tell us how much of those funds are presently invested in the New York Stock Exchange?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, first, let me say that the conclusion that the Hon. Member has drawn that one-third can be invested offshore is partly correct. One-third can be invested offshore provided that there is an appropriate amount of investment in small business here in Canada. The whole purpose of that amendment of 1985 was to encourage these very large pools of capital to invest a meaningful amount of their assets in small and medium-sized businesses which heretofore were not the subject of that investment. We are trying to accomplish something that will be good for that sector of the market.

• (1450)

As to the specific question of how much is invested offshore, I do not think there would be a great deal more than the basic 10 per cent limitation in place right now. How much of that is invested in the New York Stock Exchange I could not say. That is probably more appropriate for an Order Paper question.

REQUEST FOR DETAILS OF OFFSHORE INVESTMENT

Mr. Neil Young (Beaches): Mr. Speaker, I am sure the Minister fully understands that members of pension plans are understandably concerned and anxious about the events of the last couple of days. If the Minister has not investigated how much of those funds are invested offshore, will he agree to do so and give a detailed response to the House some time in the next week?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think I addressed the basic thrust of the Hon. Member's question in my previous answer. I said that while pension funds are investing in the stock market, and most do, common stocks have done pretty well over the last number of years. The health of pension plans today has been strengthened by the existence of a good stock market in Canada which reflects the basic strength of the economy. In addition, a large part of the assets of those pension funds are invested in bonds. The bond market is very strong today. There are also real estate and other investments.

I think the Hon. Member would do well not to try to cast too broad a net and frighten those people with assets invested in pension funds because the pension industry in this country is a very strong one.

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CANADA POST CORPORATION

RURAL POST OFFICES—CORPORATION MANUAL

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is directed to the Prime Minister. He

will know that the Minister responsible for Canada Post said in this House and elsewhere that no rural post offices would be shut down or privatized without consulting the people affected. I have in my hand a Canada Post manual which explains to officials how to proceed with the shutting down of post offices, complete with such gems as this question: "Why can't we have a general town hall meeting?" Then there is a suggested answer for the Canada Post official to weasel his or her way out of it.

How can the consultation process be taken seriously when there is a manual which explains how to avoid consultation?

[*Translation*]

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, of course, in the absence of the minister responsible, I just want to point out that we and Canada Post Corporation have drafted a corporate plan providing for better service in the best interest of Canadians. And we are trying to put it into effect as soon as possible.

REQUEST FOR DETAILS CONCERNING CERTAIN INTERNAL DOCUMENTS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I would like to ask a supplementary question. How can the minister responsible explain that action by Canada Post Corporation? Is it not true that Rural Dignity and other concerned Canadians have every reason to worry when the Government and Canada Post Corporation circulate such internal papers to their staff to ensure the real consultation process never comes?

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, once again, my colleague's comments distort somewhat what was the truth. First, the responsibility of Canada Post Corporation is to guarantee the best service at the lowest cost possible. In that regard, the Minister has thoroughly consulted most regions in Quebec and elsewhere in Canada, which led to a corporate plan highlighting the results of those recommendations.

* * *

[*English*]

INDUSTRY

FIRESTONE PLANT IN HAMILTON

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, on October 7 the Minister of Regional Industrial Expansion assured this House that he would respond to the breakdown in negotiations between Cooper and Firestone by calling a meeting to get the parties back to the bargaining table. I understand that the parties have now done so because the Minister urged them to do so. However, the people of Hamilton need more than communications, they need a commitment. Is the Minister willing to give us the commitment that if these negotiations break down again he will effect some kind of sale of the Firestone plant?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, as the Hon. Member quite correctly said, when the talks broke down I communicated with the presidents of both companies urging them to get back to the table at the earliest possible moment. They have done that as of yesterday morning. I also indicated to them at that point that I would be following those discussions very closely.

My officials have been in touch with officials of both companies. We are monitoring the progress being made. We are aware that the discussions are difficult. We are committed to seeing those discussions lead to a mutually agreeable commercial settlement of the question being negotiated and I can give my commitment to the Hon. Member that I will be keeping a very close watch on the evolution of the negotiations.

REQUEST THAT UNION PARTICIPATE IN NEGOTIATIONS

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, there are 1,300 families involved in this matter. If there are multi-level discussions between the companies and the federal and provincial Governments, can the Minister assure us that he will invite union representatives to participate?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I can assure my hon. friend that during this period I also communicated with my counterpart in the Ontario Government as well as the Mayor of Hamilton. We have agreed that should the negotiations break off for some reason or other, which is obviously the opposite to what we wish because we certainly hope for a good commercial settlement, there would be meetings involving all levels of government.

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TRADE

EFFECT OF CANADA-UNITED STATES AGREEMENT ON EMPLOYMENT—RETRAINING OF WORKERS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is directed to the Minister of Employment. Yesterday he said no special programs for retraining were necessary for workers who have lost their jobs because of free trade. Today we have a report from the Canadian C. D. Howe Institute and the American National Planning Association recommending special training and placement programs to deal with free trade adjustment. Is the Minister going to wait until the last minute, or will he tell us now what he is going to do about these massive changes in the labour market resulting from free trade?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, if the Hon. Member for Notre-Dame-de-Grâce—Lachine East had quoted the full text, he would have said the study indicates that the number to which he referred will be much lower. I also believe I said yesterday that the Government has mechanisms for employment adjustment in the form of a manpower adjustment program for which several million dollars are budgeted yearly. However, if the Free Trade Agreement creates new situations with which our programs are unable to cope, Mr. Speaker, we will take the necessary action. However, I would rather not assume, as the Hon. Member is doing, that a certain kind of situation is going to develop. Before spending any money, we first want to know what for, then make the studies and spend the funds.

[*English*]

PRIME MINISTER'S POSITION

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my supplementary is directed to the Prime Minister. Will he tell the House exactly what he meant when he said on October 5 before the Canadian Export Association that massive retraining and relocation programs were necessary to combat free trade losses? When will he put his specific plan on the table, and who really speaks for the Government?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member is quite substantially misquoting what I said. The answer with regard to retraining programs, if and when they become necessary, is one that I discussed at great length both here in the House and with the First Ministers. It has always been the intention of this Government—we do it now with billions of dollars directed to retraining and redeployment—to the extent that any further programs are required, to deal always with the human element first.

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WESTERN GRAIN STABILIZATION ACT

FINAL PAY-OUT FOR 1987

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, my question is directed to the Minister of State for Grains and Oilseeds. The Minister will be aware that when inflation is taken into consideration the initial prices received by producers this year were the lowest they have been since the 1930s. Western Grain Stabilization Act for 1987? If so, how much is it, when will it be announced and, even more important, when will the producers have it in their hands?

• (1500)

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, the Western Grain Stabilization Act is an important device to help producers in a difficult time. We are presently doing the calculations and expect to be in a position to announce the size of the payment in the middle of next month, as has traditionally happened. In all likelihood there will be a record payment and we are doing everything we can to get it into producers' hands as quickly as possible.

We announced today that there will be an increase on the initial payment on oats. The initial payment has been increased by $25 a tonne which is good news for oat producers. While oats is not a large crop, those people who produce it will realize that this is a significant increase. That is a little bit of good news for producers who have been suffering under the effects of very depressed international grain markets.

Some Hon. Members: Hear, hear!

Mr. Speaker: This will be the last question in Question Period. The Hon. Member for Fundy Royal.

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EXTERNAL AFFAIRS

IRAN-IRAQ CONFLICT—POSSIBLE ROLE FOR CANADA TO ASSIST ENDING OF HOSTILITIES

Mr. Bob Corbett (Fundy—Royal): Mr. Speaker, my question is for the Secretary of State for External Affairs and is with regard to the Iraq-Iran conflict. Last week an Iranian missile hit a school in the Iraqi capital of Baghdad resulting in the loss of lives, mostly of children. Iran has also launched Silkworm missiles against reflagged ships in the ports of a non-belligerent third party, Kuwait. Yesterday the United States responded to this attack by destroying an Iranian oil platform which was being used as a military base in the Gulf.

In keeping with the Government's policy of constructive internationalism, and in keeping with the Minister's statements of support for both the American position and the need for further action by the U.N. Security Council, what role can Canada assume in helping to bring this tragic conflict to a swift end?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it is a tragic conflict, and a dangerous one. The most effective role that Canada can continue to play is to continue to urge the members of the Security Council of the United Nations and, most important, the Secretary General, to work toward the implementation of Security Council Resolution 598.

We have been doing that. The Secretary General has been playing a very active role of mediation in that conflict. We wish him the best of success and are prepared to put at his disposition any help that Canada might practically offer.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I rise on a point of order. There have been discussions among the Parties and I think you would find unanimous consent to revert to Statements by Ministers in order to permit the Minister for International Trade (Miss Carney) to make a statement followed by appropriate replies by the opposition Parties. Thereafter the House would return to debate on Bill C-55.

Hon. Herb Gray (Windsor West): Mr. Speaker, we are prepared to agree to the request of the Government House Leader (Mr. Lewis).

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, we are certainly prepared to co-operate. I would, however, observe that we certainly would have appreciated receiving a written version of the Minister's comments a little earlier. We received it 50 minutes before Question Period. That makes it a little difficult to make an excellent reply, but I am sure that our reply will be more than excellent in any event.

ROUTINE PROCEEDINGS

[*English*]

TRADE

TABLING IN GENEVA OF CANADIAN NEGOTIATING PROPOSAL ON AGRICULTURE

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I am pleased to announce that the Government is today tabling in Geneva a comprehensive negotiating proposal on agriculture in the Uruguay Round of the multilateral trade negotiations. It seeks to enlist the support of all GATT countries for a wide-ranging attack on trade barriers and on subsidies which distort production and trade. It is a major assault on the forces of protectionism.

Of course, we recognize that governments need to respond to the imperatives of their agricultural sectors. We are not saying that governments should not support farmers. We do say that support should be given in ways that do not distort production and trade and that are in conformity with agreed rules.

I am sure that all Hon. Members are aware of the importance which the Government attaches to agriculture. The Prime Minister (Mr. Mulroney) has taken the lead to raise the issue at the past two economic summits. At Venice he secured from world leaders an acknowledgment of the need to proceed quickly in the GATT negotiations. Various Canadian Ministers have, in different international forums, advanced Canada's view that there is an urgent need for agricultural trade reform.

My colleagues and I worked hard at the OECD ministerial meeting to obtain endorsation of the general principles which should guide the reform of policies which affect agricultural trade. Over the past year I have used a series of meetings with trade ministers from key countries to promote the development of the political will necessary to translate rhetoric into reality.

Most recently my colleague, the Minister of Agriculture (Mr. Wise), spoke eloquently to the ministerial meeting of the Inter-American Institute for Co-operation in Agriculture about the need to reform agricultural trade.

I co-chaired the ministerial meeting of the Cairns Group in Ottawa this May. This is a group of 14 countries, both developed and developing, with important agricultural interests which have decided to work together to seek a major reform of the rules governing agricultural trade.

My colleagues, the Minister of Agriculture and the Minister of State (Grains and Oil Seeds) (Mr. Mayer), and I used that meeting to build further international support for the need for the Uruguay Round of GATT negotiations to deal expeditiously and comprehensively with the problems plaguing agricultural trade. Again last week the Commonwealth Heads of Government meeting adopted the Vancouver Declaration on World Trade, a Canadian initiative which re-emphasized the urgency of action on agricultural trade and agreed "on the crucial need for reform of all trade distorting agricultural policies, both domestic and international".

One imperative has clearly emerged from international discussions over the past few months, that is, that the world needs to adopt a comprehensive approach to agricultural trade reform. The OECD has demonstrated that only a broad approach covering all commodities, all countries, and all policies which directly or indirectly affect trade can have any hope of success.

The negotiations in Geneva involve 94 countries whose interests span the whole range of world agricultural production. If we are to have a successful negotiation we must deal with the legitimate concerns and interests of all countries, large and small, developed and developing, exporters and importers. We all know that many of our farmers are suffering, and suffering deeply, from the current agricultural trade crisis. We have promised not to abandon them in the short term and to seek lasting solutions in the longer term.

The proposal we are tabling today in Geneva is designed to achieve that latter goal. While our current programs are aimed at dealing with the symptoms of the problems, we will be using the Geneva negotiations to promote the basic reforms which must occur if we are to get at the underlying causes of the problem.

We are proposing that, in the longer term, over a time frame to be negotiated, all access barriers and all subsidies which distort trade should be eliminated. We consider that, in an interim period of perhaps five years starting from the conclusion of the negotiations, a major reduction should be made in all access barriers and trade-distorting subsidies.

In addition, Mr. Speaker, we are firmly convinced that there is a pressing need for clear and effective GATT rules. Policymakers need to know clearly what actions they can undertake

to support their farmers. They need to know what kinds of actions will create trade problems and which ones will not. For example, the Canadian system of supply management is in conformity with GATT rules, in contrast with the open-ended support programs of some other countries which have generated massive surpluses.

The world needs to reduce the frictions which have come to characterize agricultural trade relations. Governments need to have clear rules and traders need to know that conditions of access to international markets will be secure.

The Canadian proposal is the second one to be tabled at Geneva and it should reinforce the push toward reform of the agricultural trading system. We have been working very closely with our Cairns Group partners in developing the ideas which are included in the Canadian proposal, and we are confident that the contribution by that group will also serve to promote our common objectives.

• (1510)

Over the rest of this year, we expect other countries will table negotiating proposals of their own. We look forward to seeing the proposals of the European Community, Japan and other major agricultural countries.

Early in the New Year negotiators in Geneva will be working to maximize the common ground in the various proposals which will have been put forward. We are seeking to reach agreement by the end of 1988 on a negotiating framework for agriculture.

These discussions will be arduous, but we are determined to make progress quickly so that Canadian farmers can begin to obtain relief from the current crisis in agricultural trade.

We are reaping today the results of 40 years of the lack of will of the GATT countries to deal effectively with agricultural problems. GATT countries recognize that we must all mend our ways. Canada is proposing a bold and far-reaching plan to achieve this goal because we know that Canadian farmers need their foreign markets to survive. Canadian farmers are among the most productive in the world. Given a level playing field, they can compete on world markets. Our negotiating proposal offers a way to do that.

We believe that a systematic attack on measures that distort trade is urgently needed. We want to create an environment where farm production decisions are more responsive to market signals. We have seen how export subsidies directly, and domestic subsidies indirectly, can distort and depress international prices. It is time that we returned some sanity to agricultural trade.

By tabling our proposal we are challenging our trading partners to join with us in the search for lasting solutions to the agricultural crisis we face today. We look forward to working with our GATT partners to define those solutions. We believe the solutions we are offering are good ones and we encourage all GATT countries to table their own ideas. In that way we can move directly toward an agreement which will meet the needs of the international community. In that process, all countries will need to take account of the points of view of others so that the final result of the MTN will reflect a true world view of the solutions needed.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, we are at least grateful that the Government has finally shown a response in this matter. We have been asking in the House for the tabling of such a proposal since last February when the first phase of the GATT negotiating round on agriculture began. We are glad that finally, after some nine months, the Government has got around to providing at least the rhetoric of a proposal. However, we do not have any details.

Once again, we are treated to the spectacle of a trade proposal being given only in the largest of generalities, without dealing with many of the very serious and crucial issues that must be resolved in order to make such a proposal plausible and realistic.

Let me give an example. Next week, on October 26, the Government of Canada must decide whether it accepts the GATT ruling dealing with the European Economic Community exports of beef to Canada. There was a panel ruling against us and the Government must decide whether or not to accept that ruling.

The Government's decision will have a great bearing on our success in future negotiations for establishing a set of rules. It seems only appropriate that the Minister for International Trade (Miss Carney), in outlining the Government's so-called proposal, would have given an indication of what stand the Government would be taking. Surely any elements contained in that proposal will be based on that kind of initiative.

Members of GATT and officials of the European Community said that Canada would jeopardize its position in upcoming agricultural trade talks if it ignores the GATT panel ruling. That is a shot across our bow. We want to know what the Minister will do about it, but there was nothing in her statement to give any clue whatsoever.

Let me point to another major inconsistency. The Minister says that it is very important that we have new rules and that all the major players understand those rules. If that is the case, why was the Government of Canada one of the major countries vetoing the application of the Soviet Union to become a member of GATT? The Soviet Union is our largest customer and buys most of our grain. However, when the Soviets were in Uruguay attempting to at least acquire observer status or participant status, the Government of Canada gave absolutely no support and followed the United States in rejecting them. Our largest customer will be kept outside the rules which the Minister says are necessary. Surely a statement in the House should have included some explanation or response to that particular problem.

The most disturbing aspect of this statement is the underlying philosophy behind it. The Minister said, "We have promised not to abandon the farmers in the short term". Does the short term mean six months or a year? When will they be abandoned? Is that kind of philosophy—

Mr. Mayer: We know what you did. You just abandoned them, period. You did nothing.

Mr. Axworthy: The Minister of State for Grains and Oilseeds (Mr. Mayer) is having a short cardiac arrest. We will give him an opportunity to recover.

Mr. Gustafson: You abandoned the farmers for 20 years.

Mr. Mayer: If you did a better job negotiating the last GATT—

Mr. Axworthy: I remind the Minister that the whole support system about which he is making announcements was brought in by Liberal governments.

The Minister went on to say that the Government is now attempting to deal with a level playing field. The Government's position is a replica of that taken by President Reagan. We will move toward a total market oriented approach.

The Minister talks about reducing subsidies; what kind of subsidies, and what kind of programs? What is the Government prepared to renegotiate? Will it be the transportation subsidies or the Grain Stabilization Act? Incidentally, I remind the Minister that those were two programs brought in by Liberal governments. Those programs were introduced in order to deal with our geography and certain Canadian circumstances.

Will those matters be on the table? Is that what the Minister for International Trade is talking about? Essentially she is saying that the Government will provide a few welfare handouts in the short term while it negotiates away those major subsidies. Those are legitimate questions that western Canadian farmers, in fact all farmers, will have to ask because we have seen what has happened with the proposed agricultural initiatives under the free trade proposal.

That in itself gives a number of important clues about the Government's policy. First, it abandoned the subsidy under the Western Grain Transportation Act for the movement of Canola to the United States. It is the first time that a Canadian government has ever acknowledged that a transportation subsidy is in fact a trade related subsidy. It has established a seriously dangerous precedent.

It has agreed with the Americans who challenged the WGTA and said it was a trade related subsidy. If the Government of Canada has acknowledged this to the Americans, other countries will wonder whether Canada will acknowledge it to them as well. Therefore, the whole freight rate structure upon which Canadian agriculture is very dependent will be part of that negotiation and that so-called new reduction of subsidies about which the Government of Canada is talking.

Let me give a further example. The Government says that it will once again defend supply-management. However, if we consider the free trade agreement, we realize that when the quotas are removed and the tariff is reduced, one of the fundamental ingredients of a supply management system is pulled away.

Miss Carney: You are wrong.

Mr. Axworthy: How is it possible to organize supply management when you remove the kind of regulator by which other cheaper goods can come in and compete with your own supply system? The Government does not seem to understand most matters dealing with trade. The country was much better off when the Minister was away from the trade negotiations. The fact is that that subsidy arrangement with which we are now dealing in the tariff area is a frontal attack upon the supply-management system. That is very clearly seen in the free trade agreement and is something with which we are going to have to cope. It is not going to be part of the Canadian agricultural proposal? Is that what the Minister means? If she does not, she should spell it out much more effectively.

• (1520)

Let me give you another example, Mr. Speaker. We have under the free trade agreement a proposal dealing with the total reductions of the mark-ups on American wines. That does not include European wines which are the largest agricultural export commodity of the European Common Market. We are going to give the Americans lower access but we are not going to give it to the Europeans whose first response will be a challenge under the most favoured nation principle of GATT.

How can one provide a discriminatory ruling in respect of its major agricultural product and then try to get the Europeans to reduce their other kinds of barriers? The Government walks around with two right feet, continually stumbling over them. It does not know what it is doing. All it is doing is putting out a statement that is designed more to confuse and contradict than it is to give any clear explanation.

We challenge the Minister. We want to see more specifically what it is the Government is putting on the table; what kinds of tariffs, what kinds of subsidies, what kinds of programs, so that Canadian farmers will not be greeted with the same kind of fear and apprehension that met them two weeks ago when the Minister negotiated a so-called free trade agreement that will put agriculture in jeopardy.

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, in representing my Party's response to the Minister's statement on the multilateral rounds through GATT, I would like to make a couple of observations this afternoon.

First, I want to congratulate the Minister for initiating this multilateral series of agreements and negotiations. It is a

policy decision that I wish she and her Government had adhered to in the past couple of years. Multilateral agreements make much more sense for a country the size of Canada with the kinds of trading relations we have developed over the years. I think they will be much more productive in the long run. At least I certainly hope they will be much more productive than the bilateral agreements she and her colleagues came to just last week.

I note that the Minister takes some pride in the number of times the Government has raised the question of agricultural trade at the various international forums; the Cairn's Round, the Uruguay Round, the Venice Summit and the Commonwealth meeting. At all of those meetings, agriculture was mentioned.

This gives farmers some heart, but they still note that after more than two years of these kinds of meetings there is still no movement toward a basic resolution of the problem, which is basically a problem initiated by two of the largest grain traders in the world, the European Economic Community and the United States of America. The former had introduced a relatively modest, in today's terms, system of exporting grains at lower prices than they were being sold for within the European Economic Community. That in turn drew the ire of the United States, and some other competitors, of course, but the response of the United States is the one that has hurt us, and all other grain exporters, with the ultimate harm being done to exporters of meats, because it is very difficult to compete in a meat market where the extremely cheap subsidized grains are part of the input of the finishing of that meat.

The response of the U.S. was one of simply lowering what it called its loan rate, which has a habit of becoming the price for world grain. It would be very simple to change that decision made by the United States, and simply reverse it, by raising the loan rate by $1.50. Most farmers producing grains for export in the world right now would be able to come close to meeting their costs, but the U.S. refuses to do this. It chooses instead to use its treasury to pay its farmers instead of demanding that price from the market. The multilateral approach under GATT, while I must say I admire it, has some very large shortcomings in this particular set of initiatives which I think all farmers recognize, particularly if they are exporters of grains.

The GATT round includes 94 countries but does not include as full participants the U.S.S.R. or the People's Republic of China, the two largest grains importers in the world. As well they are two of the largest producers of grain in the world.

Miss Carney: China is it?

Mr. Althouse: Yes, China and Russia are the two largest producers. While China has observer status, as I interpret it, from outside, it appears the U.S.A. is trying to keep the U.S.S.R. from participating in these talks. I am quite concerned about that because it brings back memories from ten or 15 years ago of the United States trying to set the rules for the international grain talks that were going on at that time. The Americans had a firm idea in their heads about who should be considered producers and who should be considered consumers.

In the American view, Japan and the European Economic Community should be on the consumer side forever and ever, amen; the United States and other select groups of countries would be considered to be producers, and there would be certain rules and regulations for the two sides to take part, and that would be how the world markets would be carved up forever after. Unfortunately, the U.S. assessment was wrong. I think its assessment of keeping the U.S.S.R. out of these discussions is equally wrong. It was only a short period of time before both Japan and the EEC became exporters or had export capabilities in the production of grain. There has to be in these rounds recognition that countries do have the capability to switch from being consumers to being producers and exporters of grains.

I hold that both China and Russia have excellent opportunities to become surplus producers, given a climate where subsidies in the more developed countries disappear. I remind the House, because I think a lot of Members are not aware of this, that the U.S.S.R produces grain on a cost-of-production basis. Its state farms have to price the grain out at their actual costs. That is not the case for the production in Canada or in the United States. We sell the grain for what it will bring and it is usually below actual production costs.

As long as the Russians are functioning that way, they are very rational economic beings. They purchase grain because it is cheaper for them to purchase it than it is for them to produce it. But as soon as we and the other so-called more developed countries drop our subsidization program and stop using our tax dollars to subsidize the export of grains, those countries will become competitive and they have the capability to increase production. As soon as prices go up they will indeed increase production. So any agreement, whether under the GATT or as a special grains agreement, that ignores the Soviet Union is doomed to failure.

I think the program announced today does not provide us with very many details. I thank the Minister, however, for having made the effort. I think we are still awaiting an announcement and the tabling of documents from the Department of Agriculture, which has been doing an in depth analysis of what programs are now being provided in this country which would not meet the criteria that Canada has put forward at international meetings. These programs should be tabled for our review. It is not clear from this statement whether the Special Grains Program of last year will be permitted to continue this year. Farmers want to know, as quickly as possible, whether that $2.6 billion to $3 billion will be made available to them this year. Their very lives depend on it.

• (1530)

Mr. Deputy Speaker: I wish to inform the House that, because of the ministerial statement, Government Orders will be extended by 27 minutes.

Therefore, Private Members' Hour will begin at 5.27 p.m.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. Deputy Speaker: When the House rose at one o'clock there were two minutes left in the question and comment period of the speech of the Hon. Member for Prince Albert (Mr. Hovdebo). Are there any questions or comments?

Resuming debate with the Hon. Member for Hamilton Mountain.

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, I rise to speak on this Bill because it has serious implications for the future of our country. Certainly, over the years the whole immigration process and refugee designation has become so cumbersome that we have had no idea what we were actually doing as far as immigration was concerned.

I know that this Bill was put forward in an attempt to straighten out some of those issues, but instead it only adds to the inequality and the injustices that have already stayed in the system. When we look at some of the main thoughts of Bill C-55, we must look at the fact that there is a denial of rights to be heard. That is in direct contravention of the Accord that we have signed, which in Article 33 states that "no country shall expel or return a refugee in any manner whatsoever to the frontiers of territories where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular group, or social opinion". This means that when we do not allow a refugee to be heard, we are in direct contravention of the treaty that we signed.

In 1976, the Immigration Act was such that often officials were illegally turning people back without having heard them. When a stop was put to that, instead of this system becoming streamlined and efficient, there was a horrendous backlog. In an attempt to rid ourselves of this backlog, we have in front of the House Bill C-55.

Unfortunately, Bill C-55 does not get rid of the backlog. It gets rid of genuine refugees. That is the great concern that I have. Not only do people not have a right to be heard, but they have no time to prepare themselves for the hearing. There is no higher authority of appeal that has always been there. When we asked for an amendment in order that at least the chairman of the review committee could act in the next stage of appeal, that was refused. It seems to me that what we are looking at is something that traditionally is not what we would want as a society.

Unfortunately, there are many Canadians who do not believe that this type of thing is happening. They think that we are opening up and streamlining our system. It is important that we take a good look at this Bill and recognize that we are saying, "Sorry, if your life is in danger, if you are fleeing, you cannot come to Canada unless you have a visa, unless you have gone to your travel agent and acquired a ticket and you arrive here as a tourist". Basically, that is what we are saying.

When we recognize no safe third country, and look at what is a safe third country, very often we will not allow people to be admitted to Canada from another country. We have no assurances that those countries will keep them for a hearing. We are only saying that we will not hear them. We are really saying that we do not value their lives, therefore, it is all right for them to go back where they can continue to be persecuted and very often executed.

That is a tragedy and a mark on the very forward-looking attempt by the former Prime Minister, the Hon. Member for Yellowhead (Mr. Clark), when he raised the quotas of the Southeast Asian refugees and had them coming into this country. When looking back at that experience of almost 10 years, we will recognize that those people contributed to the economy of this country, to its character, to its culture, and certainly to its future.

It does not take very long for us to do a quick summary of some of the people who came at that time. They went through dire circumstances. They did not have legitimate papers. They did not necessarily come from safe third countries, some of which we would designate today as safe third countries. We opened our gates and welcomed them. They were privately sponsored and they have done very well. They have given Canada a whole sense and thread of culture that previously we did not have in the fabric of our country. I think it has been very important.

That will not happen again. What will happen if this Bill goes through is, unfortunately, something that has been on the agenda of the bureaucrats of the Department for many years. They will be the ones who will decide offshore who is and who is not a refugee. They will decide who is the best economic type of person to let into our country. Through their bureaucratic policies, they will decide what is or what is not humane. That is not the manner in which we have made decisions in the past.

Because there has been a backlog in our refugee designation, all we have done is to bend to what they have been attempting to do for approximately 20 years. Now they are successful. They are the ones who will decide the future of this country, as far as immigration is concerned. In looking not only at

refugees but at regular immigrants who wish to bring in or sponsor a relative, if there has been some official decision made, the whole process of appeal is so cumbersome and lengthy that they will never get into the country. Those are the people who are now complaining that they have been waiting. They will not cost the country any money because they are willing to sponsor their relatives and willing to sign the commitment for the people coming in. Certainly, because there has been an infrastructure of family and relatives there, they will be the solid type of people whom we wish to have in our country in the future. We are eliminating a lot of this.

We are putting issues to a very arbitrary type of decision-making when we say that, if a refugee is heard, he has to be heard very quickly, with no time for preparation. They are very fearful of what their conditions are, very often they are not knowledgeable in either of our official languages and, therefore, they have no way of being able to be heard legitimately, whether or not their lives are in danger or they are being persecuted.

We must also keep in mind the fact that we are only taking in approximately 5 per cent of the world refugees in the western world. When we are taking such a small number of refugees in the western world, it seems a tragedy that we are being selective and arbitrary about our decisions. What we are saying is that we do not really care whether or not people's lives are in danger. What we really want is to look at people who are in trouble and say to them that it is not their lives that we are worried about, it is what type of skills they have and what occupation they will have in our country. In that case, we may let them in, but then again we may not. If they are already here, they will be heard quickly. We will never be able to hear them out thoroughly and, therefore, very often their attempt at designation as refugee will not be heard.

Not only is this unfair and unjust, but it is very un-Canadian. It is not the type of thing that our country has responded to in the past. If we look at the refugees that we have opened our doors to, it has always been a positive experience. At times we have become arbitrary and turned it over to the officials of the Department, which unfortunately was what the decision-making was in 1939.

• (1540)

If we read *None Was Too Many*, which was documentation of the whole process of immigration at that time, we find that bureaucrats in the Department placed an over-emphasis on their decision-making power. With that kind of power they arbitrarily turned people away from our shores. They were sent back to the gas chambers, and we said that it was okay. That has been a blot on our history.

However, we can look back to the wonderful experience of opening our doors to the Hungarians, to the southeast Asians, and to many other refugees. Each time we did that, Canada had a spurt of growth and certainly its mosaic was enriched. We also had a good feeling about ourselves because were were putting our hands out to our brothers and sisters around the world. We were saying that we were not a country which only makes bureaucratic decisions but we are a country which is capable of looking at the whole.

When we signed the international agreement we were complimented by the United Nations. At that time we were told that Canada was in the lead and that Canada was showing generosity. What have we done since? We have contravened the agreement so that the United Nations High Commissioner for Refugees has criticized us.

Mr. Clark (Yellowhead): That is not true, Mr. Speaker.

Ms. Dewar: I am sorry, but I have certainly received some correspondence to that effect.

Mr. Clark (Yellowhead): Well, your correspondence is false. That is not true.

Ms. Dewar: Mr. Speaker, I think I will respond to the questions after, but that is the kind of correspondence I have received.

Over the years we have worked hard to ensure that our reputation would be sustained. I think the Hon. Member who is saying that that is not true took a very personal and active part in ensuring that we would have that kind of generous policy. It grieves and upsets me to say that everyone has been caught in this and that they have succumbed to bureaucratic decisions.

We have talked about the kind of Canada we want when discussing a variety of other Bills. However, surely the whole essence of that is how we treat people individually. If we do not start looking at people as part of the human family, we do not understand the human family or what our planet is all about. It seems to me that this Bill contravenes the goals and visions of our country over the years.

We will be told by our children and our grandchildren that it was because of this kind of Bill that people lost their lives. That is not the reputation we want to build for ourselves. That is not the reputation we want for this country. We have lots of land. We have lots of resources. We have the ability to be humane.

Even though our immigration numbers have been high, we have not met the quotas year after year. We have often been short. We have been short for the last two years or three years. We will probably continue to be short. If we pass a Bill like this one, we certainly will not be able to meet the quotas of people who are trying to save their lives, people who are escaping.

It is important to look at the demography of the country in very practical terms, at what is happening to our birth rate, and at the recognition that we need to increase immigration to maintain our population. We need that population if we are to develop a buoyant and vibrant economy. However, if we continue to bring in restrictive Bills such as this one, we might

not even be getting the kind of people we want, because Canada will soon be known to be a country which does not look generously and humanely at people, but as a country which looks at its own economic objectives with no sense of what are the rights of persons to survival.

I am very concerned that we are continuing to consider this Bill and that some of the amendments we have put forward were not accepted. I think they were very slight amendments. We were hoping that they would soften the Bill so that maybe a few lives would be saved which will not now be saved. We recognize that there are people who probably are not qualified to make decisions on whether or not a refugee is a refugee, who are not qualified for refugee designation. However, over and above that is the fact that the hearing and the information will be so short and incomplete that even if they were qualified it would be very difficult for them to make a good decision.

We know some of the things that are happening in Central America now. We know that the United States has closed its doors on refugees. I remind the House that we are only talking about 5 per cent of refugees who are coming into the western world. We realize that maybe the lives of people coming to Canada from Central America can be saved.

According to the Bill, if they do not have their papers, their visas, or their travel agent tickets, we will say "no" and send them back to the United States. The United States has said that it will not keep them, so they will be sent back to where they have been tortured and persecuted. That is not the kind of Bill at which we should be looking or of which we should be proud. We should be ashamed of this Bill, and we should not want to see it expedited.

We recognize the backlog in terms of refugee designation. Clearly something needed to be done. When they attempted to straighten that out, what happened was that the refugee designation system became backlogged because they allowed bureaucrats to make decisions and they did not put in place a decision which streamlined the system and provided adequate time, resources, and staff to ensure that they were heard.

It is no secret that for many years the Department has said that it knew better than anyone else who should come to Canada. With this Bill they are saying that the only people who will be able to designate refugees are our officials who decide what camps to go to, to pick out the cream of the crop, and to send them here. That is a dreadful direction for us to take both in immigration and in refugee designation. It seems to me that there is a better way to do things. We could streamline. We could have two parallel systems, one that is identifying and designating refugees and another which is looking at straight immigration. We also need to increase the family reunification program and our resources for refugee designation.

It is not an impossible task, but what they are doing is just taking 10 backward steps in attempting to amend the Immigration Act with this Bill. I urge Hon. Members of the House to defeat the Bill because it is not the kind of thing of which any of us will ever be proud. It is the kind of thing that can leave us with a legacy where people will say: "What were they thinking of? Did they have no sense of justice and humanity? When the world was getting into a turmoil, what did Canada do?" They will say that Canada restricted its immigration Bill so badly that it was literally impossible for refugees to have their lives saved by coming to this country.

Mr. Heap: Mr. Speaker, I congratulate the Hon. Member for Hamilton Mountain (Ms. Dewar) on a speech which I think was a very powerfully reasoned and moral plea. I think the moral issue she presented is right and was very strongly stated.

Although it is only a few months since she was elected in Hamilton Mountain, I know that she spent a good deal of time talking with the people there before she was elected and that she has been in close touch with them since she was elected. I would like to ask her what she finds about the opinion of the people of Hamilton Mountain or anywhere else that she wishes to mention.

My point is that we were told by the Government that Canadian people all want this harsh law. We have been told that groups like the churches, refugee aid groups, and the Bar Association representing 35,000 lawyers who opposed the Bill were only special interest or pressure groups speaking against the majority of the public.

I would be interested to know what the Hon. Member has found about the expression of opinion from the public in her particular area of jurisdiction.

• (1550)

Ms. Dewar: Mr. Speaker, I have been to meetings in my riding of Hamilton Mountain. I have had correspondence from groups right across the country. I have had calls from individuals in Hamilton Mountain. The general thrust is that people want to have a fair Immigration Act. They have heard the debate and looked at the Bill and recognized that this is not a fair Bill. It is a Bill that will discriminate against refugee designation. Certainly the consensus that I have heard in my riding from the people of Hamilton Mountain, from some of the collective groups, the church groups, the local labour council, individual parishes and congregations is that we should speak out against the Bill. They would like to stop it because they think it is a backward step and one which will give us an international reputation of not being the just and generous society which they like to think we are.

I think it would be less than responsible if we did not speak out against the Bill. The information I get from the people who have elected me to represent them is that Canada needs a fair and just immigration Bill. This we do not have. Some people have been generously wanting to sponsor family members, but they have been unable to do that. They have wanted to sponsor refugees, but have been stopped from doing that. With the other Bill coming through, people could be charged for helping

refugees and could be seen as being criminals in what they thought was an act of charity and love.

I have no hesitation in being able to say to the Hon. Member that the people of my riding and in the district in which my riding is, Hamilton Wentworth, have organized meetings, as have the churches. They have made a plea to us to speak out against the Bill. I spent about an hour in my office just before we came into the House today responding to correspondence asking me to to please do something about this Bill which they are against. It seems to me that we are representing the people who elected us to speak for them as well as for the potential future immigrants who will not now be able to come to this country.

Mr. Heap: Mr. Speaker, the Hon. Member mentioned church groups in her riding. Were they of one particular religious orientation or do they include non-Christian groups? Did they indicate a knowledge of what is in the Bill so that the Member felt they knew what they were opposing, or were they only speaking generally for fairness?

Ms. Dewar: Mr. Speaker, the churches, including synagogues and Muslim groups as well as Christian groups, have studied the Bill. They have looked at the lack of a safe third country provision as well as a lack of a provision for a just and adequate hearing. They recognize that there is no avenue for a higher appeal. The know the Bill very well. They fear that there is a sort of popular approach to the introduction of the Bill. People thought that it would be harmless and it would not be as obstructive as it actually is. I think church congregations have been very successful in getting that concern out. We are hearing from the individual citizens now as well as from the collective groups. It seems to me that not only have they studied the Bill but they are doing a good job at educating people around them about what the Bill is all about. I have come across people who at first said they supported the Bill but when they got the Bill and started to look into it they came out in great opposition. The more and more people know about the Bill the more concerned they are about it.

Mr. Heap: Mr. Speaker, the Hon. Member mentioned the matter of no safe third country. We know that particular phrase has been removed from the Bill.

Will the Hon. Member comment on the fact that the United Nations representative came to the committee to speak about the Bill and agreed with one of the government questioners that the UN does not charge Canada with contravening the Convention? But it was pointed out by a later witness that, of course, the UN does not charge us with contravention because there is no such thing as enforcement. There is no policeman to take us into court or put us in jail over this Convention.

We have all seen the four page letter which was sent, which matter was reiterated in greater detail before the committee. There was a demand that there be a guarantee against refoulement of anyone who might be a refugee. One of the questions raised is whether the principle that a person be sent back to a country considered to be in compliance with Article 33 of the Convention is satisfied given the fact that it does not guarantee that such a country will give a person a hearing which Canada denied.

Does the Hon. Member consider that, by failing to ensure that either Canada or the country of departure give a refugee claimant a hearing, we have in fact refused to meet the request of the United Nations High Commissioner for Refugees on that point? Second, when people had studied the Bill they asked for an adequate appeal system. As Members know, no change was made in that respect. Would the Hon. Member consider on that point that we fail to meet the requests? I ask these questions because the Hon. Member got some very high priced heckling from across the aisle from a Member who said that the correspondence was false. I think the heckling from across the street was false. I would like the Hon. Member to make her comment.

Ms. Dewar: Mr. Speaker, there is no question in my mind, even though we took out the no safe third country concept, that if Canada does not give an adequate hearing, and we have no guarantee that an adequate hearing will be had from the country to which the person is returned, we are contravening the agreement. Some of the rationale I have heard in the debate in the House of Commons is that it is not our fault that the other country will not give people a hearing. We have already established that precedent by saying that we as a country will not do it, so why should we expect somebody else to do it. I certainly do not think that we met the request from the United Nations High Commissioner. What was being asked was to make sure that we did not contravene the convention in that way.

As well, the appeal process I have described is not there. We even asked for something as minor as to have the chairman of the refugee commission review the process, but that was refused. It seems that we literally do not have an appeal process per se, certainly not the type of appeal process asked for by the High Commissioner. There is no question in my mind that we can be held up for criticism in that we did not meet the conditions. After having signed the agreement we have obviously said we really do not care about it, that if somebody else does not care about it, that is their problem. We are not doing anything to show any leadership about any kind of moral commitment to the resolution of a world problem on which the western world is not going overboard, but for the little bit we do take responsibility we are not taking a lot of moral responsibility. I do think it is a shame.

Adjournment Debate

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Lévis (Mr. Fontaine)—International Monetary Fund—Finance Minister's message to Washington meeting; the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall)—Pharmaceutical industry—Profits of drug manufacturing companies— Research work—Request for inclusion of guarantees in legislation; the Hon. Member for York East (Mr. Redway)—Status of women— Report on battered women—Lack of space in transition houses.

• (1600)

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I welcome this opportunity to enter the debate. The constituency I represent has for 100 years been the place in which new immigrants and refugees who came to western Canada first settled. To the people who came from eastern Europe before World War I, the Ukrainians, the Poles, the Germans, the Jews and the Czechs, to mention just a few of the groups, in recent years have been added people from Italy, Portugal, the Philippines, Hong Kong, Viet Nam, Central America, Africa—it would take all my time to list all of the countries from which people have come.

The record of Canada with respect to the entry of immigrants and refugees prior to and during World War II is one of which none of us can be proud. Any Member of Parliament who has read that very important book, *None is Too Many*, written by Irving Abella, will know how impossible it was for Jewish refugees to enter Canada after the seizing of power in Germany by Hitler and how not only the Prime Minister of the day but indeed the senior officials of the Immigration Department worked so hard to keep out those and other refugees.

Things changed after World War II. We have seen the movement into Canada of several million people, either as immigrants or as refugees. After the end of World War II, we saw tens of thousands of people, people who had lived in the countries of eastern Europe and who had been uprooted and pushed into western Europe as slave labourers during World War II who did not want to go back to those countries which are now communist dominated, come to Canada. Later, at the time of the revolt in Hungary, we saw thousands of Hungarians come to Canada. After the difficulties in Poland, thousands of people came from Poland. Then came Asians from Uganda, Chileans and Vietnamese. Tens of thousands of people have come here as a result of political uprisings, unrest and revolutions and have adjusted to Canada and made important and useful contributions to Canada.

The Conservative Government does not seem to understand what happened. There is no better example of the failure of the Government to understand how the refugee problems developed and how we should deal with them than the way in which this Government reacted to the two most recent situations. A little more than a year ago, a boatload of Tamils arrived on our shores. They were greeted and welcomed by the Prime Minister (Mr. Mulroney) himself. A year later, a boatload of Sikhs came, but this time they were greeted by the Government with hostility and were condemned as queue-jumpers.

The Government does not know what to do. It has no principles, it has no policies, and because it is having difficulties, it is being manipulated by senior people in the Department who have always been antagonistic to immigrants coming from what they consider to be the wrong places, from—

Mr. Clark (Yellowhead): That is an absolute falsehood, Mr. Speaker.

Mr. Orlikow: Mr. Speaker, I wish the Secretary of State for External Affairs (Mr. Clark), if he wants to speak on this or any other issue, would make his own speech and not interrupt with his intemperate remarks.

Mr. Clark (Yellowhead): I wish you would tell the truth.

Mr. Orlikow: It seems to me that as the Conservative Party declines in the polls, the Secretary of State for External Affairs becomes more vituperative and more antagonistic.

Mr. Clark (Yellowhead): You are out of date.

Mr. Orlikow: The Hon. Minister says I am out of date. There is no evidence that that is a fact.

The Secretary of State has suggested that when I say that this Bill was drafted by senior officials in the Department, by the bureaucrats, I am wrong.

Mr. Clark (Yellowhead): That is not what you said and you know it. The record stands and you were not speaking the truth.

Mr. Orlikow: The record stands. I will give the interjections of the Hon. Minister the consideration to which they are due, and that is zero.

Let us put on the record the facts. The Bill we are debating has been opposed by more groups representing more people than any Bill that I have ever heard debated in this Parliament in my more than 25 years here. Let me list briefly the groups which do oppose this Bill. The Canadian Bar Association, not the most radical organization, the Canadian Jewish Congress, the Canadian Council of Churches, which represents 11 of the major non-Catholic church groups in Canada, the Canadian Conference of Catholic Bishops, the Canadian Labour Congress, and many others—

Mr. Malone: Plus the NDP Party.

Mr. Orlikow: The NDP and the Liberals. The former Conservative Chairman of the Standing Committee on Employment and Immigration sat through the hearings and came to the conclusion, based on the evidence, that this was a bad Bill, so he has been removed as the chairman of the committee.

Rabbi Gunther Plaut was commissioned by the former Liberal Government and made a report containing a number of very sensible proposals, all of which have been ignored. The parliamentary committee on which a vast majority of the members were Conservative Members of Parliament joined with the then Chairman, a Conservative Member from Quebec, and made a number of very useful, workable, progressive suggestions about what should be in the Bill. Those suggestions have been almost completely ignored.

The UN High Commission on Refugees has said that this Bill violates the agreement that we signed on this matter. All these groups and individuals have been urging reform of the present slow and bureaucratic refugee determination process which they say fails to recognize genuine refugees.

I say as I said a few moments ago that I cannot believe that this Bill as it is before us today could have been drafted by anybody but senior Department officials. I repeat, I believe that many of them have very definite ideas as to who they think should be able to come to this country and they are not happy with what has happened in recent years with the large number of people coming from countries from which we never permitted or encouraged people to come either as immigrants or refugees.

Mr. Clark (Yellowhead): That is false and cowardly.

Mr. Orlikow: Again, the Secretary of State for External Affairs is interjecting.

• (1610)

Let me put on the record some of the views on this Bill held by non-political organizations. First, we have World Relief Canada which serves as the refugee resettlement arm of the Evangelical Fellowship of Canada, an association of 23 evangelical Protestant denominations. They strongly urge our Government not to pass Bill C-55 and Bill C-84 as originally proposed.

Mr. Clark (Yellowhead): On a point of order, Mr. Speaker. The Hon. Member has been making assertions about the motives of public servants who are not here to defend themselves. He is doing that in breach of all the traditions of a parliamentary democracy. He is also seeking to associate with those condemnations, which I can only call cowardly, various organizations which might oppose the Bill. Is he seriously suggesting that the organizations he is listing join with him in attributing base motives to public servants who cannot come here and defend themselves?

Mr. Orlikow: Mr. Speaker, of course I have not said that. I am not suggesting it. I am not implying it. When the Right Hon. Minister reads *Hansard* tomorrow he will see that I am quoting precisely what those groups said. They said nothing about the motives or actions of senior public servants. I said that and I take responsibility for it and I believe it. If the Right Hon. Minister would take the time to read the book by Professor Abella he would see that that was the attitude of senior public servants in the period before World War II. I suggest there are still some of those around at the present time.

Let me read from a statement made by the Canadian Jewish Congress which says:

> As Jews, we ask you this time not for ourselves but for all those who arrive at our shores seeking refuge . . . (we) implore you not to close the gates by enacting this seriously flawed piece of legislation.

Or the Canadian Bar Association which represents most of the lawyers in this country. They were very clear in their rejection of this Bill. They said:

> Section 3 of the Immigration Act sets out our objectives; the objectives with respect to refugees are: 3(12), to fulfil Canada's international legal obligations with respect to refugees and uphold its humanitarian tradition with respect to the displaced and persecuted.

They reject this Bill. They call on Parliament not to enact this Bill.

I say to the Right Hon. Secretary of State for External Affairs that if he will not listen to members of the NDP, representatives of the major church organizations, the Canadian Labour Congress, or the Canadian Bar Association, who is he listening to? By a process of elimination I can only come to the view that he and his Government are listening to senior representatives in the Department. Why does he not look at the record of that Department? We had a movement to this country of several thousand Portuguese who claimed refugee status because they were supposedly being persecuted as Jehovah's Witnesses. That was a false claim. It took the Department months before it woke up to what was happening and put through a regulation requiring Portuguese to obtain a visa before they came to Canada.

We saw a similar situation involving a large number of people from Turkey. During the period of time when there was great violence in Turkey and people were being murdered in the hundreds, we had virtually no people from there coming here claiming refugee status. Over the last couple of years, when things were relatively quiet in Turkey, suddenly we had

hundreds of them claiming refugee status. Again the Department was, to say the least, slow.

I have no complaints about the people in the Department who I have worked with. I have had requests, as I think every Member who represents an urban constituency has had, from constituents asking for assistance in getting their relatives into Canada. I have had nothing but the utmost co-operation from people in the Department in both Winnipeg and Ottawa. I am not suggesting for a moment that the majority of the people in the Department are not doing a good job, not following the law or interpreting the law as they should be in a sympathetic way. What I am saying, and I believe it to be true, is that there are people in important positions who have never accepted the change in attitude—

Mr. Clark (Yellowhead): Perhaps you should name them.

Mr. Orlikow: —which took place—

Mr. Clark (Yellowhead): If you had any courage, you would.

Mr. Rodriguez: Certainly this Bill was not drafted by the Minister.

Mr. Orlikow: Of course I cannot name them, but I can look at the Bill—

Mr. Clark (Yellowhead): This is scurrilous.

Mr. Rodriguez: Look at history.

Mr. Orlikow: Mr. Speaker, fortunately I do not have to satisfy the Right Hon. Minister.

Mr. Clark (Yellowhead): You just make blanket accusations and do not back them up with any names. That is shameful.

Mr. Orlikow: Mr. Speaker, I do not believe I have to name names. I think it is the responsibility of the Minister who brought forward this Bill to tell us by whom it was drafted.

As I indicated, virtually all of the important organizations representing millions of Canadians have been critical of the Bill. They have been critical not only of certain provisions and clauses, they have said very clearly and specifically that unless there are major amendments it should be defeated. I prefer to stand with those groups and organizations than with the Government which brought forward this Bill.

If the Right Hon. Secretary of State for External Affairs, who I presume had very little to do with the drafting of this Bill, or the Minister of State for Immigration (Mr. Weiner) or the Minister of Employment and Immigration (Mr. Bouchard) want to tell us who drafted the Bill and whose ideas these clauses were based on, then we can decide whether I have been unfair or whether in fact the suggestions I have made as to the origins of the clauses in this Bill are correct. I would be very happy to have the Minister, now or at some point when the committee meets, give us an explanation as to what happened.

Mr. Clark (Yellowhead): Show a little courage, name the names.

Mr. Orlikow: I intend to vote against this Bill, as I have indicated right from the beginning. As I have indicated right from the beginning, I think this is one of the worst Bills with which Parliament has had to deal in many years. It is unfair to refugees. It will be used against many people who, I believe, have the right to come to this country. It will be used to keep out many people who, if permitted to come to this country, would make a contribution as have the hundreds of thousands of people who have come to this country since the end of World War II, either as immigrants or refugees.

• (1620)

I see a tremendous change in the population of my city. There are people of all races, all colours, and all religions there. People like the former Justice Clyne of British Columbia have criticized and attacked what has happened since World War II. They believe that this will destroy the country. I believe, however, that permitting people to come to this country, either as immigrants or refugees, from every continent in the world since World War II has added a great deal to our country. It has helped to make this country a much better place in which to live than it ever was before. Because I believe that this Bill will lessen the number of people whom we permit to come to this country, either as immigrants or refugees, I intend to oppose it.

Mr. Cook: Mr. Speaker, I have a number of comments to make. The rhetoric I have been listening to in this debate is starting to get to me. We seem to have overlooked the facts and it may be interesting to go back and look at some of them.

I have heard no mention of the major problem involved with the recent landing on the foggy shores of Nova Scotia of a large group of illegal aliens. That is what they should be called. The terms "refugees", "boat people" or whatever are only euphemisms for people who have deliberately broken the laws of Canada and landed on our shores without any right whatsoever. There are thousands of people throughout the world who are waiting for visas in order to come to Canada legitimately and honestly. Illegal aliens attempt to jump the queue.

When the current Immigration Act was drafted in 1976 anyone in Canada, whether here legally or illegally, was given the right to a determination of their claim by the Minister and to a redetermination before the Immigration Appeal Board of any claim rejected by the Minister. Quite frankly, that was not a bad system.

These were not simply assurances or administrative arrangements, but were rights established in the law which made it impossible to remove anyone until these rights were honoured. The current system began to break down in the early 1980s due to an unprecedented number of refugee claims which, at one point, numbered over 1,000 a week. That was caused by worldwide events beyond Canada's control. Many of

these people were claiming refugee status when in fact they were economic migrants.

That is an abuse of Canada's generosity because it constitutes an attempt to remain illegally in Canada. Some of the *bona fide* refugees, as well, are people from refugee-producing countries who had an opportunity to find a safe haven in another developed country before they came to Canada. Unfortunately, nothing can be done to keep such people out of our very complex process until the Immigration Act is changed.

This Bill provides us with the tools to deal with the high volumes of claimants we are experiencing. It introduces three features which are not found in the current legislation. The Member has totally ignored those three features.

First, individuals arriving from countries that have been designated as safe third countries by the Cabinet will be returned to those countries without being allowed to claim refugee status in Canada. Second, manifestly unfounded claims are refugee claims without any merit because they are based on difficulties not at all related to the Geneva Convention. Third, there will be a streamlined determination process. For persons whose claims appear to have some substance there will be a single level of review by an independent quasi-judicial tribunal and an appeal by leave to the Federal Court of Canada. This will be completed in a few months rather than in several years as is now the case.

The new refugee determination system will offer a simple, high-quality procedure moving us clearly away from the existing cumbersome system of review and appeal. It will provide effective defence against abuse and, thereby, prevent manipulation.

Does this mean that I am against refugees any more than is the Hon. Member? Of course not. I believe that legitimate individuals who, for political rather than criminal reasons, could face death if returned to their country of origin should be allowed to stay in Canada provided that they are prepared to be good citizens of Canada and to work for this country. This is a moral and responsible attitude espoused by the NDP with which I totally agree. If there is real danger to individuals, of course they should be allowed to stay.

Nine out of ten refugees are economic refugees seeking a better life in Canada. Who can blame them? However, entry to Canada must be legal and achieved in an organized and proper manner. Illegal aliens make a mockery of Canada. That is why this legislation is necessary and should be passed.

The 1976 Liberal Government Immigration Act was a humanitarian and charitable attempt to open Canada to help the rest of the world. Unfortunately, it has been used and abused by the desperate and has been overwhelmed. In the interests of all Canadians it must be changed substantially. Why the NDP does not understand that, I do not understand. In any event, let us get on with passing this Bill and cleaning up immigration in Canada.

Mr. Deputy Speaker: The Member for Winnipeg North (Mr. Orlikow) will be given equal time to respond.

Mr. Orlikow: Mr. Speaker, I listened to the Hon. Member and wondered what he was talking about.

Mr. Holtmann: You did not understand?

Mr. Orlikow: Mr. Speaker, if the Member for Selkirk—Interlake (Mr. Holtmann) wants to speak, which I doubt that he can, he should make his own speech and not make interjections during my speech. If the Hon. Member for Selkirk—Interlake can read, which I doubt that he can, and looks at *Hansard* tomorrow, he will see that I never said that the 1976 legislation was good legislation. I never said that all the people who come to Canada claiming to be refugees are genuine refugees. I did say that this Bill does not do the things which the Government says it wants to do. I did say that many groups, which I listed, made suggestions on how the Bill should be changed so that the people who claim to be refugees can be dealt with quickly—rather than taking the years which it now takes—fairly, humanely, and honestly, which these organizations say that this Bill does not achieve.

I will ask the Member who made that statement a question. Maybe he will take the time to make his own speech. What was the difference between the Tamils who came here a year ago and were greeted as genuine refugees and promised humane, generous treatment by the Prime Minister, and the Sihks who came in the same way? I am not saying that either group should have been permitted to come here.

• (1630)

The present law does not permit a quick, fair and humane judgment. I suggest to the Hon. Member who criticizes me, the New Democratic Party and, implicitly all the groups who opposed this Bill, that he or the Prime Minister should tell us what the difference is between these two groups. If this Bill had been in place, would the Prime Minister have greeted one group generously and humanely and called the other group queue jumpers, as he did? If this Bill had been in effect, what judgment would have been made? I think the Government should be explaining this, rather than us explaining the inadequacy of this Bill.

Mr. Neil Young (Beaches): Mr. Speaker, my remarks will be brief.

An Hon. Member: Good.

Mr. Young: If they listen, they may in fact welcome my remarks.

I spoke at some length at second reading of this Bill and therefore do not feel that I need to take the full 20 minutes allotted to me at this point in the debate.

My remarks will be based on some comments made by another Member with respect to this Bill. I think his comments

were more in reference to Bill C-84 than Bill C-55, the legislation with which we are dealing today.

Mr. Friesen: You heard what he said, Mr. Speaker.

Mr. Young: I heard what I said, Mr. Speaker. I do not know if you did. I believe it is absolutely true that part of the confusion that has arisen about this issue is the difference between immigrants and refugees, particularly in reference to those unfortunate people who landed on the shores of Nova Scotia in the summer.

No one would pretend to even argue that they were immigrants in the ordinary sense, nor would they probably be covered by this legislation. In fact, as I understand it, Bill C-84 itself was directed toward those people who landed on the shores of Nova Scotia during the summer months.

I suggest that the Member's comments only add to the confusion that exits in the country and perhaps to the misconception that those individuals somehow or other had denied legitimate immigration claimants access to Canada because they were queue-jumpers over legitimate immigrants. I do not think that is a fair way to characterize this problem.

I want to comment on the excellent work of my colleague, the Hon. Member for Spadina (Mr. Heap), as well as on the time he spent on this Bill both in the House and in the committee. It was a great help to members of my caucus, and I know that while government Members may disagree with him, I am sure they appreciated his contribution.

I have seldom seen any piece of legislation that has been so roundly condemned and opposed by groups and individuals who have been concerned with refugee and immigration matters over the years.

I understand that there were some 40 witnesses who appeared before the committee dealing with this Bill during some forty-four and a half hours of testimony before the committee. All of those 40 committees were in opposition to what the Government was proposing. I am told that there were probably five witnesses before the committee who supported what the Government was proposing, but most of them were officials from the Minister's Department and one was a representative of the airlines, which I believe have their own vested interest in the outcome of this Bill.

I want to read a letter concerning Bill C-55 that was circulated to concerned MP's by a Mr. Donald Anderson, General Secretary of the Canadian Council of Churches. I want to read it because he says what I would like to say much better. He begins:

> We appreciate government work to try to improve Bill C-55. Unfortunately our deep concerns remain. How can we know if a person claiming to be a refugee needs our help if we do not hear their problems? Each person claiming to be a refugee should have a right to have their individual circumstances assessed and their case decided on its merits before competent independent decision-makers. To us, this is the intent of the Convention and Protocol.

He is talking about the United Nations Convention and Protocol to which Canada is a signatory. He goes on to say:

> Immigration programs may legitimately choose who comes on humanitarian grounds and may set priorities on countries they may come from. We understand the attractiveness of this approach. Bill C-55 provides for exclusion of people not on the basis of their individual circumstances, but by a political cabinet decision that the country they transited before arriving in Canada is deemed to adhere to Clause 33 of the Convention, that is, it is deemed the transit country will not return the person in any manner whatsoever to a country where he or she may face persecution. This is a far shot from our obligation to give an individual who arrives in Canada a fair hearing of his or her claim to need our protection.
>
> Also, there is no meaningful appeal to any of the critical decisions made which can remove claimants from Canada in proposed inquiries and hearings.

He concludes by saying:

> We cannot accept legislation which sets aside a claimant's right to just procedures in the name of administrative convenience. We urge you to reconsider, to abandon this Bill C-55 and to speedily replace it with one conforming with the principles of allowing every claimant a hearing on the merits and a meaningful appeal. There are alternative processes we can surely all support.

Most of the witnesses who appear before that committee, while recognizing that there was something wrong with Canada's immigration processes, also made suggestions on how Bill C-55 could become a more humane Bill, give more consideration to the needs of those individuals who wish to establish refugee status in Canada. Unfortunately, the majority on the committee rejected all of those suggestions that were put forward.

For example, World Relief Canada, which serves as the refugee resettlement arm of the Evangelical Fellowship of Canada, an association of 23 evangelical protestant denominations, strongly urged the Government not to pass Bill C-55 and Bill C-84 as they were originally proposed. Mr. Lorne Waldman of the Coalition for a Just Refugee and Immigration Policy said:

> We would like to ask you to remember in your deliberations the wider context of the refugee issue.
>
> We feel that Canada should play a role in pressing for peaceful solutions to conflicts in areas of the world that produce refugees.

• (1640)

In conclusion, I would simply say that I think it is unfortunate that the Government has resorted to extreme measures in reacting to what everyone admits is a problem, but which is not as big a problem as the Government is attempting to make it out to be. It is obvious that it is going to have the support of the majority of the House because it has the bodies, but I would honestly hope that at some point down the road the Minister of Employment and Immigration (Mr. Bouchard) will review this policy and come up with something that is much more humane so that Canada can continue to enjoy the reputation we have managed to build up internationally with regard to our approach to refugees and to our immigration policy.

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I was not going to give a speech, but I have been moved by what I heard. I thought I would just say a few words that I want to put on the record.

Here we are in the third week of October. This House was brought back on August 10. Why was the House brought back? Do you remember why we were brought back, Mr. Speaker? First, we were brought back because in fact we were being invaded. There was a sort of Asian phobia because the Sikhs had landed on the East Coast. I recall that atmosphere very well. The Government was finally going to show how decisive and tough it was. We heard comments like "queue-jumpers". This boatload of refugees who landed on our shores and claimed refugee status were queue jumpers. They were abusing the system and it was not fair. There was a big argument and the Government mixed up refugees and immigrants until the public could not make out the difference between refugees and immigrants. The Government brought us all back on August 10 and it brought in Bill C-84 which was concocted in the crypts of the bureaucrats here in Ottawa.

The Government got the sensitive Minister—and he understands what I mean when I say he is a sensitive Minister and should be a sensitive Minister—to bring in Bill C-84. And where is Bill C-84 now? It has not been passed as law and Canada has not been invaded. Canada still exists and Bill C-84 is hung up. But the Government decided that while we were here it was going to jam Bill C-55 through, and here it is. We are in third reading of Bill C-55 today. The Government also thought that while we were here it was going to get Bill C-22 passed, and we all know where Bill C-22 is today. It is keeping Bill C-84 company. They are warming each other up in the warm place with the red carpet and the majority of Liberals over there, God bless their souls.

I have to ask myself what kind of government it is that cannot even order its priorities and get its legislation through. What kind of leadership is it exhibiting? It is a government that, for example, could not bear to have the Chairman, its Chairman of the Standing Committee on Labour, Employment and Immigration, depart from the Party line, having said it believes in the independence of committees? That man showed bravery in standing up in this House and condemning Bill C-84, as well as condemning Bill C-85. He did it publicly.

The Conservatives talk about queue jumping, and we have the case of Mr. Grossmann. It is unfortunate that the Sikhs who landed were not all teachers. It is too bad they did not teach the Prime Minister's children so they could have sent home a written message, because if ever there was an example of queue jumping, that was it. The Prime Minister's wife sent the note to the Prime Minister's Office, which sent it to the Minister responsible for immigration, and he promptly jumped to obey. He asked: "How high?" With special dispatch he sent it down the line of bureaucrats. And do you know what the bureaucrats did? They broke the rules because he was under a status. He had a work permit which did not come to an end until September 30, 1987, yet they were processing him for another status, a landed immigrant status. So they broke their own rules. You want to tell me, Mr. Speaker, that that is not a sign of privilege? I would not want to say that the colour of his skin was white. I would not want to say that, but I would want to suggest that maybe I could think about it.

Mr. Clark (Yellowhead): That is shameful, John.

Mr. Rodriguez: We have heard about people coming here because of economics, not really being refugees. I could think of other situations. There was a hockey player that Harold Ballard wanted to play for his Maple Leafs. God knows, he needed any help he could get. He brought a Czechoslovakian hockey player here. As far as I know, he was brought here within four days. In four days Harold Ballard had the guy playing for the Maple Leafs. He decided on Sunday he was going to get the guy here to play, and within four days he had him playing. He played that Saturday for the Maple Leafs. We, of course, have a shortage of hockey players. You know that, Mr. Speaker.

I did not see this great fuss made when the tourist liners lined up in Montreal and Polish tourists got off the boat and claimed refugee status. Then there was the case of the Bulgarian wrestlers. I know we have a shortage of wrestlers in Canada. They got into the country. No problem. They were not even Sumo wrestlers. I do not know why the Minister was intimidated, but they got into Canada just like that, and no one said they were jumping the queue. Does it have something to do maybe with the colour of their skin?

Mr. Clark (Yellowhead): That is shameful demagoguery. It is shameful.

Mr. Rodriguez: It is not shameful.

Mr. Clark (Yellowhead): It borders on racism.

Mr. Rodriguez: And it was done by the same bureaucrats who sank the ex-Prime Minister, who sits here and heckles me. He should be examining that situation instead of defending the bureaucrats who did him in, and will do him in again.

Mr. Clark (Yellowhead): You have no standards, John.

Mr. Rodriguez: About 60 witnesses came before the committee on Bill C-55. With the exception of about two or three bureaucrats and two airline officials who argued for the Bill, everyone else was against the Bill and made recommendations for changes. I think the Government made two minor changes. There was nothing substantive changed. The people who appeared before the committee, and my hon. friend, the Hon. Member for Winnipeg North Centre (Mr. Keeper) named the groups, were all experienced in working with refugees. They were more experienced than the Minister or me. Yet the Government never even gave them the benefit of accepting any substantive changes. It is not the Minister who knows how it works, it is the bureaucrats. They are the ones who designed this Bill, and all the Minister is doing is carrying the can for the bureaucrats. As I said, being a sensitive Minister, he really should be aware of these things. We know the standing committee has made recommendations, for

example, on family reunification. Has anything been done on that?

• (1650)

Mr. Keeper: Promises.

Mr. Rodriguez: A Tory make a promise. Do you believe that? Changes have been recommended with respect to immigration. The standing committee brought in recommendations with respect to refugees. Has anything been done about putting those recommendations into effect? No way.

The Minister and the Government ought to examine their motivations as to why we have this Bill before us. Why is it that Parliament was recalled on August 11 to pass Bill C-84 to save Canada from an invasion of Asian people? Why are we still here and Bill C-55 is only at third reading? It is such a priority that it keeps getting put down the list and down the list. Here we are on October 20 still debating Bill C-55.

I do hope—and it is the only justification I have ever had for the existence of the other place—that Bill C-55 will go over there and keep those other two Bills company. That is the only hope that I have now that Bill C-55 will have its final resting place over in the red Chamber. I wished to state that because it was on my mind. I have listened to some of the heckling and some of the comments made to my colleagues as they gave their speeches on Bill C-55.

I wish to remind the House that we cannot have two standards for who comes into this country, either as immigrants or as refugees. We must have a system that is fair and just.

Mr. Clark (Yellowhead): Exactly.

Mr. Rodriguez: And a system that is non-discriminatory.

Mr. Clark (Yellowhead): Exactly.

Mr. Fulton: I have a short question for the Hon. Member, because he can probably hit the nail on the head more quickly than many Members in the House. My question is in regard to the politics of Bill C-84 and Bill C-55.

I wish to relay what has happened in my own constituency during the last two weeks, and the type of inaction I have found from the government side. Last week I hand-delivered a letter to the Solicitor General (Mr. Kelleher) regarding large numbers of illegal aliens coming into my constituency by boat up the Stikine River. I contacted Customs in Prince Rupert. Those people had not been clearing Customs. Their state of origin was unknown. I contacted the RCMP and they told me that they did not have the budget to go up and do anything about it, but perhaps I could help by getting in touch with the Solicitor General to get something done.

I assume that the Solicitor General has been in touch with the Minister of Employment and Immigration (Mr. Bouchard) about it, because it is a serious matter. Those people are entering Canada illegally. They are contravening all types of provincial and federal statutes with their activities while they are in British Columbia.

Having related that to my friend, the Hon. Member for Nickel Belt (Mr. Rodriguez), I would like to ask him what he thinks the politics are. Here we have an example right now of where we cannot get an immigration officer, a police officer, or anyone to deal with illegal aliens coming into northwestern British Columbia. But in a situation where a boat load of refugees arrive in Nova Scotia, suddenly it is a national crisis. Parliament has to be recalled. The House of Commons, which costs $180 million a year, has to be thrown into full force. Three months later we are still debating the Bill. Not a single one of those who came in under refugee status to Nova Scotia has been deported, asked to leave, or kept in custody.

I ask the Hon. Member for Nickel Belt, what are the politics and the political agenda of the Government in recalling the House during the summer to deal with Bill C-84, and now Bill C-55?

Mr. Rodriguez: It seemed to me that the Minister responsible for immigration should have been on his feet right away asking the Hon. Member for Skeena (Mr. Fulton) the question as to where those people are coming from, the ones whom the Hon. Member reported to the authorities as being illegal aliens. I notice the Minister is not interested in that type of information.

The Hon. Member for Skeena asked me about the politics. Look, I am just a lowly back-bencher in the New Democratic caucus. I only look at things and size them up. I asked myself the question, "What are the politics of this situation?" Well, as I described, the Government is on the ropes, down at 23 per cent in the polls.

Mr. Weiner: Twenty-eight per cent.

Mr. Rodriguez: It is looking for something to bring it up in the polls. To its salvation comes a boat-load of Sikhs on the East Coast of Canada. Right away it is a crisis.

I saw the television cameras showing the House of Commons; the midnight oil was burning in the Minister's office; they were planning. The Armed Forces were called out. Our Navy—all two boats—was out there patrolling the 200-mile limit. Information was leaked that there was another boat on the way with the wives and the spouses. The gunboats were out, they were armed, and there they were patrolling and patrolling. This image was on the TV screens. As the image was on, the hysteria was building. It reminded me of what I had been reading in history about the hysteria that Mackenzie King used to whip up against the CCF and the yellow race.

Of course, here was the Government determined to pull itself up by the boot straps from 23 per cent, and here was this golden opportunity to show how tough it was. That is the politics behind that.

Furthermore, it is no secret that the Government knew that a lot of that animosity towards the Sikhs had been whipped up in this country. Even if there were some violent ones, it was applied to the whole community of Sikhs, which is very unfortunate and very untrue. So here was the situation of this boat-load. It had an appropriate group, the Government was going to come in with Bill C-84 and recall Parliament. We all know that Parliament can only be recalled if it is an emergency situation. The Speaker had to be convinced that this was an emergency situation, and Your Honour was convinced of it and acquiesced to recalling Parliament.

I imagine that the stock market could have been falling and we would never have been called back. But this was a national crisis. We had to solve this problem of 200 people. Well, I think that is the politics of it. It is really a disreputable situation.

The Government will inherit the disaster that will follow from this type of action. It has not improved its standing in the polls. It will find out, as have all Governments in the past, that playing this type of game will catch up with it in the end.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more that five Members having risen:

Mr. Deputy Speaker: Call in the Members.

• (1700)

During the ringing of the bells:

Mr. Gauthier: Mr. Speaker, as the Whip of the Official Opposition I would like to request, pursuant to Standing Order 13(4)(a), that the vote on Bill C-55 be deferred until tomorrow at six o'clock and that the understanding also be accompanied by the following order: That the House proceed with Private Members' Hour at this time so that we can proceed with the Bill before us at five o'clock, as normal, instead of going to Government Bills with Bill C-74.

Mr. Fennell: Mr. Speaker, we are in total agreement with that arrangement on the basis that we move straight ahead into Private Members' Business now.

Mr. Deputy Speaker: As it is the preogative of the Opposition Chief Whip to ask for the deferred vote, the vote will be deferred until tomorrow at six o'clock.

It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

NUCLEAR WEAPONS FREE ZONE ACT

MEASURE TO ENACT

Mr. Jim Fulton (Skeena) moved that Bill C-214, an Act to declare Canada a nuclear weapons free zone, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, I am honoured and pleased, under the new rules of the House, to have before us Bill C-214, an Act to declare Canada a nuclear weapons free zone.

The main contents of the Bill are the declaration of Canada, our territorial seas and airspace, as nuclear weapons free. It also calls for Canada, through the Secretary of State for External Affairs (Mr. Clark), at the earliest opportunity to move a motion calling for a world referendum on world disarmament.

The Hon. Member for Regina West (Mr. Benjamin) and the former Hon. Member for The Battlefords—Meadow Lake, have had similar Bills before the House for debate. The Hon. Member for Beaches (Mr. Young), who is present for the debate this evening, has a votable motion presently before the House to declare Canada a nuclear arms free zone, to prohibit export of materials or technology for construction or deployment of nuclear arms, and to encourage cities, provinces, and states throughout the world to undertake similar action.

Many recent publications have come out, but one of the better ones, in my view, is the one by Elizabeth Woodworth, a medical historian in Victoria in my home province of British Columbia. She has put together a book called *What can I do? Citizen's Strategies for Nuclear Disarmament*. In one of its appendices there are a number of quotations from military professionals and statesmen about war and nuclear weapons with which I should like to lead in the debate.

I should like to quote first from Admiral Noel Gayler, U.S. Navy (Retired) Former Director of the National Security Agency, Commander of all U.S. Forces in the Pacific, and Deputy Director of the Joint Strategic Target Planning Staff. He had the following to say:

> There is no sensible military use for any of our nuclear forces: intercontinental, theater, or tactical.

The second quote is from McGeorge Bundy, George F. Kennan, Roberts S. McNamara, and Gerard Smith, from the paper they produced called *Nuclear Weapons and the Atlantic Alliance*, and I quote:

> It is time to realize that no one has ever succeeded in advancing any persuasive reason to believe that any use of nuclear weapons, even on the smallest scale, could reliably be expected to remain limited.

The third quote is from Chairman Leonid Brezhnev at the 26th Communist Party Congress in Moscow. He said the following:

> The peoples should know the truth about the consequences, ruinous for mankind, which nuclear war would bring.

The next quote is from President Ronald Reagan in his recent Camp David address, and I quote:

> A nuclear war cannot be won and must never be fought.

The next quotation is from Rear Admiral Eugene J. Carroll, U.S. Navy (Retired) and currently Deputy Director of the Centre for Defence Information in Washington, D.C., in *Nuclear War: The Search for Solutions*, from the proceedings of a conference held at the University of British Columbia under the auspices of Physicians for Social Responsibility just a year ago, and I quote:

> You simply can't fight with nuclear weapons, and the first lesson that we have learned as we build up these arsenals is that they serve no rational military purpose.
>
> "—Both sides are planning, arming, and training for a nuclear war. We are on a collision course in the name of deterrence. Each side says we are building these weapons to deter nuclear war, we are preparing for a war to have peace. We are going to end up with the weapons themselves starting a war which no one wants. They are going to be uncontrollable and unmanageable in time of crisis or under events of stress, miscalculation, or accident.

I want to comment on that quotation for a moment. Just yesterday and today we learned the impact of having massive amounts of so-called co-ordinated hardware and software in terms of the computers involved in the New York Stock Exchange, Toronto Stock Exchange, Vancouver, Hong Kong, London, and around the world.

We realize that if there is anything we can learn from that, it is not just that the stock market is a barometer but that one of the fixes which has come to be involved in that area of the world market-place is the same kind of technology which is involved throughout the world in terms of a nuclear response in a time of crisis. I think we can just hope that the same kind of thought processes which put the chips together for computers monitoring the equity market are not the same kind of thought processors that put together the response mechanisms for the computer hardware for a nuclear response.

• (1710)

The next quote I have is from Dwight D. Eisenhower, 34th President of the United States, who said:

> When people speak to you about a preventive war, you tell them to go and fight it. After my experience, I have come to hate war. War settles nothing.

The next quote is from Dr. George F. Kennan, U.S. Ambassador to the Soviet Union in his speech of acceptance of the Albert Einstein Peace Prize in 1981 who said:

> To my mind, the nuclear bomb is the most useless weapon ever invented. It can be employed to no rational purpose. It is not even an effective defence against itself . . . I question whether these devices are really weapons at all.

The next quote is from Churchill, Prime Minister of the United Kingdom from 1940-1945 and 1951-1955. He said:

> The human tragedy reaches its climax in the fact that after all the exertions and sacrifices of hundreds of millions of people and the victories of the Righteous Cause we have still not found Peace or Security and that we lie in the grip of even worse perils than those we have surmounted.

The last quote is from Albert Einstein. In the final week of his life, in his last signed appeal against the development of nuclear weapons, he said:

> We appeal, as human beings, to human beings: Remember your humanity, and forget the rest.

Many learned and thoughtful people have set their minds on how to deal realistically with the nuclear presence we now find on the planet. There are over 50,000 nuclear weapons, all of them larger than those which eliminated, in the blink of an eye, Nagasaki and Hiroshima. We have to become much more practical. That is why I am encouraged to see so many publications coming out, so many Canadians, physicians and people around the world regardless of nationality, rallying to a common cause to find a way to denuclearize the world through verifiable and balanced means so that the world can go on quite a different course.

There are nuclear weapons free zones by international treaties, the four key ones being the sea bed, Antarctica, outer space and Central America. Seventeen nations around the world have already self-declared, including Japan, Austria, Sweden and New Zealand most recently. Work is under way to declare the South Pacific nuclear free, and hopefully through efforts in this House, if we can manage to get enough Members mobilized on it, to get first a Canadian declaration and ultimately an international treaty to declare Canada's Arctic nuclear free.

There are 169 nuclear free zones in Canada as of June, 1987. Even in my own constituency, cities like Prince Rupert, Terrace, Kitimat, Smithers are nuclear free. Many others are trying to become nuclear free such as the Queen Charlotte Islands and other areas of the Pacific northwest. Major cities, Vancouver, Calgary, Edmonton, Regina, Toronto, Montreal, Bathurst, Lunenburg, cities and regional districts representing 59 per cent of Canadians now live in self-declared nuclear weapons free zones. The entire Province of Manitoba has recently passed a resolution before it making Manitoba a nuclear weapons free zone.

My Bill attempts to expand the zones, such as Vancouver where, for example, U.S. nuclear vessels tie up in the downtown area. That city and its councillors have declared all within their jurisdiction nuclear weapons free, but often at the

end of a rope at times rest vessels regularly armed with nuclear weapons in the middle of one of Canada's major cities.

The UN has long supported the establishment of nuclear weapons free zones as a means to bring about balanced verifiable disarmament. In 1978, the UN declared in its final report on disarmament:

> The establishment of nuclear weapons free zone on the basis of arrangements arrived at among states in the region concerned constitutes an important disarmament initiative. The process of establishing such zones should be encouraged with the ultimate objective of achieving a world free of nuclear weapons.

Canada has internationally supported nuclear weapons free zones in the international theatre in 1978 and 1982. However, both Liberal and Conservative Governments have preached internationally but hidden from the issue here at home. The present war in the Persian Gulf surely reveals the importance of installing stronger mechanisms to achieve peace and to provide for nuclear weapons disarmament. The most recent silk worm missile attack of recent days against vessels carrying the American flag in Kuwaiti waters and even yesterday's bombing of Iranian oil platforms reveal the escalation in that zone.

Probably a lot of people in this House and in the country realize that over one million Iranian and Iraqi soldiers and citizens have already perished in the few short years of that conflict. Without strong leadership on the peace front this war will spread like cancer with real potential for a nuclear response.

The preposterous arguments trotted forward by the Government when this matter has been raised in the past must be taken head on. I would like to quote from one of the more recent debates where the central argument coming from the government benches is that if Canada adopted a nuclear weapons free zone resolution policy for all of Canadian territory, our obligations to our allies would be diminished. In fact, the former Minister of National Defence, the Hon. Member for Victoria (Mr. McKinnon), on August 31, 1987, as found on page 8630 of the Commons Debates, said in relation to the excellent motion by my friend, the Hon. Member for the Beaches (Mr. Young)

> It would be foolhardy and dangerous for Canada to pass such a resolution.

I think we have to spend a moment and think here. We have the Secretary of State for External Affairs going to the UN and various functions around the world pushing and calling for other states to declare themselves nuclear weapons free zones, fighting for treaties for the sea bed and other areas of the globe, demanding that they declare themselves nuclear weapons free, but the key work to be done at home is put back on the shelf. Yet remarks totally unrelated to the motion and totally without any substantive logical argument are left on the record saying it would be foolhardy and dangerous to pass such a resolution. That flies in the face of two-thirds of Canada's population who have already, through various forms of referenda and the electoral process, declared their immediate areas, be they a city, a town, a regional district or a province, nuclear weapons free.

Canada is nuclear weapons free in the Canadian military sense. But we are linked to weapons production, and by allowing particular U.S. vessels and aircraft to use our territory for transit of these weapons we are drawn further and further into the potential for either accident or conflict.

The NATO argument is constantly trotted out, but do we hear a peep from the same government back-benchers and cabinet members about Canada withdrawing from our historic commitment to provide troops to Norway? Nothing. No major speeches are given across the country by government Members about withdrawing from that sole responsibility in NATO. They point to the New Democrats and say "Oh, they want to withdraw from NATO." What hypocrisy, Mr. Speaker. The Government has already withdrawn our key commitments and has done nothing about the threats to our sovereignty and security in the Arctic. I want to spend a few moments on that.

The Government promised, it is going on years, that there was going to be a Polar 8 ice-breaker to provide the kind of sovereignty and security so dearly required in the Canadian Arctic. I responded to the Secretary of State for External Affairs following the voyage of the *Polar Sea*, unasked and unwanted through Canadian territory. The Government at that time promised it was going to build the largest ice-breaker in the world. Perhaps it would be built in Vancouver, certainly on the West Coast. I suppose that is being held back for an election promise and then another one years down the road. There is something more dire in the consequences of what the Government is doing.

What we see on the international stage is the Prime Minister (Mr. Mulroney) pursuing with vigour issues like apartheid, for which I congratulate him. Also we hear speeches given by Secretaries of State past and present on the need for nuclear weapons free zones and treaties around the world. What we should have on behalf of Canadians in a serious way is a declaration of the Arctic, all of the Arctic as a nuclear weapons and technology free zone. But there is no movement on that.

Instead what is the Government doing? It is proposing to acquire from France, Britain or somewhere outside of Canada, nuclear submarines. For what purpose? Not to be armed to go under the Canadian ice, to go into the Canadian North, but simply to go under the ice and monitor for surveillance purposes, to ping either American or Soviet or other submarines that we know have been lurking and operating unasked, unwanted and contrary to Canadian sovereignty within our territory.

Those who have taken a look at the implications of that policy realize quite quickly that the alternatives are far better in the interests of Canada in sovereignty and security as suggested at a meeting that I attended with people far more knowledgeable than I on military matters, security and

sovereignty. We have the technology, in hardware, software and computer submarine monitoring devices, to place the kinds of monitoring devices that we should have had long ago in the Canadian Arctic. We have the technology to monitor the movements of any vessels in, at, near, under or around our territory in the far North. Those are the kinds of technologies that should be implemented now, even before the construction of the Polar 8, so that we will have accurate, ongoing data for the preservation of both Canadian security and of Canadian sovereignty in the area.

• (1720)

Rather than that, what is the Government doing? We have not heard a peep about pursuing a resolution for Canada on a nuclear weapons free zone in the Arctic, not a peep about how to move accurately and properly forward to preserve our internationally recognized legal rights in the Arctic so that if we ever have to go to the International World Court in the Hague to put our case forward for Canadian sovereignty and security, we will have the kind of accurate and formidable legal data that we should have to win such a case.

When I was debating with the Secretary of State for External Affairs on the voyage of the *Polar Sea*, I was listening to what the Minister had to say about how we have come to secure sovereignty in the eyes of the world throughout all of the Arctic Archipelago, throughout all of that enormous mass of land, ice and water. This Government of all Governments placed sovereignty on the backs of the Inuit people. It said that the presence for thousands and tens of thousands of years on the ice, on the land and on the water in the High Arctic, in the Canadian North, was the root at international law for our sovereignty and security on this continent in the eyes of the world. Yet the same Government has taken no substantive movement on the comprehensive or specific claims of the Inuit or of the Dene, the Métis, the Yukon Indians, the Nishga, the Haida or any other aboriginal groups in Canada.

It is truly a preposterous state of affairs when the Government secures in the eyes of the world sovereignty and security on the backs of the Inuit but takes no steps, within the context of Canada's Constitution, which recognizes and affirms aboriginal title and rights, to give them the same kind of recognition that it provides to any forest company, any mining company, any corporate entity or anyone else.

One must spend a moment reflecting on the enormity of the psychological pressure on people of all generations who reflect at any time in their lives on the implications of nuclear weaponry and the possibility of a nuclear holocaust. Just think for a moment, the cost of one Canadian tank, usually constructed outside of Canada for military purposes, would pay for 520 classrooms for 15,000 children anywhere in the Third World. The cost of one nuclear submarine would pay for the education of 16 million children in the Third World for an entire year.

There are 50,000 plus nuclear weapons in the world now. How can an individual in Canadian society or elsewhere in the world confront that? How can people logically find a way to deal with that directly and to search internally and externally for peace? It is only through individual action and, as a starting point, declarations of nuclear weapons free zones.

The $800 billion that was spent in 1987—and it is expected to be $900 billion in the coming year—on world military expenditures amounts to $1.5 million per minute. How can intelligent, understanding people in Canada or elsewhere stand idly by knowing that every single day, thousands of children in the Third World are dying of malnutrition? If even a small amount of the money going into military hardware was diverted for disease control and for providing food and education, we would have a far better and a far more peaceful world for everyone to live in.

Along with huge and growing trade deficits and debts, we have now seen the U.S. economy begin to turn upside down. Every $1 billion dollars spent on the U.S. military creates 28,000 jobs in the United States. If that were spent in the transportation industry, it would create 32,000 jobs. If it were spent on goods and services, it would be 57,000 jobs or 71,000 jobs even in Canada or the United States if spent on education.

The jobs argument about the nuclear weapons industry is often self-serving drivel. Anyone who can understand the exorbitant costs of these expenditures on regional economies has to be saddened.

This debate must be an affirmation that Canada wants to influence national and international behaviour and nuclear policy. The world can return to peace and stability but only through leadership and the pursuit of peace.

[*Translation*]

Hon. Donald J. Johnston (Saint-Henri—Westmount): Mr. Speaker, I am pleased to have this opportunity to talk about nuclear disarmament and about the suggestion made in Bill C-214 which is before us and whose purpose is to establish a nuclear-free zone in Canada.

[*English*]

I have to say at the outset that I have a great deal of sympathy for the position put forward by my friend who is a member of the NDP. Obviously we share with him all the concerns that he has expressed, but the question surely before the House—

[*Translation*]

—the question which Hon. Members must examine is as follows: First, is this legislative measure truly realistic? Will such a unilateral declaration as that advocated by my friend lead to unmistakably concrete results with respect to nuclear disarmament, and will such an approach prove to be a worthwhile contribution to nuclear disarmament?

[*English*]

I suggest that notwithstanding the sympathy and support which I wish to offer to the spirit of this proposal, it does not meet those tests. I do not believe that a unilateral declaration of a nuclear weapons free zone as proposed is realistic. Second, I do not believe it would be effective. Consequently, I do not think it would make a significant contribution to reducing or eliminating the threat of nuclear war on this planet.

That being said, I want to draw the attention of the House and of my hon. friend to the position of my own Party, the Liberal Party, as expressed at the November 1986 convention in a resolution which went specifically to this point. It was a resolution referred to, I believe, during an earlier debate in this House on the same subject, a resolution put forward by the association represented by my colleague, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy). A number of points were raised in that resolution but specifically it resolved that the Liberal Party of Canada move immediately to adopt a more imaginative and rigorous arms control policy which would include making Canada a nuclear weapons free zone.

I want to emphasize at the outset that the Party to which I belong has taken that position, but as our Leader has carefully explained on numerous occasions, that must be done within the context of our international treaty obligations, specifically our obligations to NATO.

Let me say a word on definitions. What is a nuclear weapons free zone? There are many who define it in different ways, but Project Ploughshares, for example, tells us that in its view, it is a defined geographic area within which the possession, deployment, storage, transit, manufacture, testing or other support of nuclear weapons and nuclear weapons systems is prohibited.

• (1730)

I must say that Bill C-214 certainly seems compatible with that definition. In fact, I suggest it goes even further.

As the sponsor of the Bill pointed out, there are such nuclear weapons free zones established by treaty in four areas, namely the sea bed, outer space, Antarctica, and Latin America. In 1985, a zone was also set up in the South Pacific, but it is interesting to note that there the transit of nuclear weapons is specifically provided for. I gather that that zone was designed primarily to address the problem of nuclear testing. Indeed, the Nordic countries, Denmark, Norway and Iceland, have since 1958, I believe, tried to establish a nuclear weapons free zone in their area, so far without success. Similarly, some of the Balkan states have been trying to do this since 1959, specifically Greece, Romania, Yugoslavia, Bulgaria and Turkey. Those are examples of either nuclear weapons free zones established by treaty or attempts to do so.

There are also examples of unilateral declarations, such as the proposal we have before us. Specifically, we have the example of New Zealand. You will recall that the U.S. response to New Zealand's position was to remove protection and apply trade sanctions.

[*Translation*]

So the question is this, Mr. Speaker: Would a unilateral declaration on Canada being a nuclear-free zone be consistent with our NATO commitments? There are many who say yes, like Project Ploughshares whose NATO definition I have just referred to. But there are others who say no.

Mr. Speaker, I will refrain from elaborating on the legality of such a unilateral declaration, that is within the scope of our multilateral obligations, but will this kind of gesture help achieve the goals mentioned by the NDP spokesman?

[*English*]

As I said before, I do not think that a unilateral declaration would meet the objectives I described at the outset which surely must be the objectives of my friend from the NDP.

That being said, there is no need to be negative when faced with this proposal. There is no need to be negative with respect to the concept of a nuclear weapons free zone for Canada. After all, as the Hon. Member pointed out, we do not have and have not had nuclear weapons ourselves for some years as a matter of policy. Surely in itself that is a statement that others should not have them either.

There is no need to review the unthinkable consequences of any kind of nuclear confrontation on this planet. The question is: Would a unilateral declaration contribute? Or would it not, on the contrary, tend to remove Canada from nuclear policy decisions at the tables of NATO? Might it not compromise our ability to influence our allies on arms control? In addition, could we enforce it? Obviously we could not. Therefore it is not practical, it is not effective, and does not meet that test which I set at the outset.

What would? Obviously a negotiated multilateral nuclear weapons free zone to which Canada could be a party and in which territory of Canada could be involved is of course a realistic alternative. The Arctic is a logical place to begin.

I realize my time is short but I cannot help but mention the statement made by General Secretary Gorbachev in his recent visit to Murmansk on October 6 when he entertained the possibility of a negotiated nuclear weapons free zone in the Arctic. It had been my intention to read rather extensively from his comments because I think they are quite enlightening and should make us optimistic about the possibilities of demilitarization, if one could use that term, of the Arctic area.

He makes specific reference to the nuclear weapons free zone and perhaps concessions that might be made with respect to the Soviet arms currently situated in the Kola Peninsula. I know there is a certain amount of skepticism that one could effectively have a nuclear weapons free zone in the Arctic given the present significance of the Kola Peninsula for Soviet military purposes. Nonetheless, why not give it a chance? Why not find out? Who could object to a verifiable, enforceable

nuclear weapons free zone established by treaty to which the superpowers would be parties? That would be an effective way of making a significant contribution to nuclear disarmament. Surely that is the direction in which we should be moving.

In closing, the proposal in Bill C-214 is not realistic. It will not make a significant contribution to nuclear disarmament. However, the concept of a nuclear weapons free zone within the parameters I have described is something that indeed some day we may attain. That day may be sooner rather than later.

[*Translation*]

Mrs. Anne Blouin (Montmorency—Orléans): Mr. Speaker, this bill reflects a concern that, as the Government is well aware, is on the minds of many Canadians. I refer to the role of nuclear weapons in preserving collective security and Canada's own responsibilities in that regard. Given the awesome destructive power of nuclear weapons, it is understandable that Canadians who reflect seriously on national and international security issues should be especially attentive to their Government's policies in this area.

First of all, I would like to emphasize that Canadian policy and practice are in many respects already in conformity with the provisions of Bill C-214. Canada does not possess nuclear weapons.

In normal peacetime conditions, no nuclear weapons are deployed, tested or constructed within Canada nor transported through Canada. Nor could such nuclear-weapons related activities occur on Canadian territory or under Canadian jurisdiction without the express consent of the Canadian Government.

I would remind the House that Canada's situation in this regard is very different from that of a number of our NATO allies who accept the stationing of nuclear weapons on their territory. As for Canadian exports, it is firm Canadian policy that all exports of nuclear material, equipment and technology shall be for peaceful, non-explosive purposes only.

This policy is strictly implemented through bilateral agreements and with the cooperation of the International Atomic Energy Agency.

• (1740)

Secondly, Mr. Speaker, I would like to make it clear that the Government is in principle sympathetic to the broad concept of nuclear-weapon-free zones until such time as the Treaty on the Non-Proliferation of Nuclear Weapons, which Canada strongly supports, achieves close to universal international adherence. Meanwhile, the establishment of such zones can make a contribution to the objective of preventing the proliferation of nuclear weapons. However, to be effective a nuclear-weapon-free zone must in our judgement fully meet the following criteria: apply to a well-defined region; have the support of the countries of the region; and, most importantly, promote regional and international stability.

From what I have said so far, Mr. Speaker, it should be apparent that the Government's approach is a pragmatic one. Our central concern is to ensure that in current and foreseeable circumstances our policies contribute to national security and international stability.

Canada's national security policy is based on the twin pillars of collective defence and arms control and disarmament. This Government's commitment to collective defence is exemplified in Canada's membership in NATO and NORAD. The primary role of the Alliance is to safeguard the security of member nations by deterring aggression. This Government believes, as do other NATO Governments, that the nuclear deterrence strategy of the Alliance has been a critically important element in maintaining peace in the East-West context for over 40 years. Canada has voluntarily shouldered the obligation to contribute to the capability of the Alliance to implement its strategy of deterrence. As I have mentioned, this has involved a less onerous burden for us than for several other Alliance members who have accepted the deployment of nuclear weapons on their territory. It would neither be consistent with our Alliance membership, nor with our own security interest, for Canada as a matter of principle to attempt to dissociate itself from any or all aspects of the nuclear deterrence strategy. This will remain an essential element of our collective defence until there is much greater progress in reducing levels of armaments, particularly strategic nuclear weapons, and in building a more secure world.

The second central pillar of our national security policy is arms control and disarmament. The Canadian Government, like other Alliance members, recognizes the desirability of moving toward reduced reliance on nuclear weapons. The fact that the USA and USSR are close to successfully concluding an agreement that will totally eliminate the whole category of intermediate-range nuclear weapons on a global basis is a significant milestone in the arms control process. These negotiations began as a result of an Alliance initiative. The progress in the negotiations has in no small measure been due to the ability of the Alliance to maintain a consistent, coordinated approach. The Alliance is similarly providing strong support for the efforts of the two superpowers to negotiate major reductions in their strategic nuclear arsenals. As we move toward a less nuclear world, the conventional balance of forces gains in importance. In this area too, Alliance members are coordinating their efforts to bring about negotiations with the objective of maintaining security through balanced reductions of armaments.

Canada has been able to make a serious and constructive input to these important arms control negotiating efforts, in which we have a direct interest, because of our presence at the table as an Alliance member. Without that membership card, Canada would be relegated to the spectators' gallery. Even in multilateral arms control forums, much of Canada's credibility and capacity for influence derives from our Alliance membership, which signals to others our level of knowledge about and direct involvement in the activities of key deliberative forums.

To the extent that we decline to assume our share of the collective defence burden, Canada's ability to influence events as an Alliance member would be diminished.

The question must be asked, Mr. Speaker, what would really be achieved by passing this Bill?

In many respects, as I have noted, nothing would change. Canada would remain a country without nuclear weapons and with no direct involvement in the manufacture and maintenance of nuclear arsenals. However, by signalling a righteous desire to dissociate ourselves from key aspects of the collective defence strategy of the Alliance, Canada's credibility and influence with our traditional European partners, not to mention the United States, would be significantly diminished. Our own security would certainly not be enhanced and could in fact be compromised. It would, in sum, be a worse than futile gesture which ignores the realities of today's interdependent world. This interdependence is just as real in the area of national security as in other areas.

Finally, this Bill provides that the Secretary of State for External Affairs should request the United Nations to hold a world referendum on nuclear disarmament. Mr. Speaker, in resurrecting this old chestnut, the Honourable Member is not helping to advance the arms control and disarmament process. Although a global expression in favour of nuclear disarmament would be fine in itself, it would not be a substitute for the negotiation of effective international arms control agreements. The call for a referendum fails to recognize that meaningful progress in reducing levels of nuclear weapons must be the product of negotiations among governments. There are no short-cuts or substitutes for the negotiating process.

Even if such a referendum were to be held, it is not clear how the results should be interpreted in view of the global diversity of political systems and approaches to freedom of expression.

Furthermore, practical considerations, such as the enormous expenses associated with such an undertaking at a time when the United Nations is attempting to avert financial crisis, would present a serious constraint.

To sum up, Mr. Speaker, when comparing the uncertain benefits with the staggering costs, the utility of such a referendum is highly doubtful. Mr. Speaker, for all these reasons, I would strongly urge my colleagues on both sides of this House to vote against Bill C-214.

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, I welcome this opportunity to speak to Bill C-214, an Act to declare Canada a nuclear weapons free zone. This Bill deals with a very fundamental issue to which no Canadian is indifferent, which is the role of nuclear deterrence in Canada's defence and security and in maintaining peace.

Canada has no nuclear arms and does not intend to purchase any. It has signed treaties guaranteeing the non-proliferation and prohibition of nuclear testing; furthermore, unlike most of its allies in the North Atlantic Treaty Organization, NATO, it neither stores nor deploys nuclear arms on its territory. According to the terms of the Bill, Canada is technically a nuclear weapons free zone in peace time. However, because of its geographic location, Canada must live with the threat of a nuclear holocaust which, in a conflict between the two superpowers, would make short thrift of neutrality and spare no one. There are only two ways to avert this threat: by maintaining a credible force to deter potential aggressors and through negotiation.

Canadians know that strategic deterrence is provided under NATO's collective security plan, and that we, for our defence, have to count on the nuclear forces of our allies. Today, the mutual deterrence system is effective and stable. Despite some of the worst crises, it has given us more than forty years of peace, and the Government believes this should continue. In this perspective, the Canadian Government's priority is not to create nuclear weapons free zones but to maintain peace zones.

As part of this common effort, since we count on our allies and they count on us to deter a potential adversary, we are in favour of developing and maintaining nuclear forces with the potential for survival that is necessary for an effective and credible deterrence system.

So, Mr. Speaker, even if Canada does not have and does not deploy nuclear arms, it contributes to strategic dissuasion.

Our role and our mandate are clear and have their roots in our geography and history. We must continue to ensure the aerospatial defence of North America, which we are doing through our defence effort and our association with NORAD. We must protect NATO strategic forces by forbidding access to our air space, our territory and our territorial waters to any potential aggressor. And Mr. Speaker, this is the real purpose of the defence program of the Government. Last, we must put our territory and our facilities to the disposal of our allies if required.

We fulfill those obligations and those collective security tasks in the full respect of our sovereignty and our integrity. In peace time we cooperate in the training and development of the dissuasion force. In time of crisis, Canada could authorize the strategic force components to fly over its territory and use its facilities.

It is essential and in keeping with our policy and our commitments that our air space and fire ranges continue to be used for the testing and development of non-armed components, that our Armed Forces train with the Atlantic Alliance Forces and that the dissuasion force ships visit our harbours.

It is not a threat for our country but it is part and parcel of its security and its commitment to peace.

A commitment to peace which results in a sustained negociation effort toward arms control and disarmament. These negotiations are unprecedented because of their duration and intensity, and they are contributing to the dialogue between East and West. Our presence at these

negotiations and our ability to influence how they are carried out and what results are achieved can also be attributed to our membership in the Atlantic Alliance. Because of our defence effort and of our role in collective defence, Canada is a valid and credible participant which can and does take certain initiatives.

Mr. Speaker, I do not believe that the best way for us to contribute to world peace and security would be to break away from NATO or to weaken the deterrent strength of the Alliance. As abhorrent as might seem the use of nuclear weapons to ensure our defence, their presence is essential to counterbalance the Soviet arsenals. To renounce to these weapons would be a violation of our commitments, but it would also disturb the balance which is essential to maintain world peace.

• (1750)

Mr. Speaker, when I read the proposal of the socialist Member, I am tempted to ask him certain questions about his philosophy for peace and the general ideas of his socialist party for the protection of our western civilization, North America and Canada. I would like to know what his party would suggest as an alternative solution if Canada were to break off its association with NATO as his socialist colleagues have proposed. I find it strange that Canada would be asked to disassociate itself from a very credible international defence force while other members of the same party have asked that war be waged in certain countries. It is true that, since this request was officially made by certain socialist members, their leader decided to demote to the rear rows those who had been responsible for these initiatives, which were to say the least bellicose on the part of people who would like to eliminate nuclear weapons.

It would be better if the members of the socialist party agreed on a way to protect Canadians. If they prefer the protection of the Soviet Union, they should not be living in this country. They should move elsewhere, along with their colleagues. This is why, Mr. Speaker, I oppose the motion of the socialist member because I am happy to live in a free country in North America where citizens are free and prosperous, and it is in fact because of this prosperity that these socialists can become parasites of our western civilization.

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, I am pleased to rise on this motion after the excellent speech made by our colleague for Lévis who to some extent gave our Socialist friends a good dressing-down. Our Socialist friends, Mr. Speaker, take every possible opportunity to try to scare Canadians. Fortunately, Mr. Speaker, Canadians do not take them that seriously come election time. But, of course, Canadians being what they are, and having a great sense of compassion, will make them comfortable in-between by giving them a feeling of popularity in the Gallup polls.

Mr. Speaker . . .

[*English*]

Mr. Fulton: Mr. Speaker, I rise on a point of order. I have watched two government Members read typed speeches into the record. The Hon. Member speaking now does not seem to have the vaguest idea of what the debate is about. Perhaps the rules of relevance might be applied to him.

[*Translation*]

Mr. Deputy Speaker: The Hon. Member for Lac-Saint-Jean (Mr. Côté) may go on with his comments.

Mr. Tremblay (Lotbinière): Mr. Speaker, he does not even understand French, he does not know what he is talking about, come now! How stupid, really! Go and learn French and then you may come back! Come now!

Mr. Côté (Lac-Saint-Jean): Mr. Speaker, I would like to point out to the Hon. Member opposite that yesterday was my birthday and last night since on this side we still have friends, someone was kind enough to give me this lovely pen I now have in my hand. So a while ago as I was listening to the speeches, I did a little doodling to try out my new pen and I jotted down a few comments here. So, if the Hon. Member for Skeena (Mr. Fulton) finds that irritating, he may do as his colleagues do, if he so wishes, either keep his earphone to listen to the translation or go to sleep. He may do as he pleases, Mr. Speaker, he will not stop me from saying what I have to say, from playing with my notes or read from them, if I so choose, or from discussing this motion which, as usual, does not bring about anything new. Of course, the motion reflects a concern shared by all Canadians, but we should not overlook the fact that nuclear weapons play a collective security-keeping role. We must also keep in mind that Canada has no nuclear weapons of its own. Neither does Canada build them and, as opposed to several of its NATO allies, it keeps no nuclear arsenal on its territory.

But as the Hon. Member for Lévis said earlier, contrary to the Socialists who would like our country to withdraw from NATO, we say that Canada should remain part of it. We said it in so many words and, because we are a responsible government, we have every intention to meet our commitments.

Clearly, Mr. Speaker, when people are not in government or are very unlikely ever to be in government, they can express all sorts of ideas, implying that there is in Canada a Department of Defence which should be called a Department of War, that the monies which are used to protect this country which we, and all other Canadians, love, could be used for something else. Of course, after a big meal, if you ate too much, you may think that the money you spent on lunch might have better been used to buy medicines, and so on. Yes, Mr. Spaker, it is easy to say anything you want when you are certain you will never be in government.

But I would like to stress, Mr. Speaker, that our Government is open in principle to the general concept of nuclear weapons free zones. The establishment of such zones may be a

positive factor when most countries of a region agree to it and when it can promote regional and international stability.

• (1800)

Canada supported several U.N. resolutions calling for the creation of nuclear weapons free zones. This is what I wanted to say when I was taking notes earlier. There is nothing new in the Hon. Member's proposal.

I want to point out to my friend opposite—but he is not listening, of course—that the few zones that were officially established do not necessarily call for an absolute ban like this motion does. For example, the South Pacific nuclear weapons free zone, which was welcomed by Canada last year, does provide for the transit of ships that may carry nuclear weapons. It shows very well that in the few regions where nuclear weapons free zones have been created, the measures taken are adjusted to the strategic reality and the particular interests of the countries involved.

Mr. Speaker, all of what I just said shows that the approach chosen by the Governement is obviously one of pragmatism. We want to make sure that, in the present and foreseeable circumstances, our policies will contribute to our national security and to international stability.

Our collective defence is one of the main tenets in the national security policy of this Government as is evidenced by our participation in NATO and NORAD, which I mentioned a moment ago.

The first role of the Alliance is to preserve the security of member nations by deterring every form of aggression. Our Government, like all others within NATO, is convinced that the strategy of nuclear deterrence has played, for the last 40 years, a very important role in maintaining peace between East and West. Canada, Mr. Speaker, has agreed on its own free will to contribute to the Alliance and its capacity to enforce its strategy of deterrence even though, as I mentioned, our burden has been lighter than the one of other members.

It would not make sense for Canada, considering that we are a member of the Alliance and that we have specific security interests, to dissociate itself from some or all aspects of the strategy of nuclear deterrence, as is the desire of our colleagues opposite.

As it happens, this strategy is still one of the key factors of our collective defence effort until such time as we make significant progress towards arms control. Arms control and disarmament make up the second mainstay of our national security policy. Echoing the position taken by other NATO member countries, the Canadian Government acknowledges that decreasing dependence on nuclear weapons is a commendable objective.

Mr. Speaker, I see that my time is up. I would have liked to pursue this line of thought to indicate that the motion is of no use and that my colleague was prompted only by political considerations when he introduced it.

• (1805)

[*English*]

Mr. Deputy Speaker: The hour for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

INTERNATIONAL MONETARY FUND—FINANCE MINISTER'S MESSAGE TO WASHINGTON MEETING

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, on September 25, 1987 I asked a question to the Minister of Finance as he was getting ready to go to Washington to meet with G-7 representatives to discuss progress made in IMF initiatives. If there had been time for a supplementary, I would have ask the Minister to inform the House how he was also informally involved in a dossier that was very much in the news, and I am referring to the free trade talks with our American neighbours. Going back in time, this dossier represents nearly two years of intensive work by Ambassador Reisman's representatives, Cabinet Ministers and particularly the Minister for International Trade (Ms. Carney), with the co-operation of various provinces, including the Province of Quebec, all of whom worked very hard to bring about a historic agreement with United States, an agreement that—

Mr. Speaker, in Canada today, some people keep saying we have between 8 and 9 p. cent unemployment. I keep saying that in Canada, between 91 and 92 people out of 100 are employed. Ninety-one members of the labour force employed in Canada that is not bad. It means a total of twelve million Canadians are employed. Those twelve million Canadians are responsible for a total annual production, a Gross National Product of $500 billion. On top of those $500 billion, our Canadian entrepreneurs and business people have developed export markets worth one-quarter of that amount: $125 billion annually. This means that in Canada, one out of four people in the labour force is working for our export markets.

Mr. Speaker, that is why my Government and our negotiating team want to maintain and expand access to this market in the United States.

Out of a total of $125 billion exported by Canada abroad, our present exports to United States, thanks to expanding marketing networks and the efforts of Canadians, are worth $95 billion annually. This means one job out of five. In recent months, Canadians have experienced some problems with the United States, including our exports of lumber, pork carcasses, cedar shingles, smoked fish, and so forth. The main purpose of

our negotiations with our American neighbours and customers is to maintain that one job out of every four in this country. And I say that whatever the Socialists may care to think, with their useless and partisan association with coalitions that are against free trade and in favour of losing that one job out of four. When the Socialists get together with our coalitions, our so-called defenders of the Canadian people, it all rings false. They only want to deprive us of this American market. It does not make sense. They want one Canadian out of four to lose his job exporting goods abroad. Mr. Speaker, Canadians ought to know that the Socialists are using scare tactics to spread fear among Canadians by greatly exaggerating the drawbacks of free trade, while the purpose of free trade, and this we intend to achieve, is to preserve that one job out of four in Canada.

Fellow Canadians, ask your socialist neighbours—there are still a few—ask them how they would have managed to create that one job out of four if we had been unsuccessful in our free trade negotiations.

Mr. Speaker, I hope the spokesman for the Minister of Finance, the Parliamentary Secretary, will help me enlighten Canadians even more, particularly the residents of my riding, concerning this important issue, which is to keep the American market open to our good Canadian manufacturers despite the socialists who are intent on keeping Canadians in poverty.

• (1810)

[*English*]

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I want to compliment the Hon. Member for Lévis (Mr. Fontaine) on his question and on the remarks he has made. At the outset, I would agree with him that the socialist Party certainly is a Party of apostles of fear. They fear any change. They look for the *status quo*. They can build only on the past and what the past has shown them. Because they think that way, they cannot anticipate any new changes which might produce something new or some new patterns.

People wonder why a free trade deal is good for Canada. The answer is very simple. It will create business for Canada and, if it creates business, it will create jobs for Canadians.

As my friend knows, the Economic Council of Canada has suggested that there might be a quarter or a third of a million jobs created as a result of this free trade deal. Why and how can we imagine that that would happen? It is very simple. It is a matter of numbers. Canada is made up of 25 million people. The United States has 10 times that many. It is the largest single market in the world.

Why should Canada not have free access to the single largest market? At present, Canadian companies service 25 million people. Why should they not service 275 million people? The simple mathematics are that if they can manufacture for 275 million people rather than for 25 million people, they can increase the size of their plants, their companies, their assembly lines.

This means that to do that they will have to hire people. If they can manufacture tires, generators, light bulbs, or any other commodity to service 275 million people, including the entire U.S. market, why should they not be able to do that?

The fact is that there is no such thing as a *status quo* in the world market. The unions and the socialists may want to stay where we are, but there is no staying where we are because the rest of the world is going to compete, and somebody is going to get that quarter of a billion people for a market. It may as well be Canadians rather than the rest of the world.

Why should not Canadian business people take advantage of that large market? Why should not consumers benefit from the added variety of product which would be available to them?

I want to add to my comments a quotation from Peter Cook in an edition of *The Globe and Mail* of last week headlined "Protecting Canada from the worst of enemies". There are those who say that we will be swallowed up by the United States. Let me read what Peter Cook says:

• (1815)

> The critics, in their negative way, contend that getting closer to the United States is a desperately dangerous exercise. It has not been dangerous for Ireland with Britain, or Denmark with West Germany, or New Zealand with Australia. And, as of this moment, tiny countries such as Malta and Cyprus are clamouring to get inside the EC.
>
> To swallow the arguments of the "antis" is to say that what is good for the rest of the world is somehow bad for Canada.

All of the little countries that are in marketing systems like this have benefited. Even though they are small countries next to large countries, they have benefited. Why should Canada not get the benefit of having a large market at its disposal and let Canadian business thrive?

PHARMACEUTICAL INDUSTRY—PROFITS OF DRUG MANUFACTURING COMPANIES/RESEARCH WORK—REQUEST FOR INCLUSION OF GUARANTEES IN LEGISLATION

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, on August 20, 1987 I posed a question to the Right Hon. Prime Minister (Mr. Mulroney) with regard to the profits of drug manufacturing companies. In my question I noted that from 1968 to 1982 pharmaceutical companies in Canada made some very healthy and substantial profits. This was recently confirmed in the report which was made available by Dr. Eastman, who studied the pharmaceutical industry. In particular, he looked at the profit margins of companies operating as a result of the passage of amendments to the Patent Act, namely, compulsory licensing.

It was very clear from the evidence used by Dr. Eastman that those companies, notwithstanding their serious objections to compulsory licensing, made substantial profits. In fact, their profits were so substantial that they led the manufacturing sector in terms of percentage. At the present time, the profits

are higher than those in Japan, Germany, Britain, France and Switzerland. What is perhaps even more appalling with regard to Bill C-22 is that not only will it provide additional profit to companies that are already profitable, but it will take much needed money from those Canadians who need it most.

It should be very clear that who will be paying the higher drug prices in this country will be the provincial Governments—yes, provincial Governments right across this land—and individuals who are not covered by drug programs. Inevitably this comes to the Canadian consumer who will pay the lion's share of the additional profits which will go to multinational corporations as a result of the passage of Bill C-22.

It should be understood that no one argues against profits or the private sector making a reasonable profit. No one should argue against that. I think there is an argument to be made that if one receives reasonable profits and those profits are extended without any guarantees for research and development, for protection of the Canadian consumer and to create jobs, and guarantees of jobs then bad public policy is contained in Bill C-22.

It was adduced at committee, debated in the House and it is very clear that multinational corporations and the national Conservative Government believe strongly in their case that new jobs will be created and thousands upon thousands of new dollars will be funneled into research and development in our pharmaceutical industry. Surely the Government ought to ask those companies in whom it is placing its faith to put up a performance bond as a bare minimum in order to meet the objectives which it has set. Unfortunately, the Government has chosen another route, which is not to seek public guarantees for research and development, for the protection of the Canadian consumer or to create thousands of new jobs. We all hope that would result from any piece of legislation which would be passed by this Parliament.

• (1820)

I have grave difficulties with the answers that we have been receiving to date, and even in Oral Question Period there have been no guarantees whatsoever. It all comes back to profits and who is paying for those profits for multinational corporations. It is done through a number of auspices including provincial Governments and drug plans of another sort, but it is the Canadian consumer who will pay more for drugs.

I think that it is a shame. In fact, six provincial Governments have expressed serious reservations about Bill C-22. Thousands upon thousands of Canadians and organizations of senior citizens and veterans and even the United Church have opposed Bill C-22 for the very serious effects it will have on Canadians, and particularly for the costs that it will impose on Canadians, costs which will drive up the profits of a select few when many, many Canadians do not have the necessary finances to pay for their drugs.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I hope my friend from Nova Scotia who has just spoken had the agreement of his colleague, the Hon. Member for Laurier (Mr. Berger), who represents a Montreal riding, with the points of view he has just expressed. I suspect that some of the people of Montreal might disagree with some of the comments made by my friend from Cape Breton.

I would like to correct the emphasis that has been placed on Bill C-22. First, my friend has focused on the word "profits" as though somehow that were wrong. I wonder if he would be able to explain how it is that polio has been eradicated from the Canadian scene by a little discovery known as the Salk vaccine. Did that come about through some kind of magic? Surely my friend will agree that if the pharmaceutical industry is to carry on its research to provide better health for Canadians, it will have to make some profits.

The Hon. Member is rightly concerned that if there are profits, they should be spent in Canada on R and D. That is exactly what will happen. Under the present system which his Government introduced some years ago, only about 5 per cent of sales have been used for R and D in Canada. That will increase to 10 per cent in the years ahead. R and D will be done in Canada in order to provide better health care for Canadians.

If we are to provide better health care and if we are to provide research in Canada, we have to keep Canadian brains in Canada. If we do not have an incentive system within the research industry, that brilliance will go somewhere else, as it already has. Too many of our research scientists have gone south of the border and have helped the industries in the United States.

The Bill is about jobs in Canada. With the increased spending of up to 10 per cent of sales in Canada on R and D, 3,000 new jobs will be created in the immediate future. I would hope that my friend would agree that that is a good thing for Canada and that it is good for the health of Canadians.

To answer shortly, Bill C-22 is first not a Bill about profits but a Bill about health and about the improved health of Canadians. Second, it is a Bill about research and development and therefore it is a Bill about jobs in Canada. As I said, 3,000 jobs will be created here.

Dollars will be spent in Canada and profits will be kept in Canada. This legislation puts the health of Canadians first.

• (1825)

Third, and the Member knows this very well, there is built into the law protection for Canadians against what might be construed as unreasonable profits or profits that escalate too rapidly. The review system will study the profit pictures of pharmaceutical companies and make certain that they include

the necessary increase of research in Canada that will provide better health for Canadians.

STATUS OF WOMEN—REPORT ON BATTERED WOMEN—LACK OF SPACE IN TRANSITION HOUSES

Mr. Alan Redway (York East): Mr. Speaker, as a lawyer who has practised a good deal of family law I have listened to many, many stories about family violence and wife abuse, including a number involving attempted murder. When I had the opportunity to read the report sponsored by the Canadian Advisory Council on the Status of Women written by a sociologist, Linda McCloud, entitled "Battered but not Beaten: Preventing Wife Battering in Canada", the story it told did not come as something new out of the blue. In fact, I served for some six years as a member of the Community and Social Services Committee in Metropolitan Toronto, and we dealt with the establishment of something called the Domestic Response Team. As a result of the problems flowing from family violence and wife beating, we established on an experimental basis a team approach in responding to such calls. It was made up of two police officers and a social worker. The police officers of course went to deal with the violence and the social worker went to deal with the counselling aspect. That program grew from an experimental approach into one that now covers all of Metropolitan Toronto.

As a result of that experience and my experiences as a lawyer, I certainly am familiar with the problems set out in that report. At the same time, that has not prevented me from being shocked by the fact that the report spells out that there is something like a million women each year who suffer from family violence and abuse. It has not prevented me from being shocked by specific examples set out in that report or by the fact there is such a lack of shelter for women in situations of this sort.

I do not know whether you or the Parliamentary Secretary have ever had the opportunity to visit a shelter or hostel. I have not had the opportunity to visit one for women but I have had the opportunity to visit one for men. In fact, I headed a task force that looked into one of the major men's hostels in Metropolitan Toronto, Seaton House, a few years ago. We found that while these facilities provided clean surroundings, hot meals, hot showers and other things which are obviously welcome to anyone in need, at the same time they are not the sort of places that you and I or our families would enjoy spending a night or week in. They are a communal-type of living experience where everyone there, including you, has problems, some more severe than others. As a result, although a person who has suffered from family violence obviously is looking for some shelter in some transition house, these kinds of facilities are not the kind that you and I would really want to go to, notwithstanding the fact we may need to if we do not have a family or friends that will take us in.

• (1830)

If a woman and her children are victims of family violence and have to go to a facility like this, that is bad enough. However, according to the report, one of every two women who attempt to go to a shelter or transition house facility have to be turned away because there are not enough facilities available. That is more than just disturbing, it is extremely shocking, particularly in this International Year of Shelter for the Homeless.

In his answer to my question in the House, the Minister of National Health and Welfare (Mr. Epp) indicated that since the Government came to power in 1984 there has been a very substantial increase in the number of shelters available for women who have been abused. That is admirable. In fact, the Minister pointed out that of the approximately 265 shelters which now exist about 100 are cost-shared between the federal and provincial governments.

However, the Minister also said that there is some distance to go. It is obvious that when one out of two women is turned away from a shelter there is some distance to go. Canadians are looking to the Government for word that we will close this distance and eliminate it altogether.

I know that the Parliamentary Secretary is a very humane man and has a social conscience as has his cousin, Mr. Colin Friesen, who is a neighbour of mine. He also has a very strong social conscience and is looking to the Parliamentary Secretary for an answer tonight as am I and other Canadians. We are looking for some concrete evidence that the Government intends to close this gap very quickly to ensure that shelters are available for women and families in need of them.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I want to thank my colleague for raising this matter which weighs on the hearts and minds of many Canadians. It first developed national prominence when it was brought to the attention of the House by our colleague, the Member for York—Sunbury (Mr. Howie) of New Brunswick during Private Members' Hour. It went to committee and a report on battered women was tabled in the House on the subject. I want to compliment my friend, the Member for York East (Mr. Redway), for the work he is doing in sensitizing the public to this issue as well as complimenting our colleague from York—Sunbury who raised the issue five or six years ago for the same purpose.

This subject is recognized by an increasing number of people. It is a societal issue. Transition homes are needed to an increasing degree to help these people.

The matter of providing financial support, shelter, and social services to battered women and their children falls under the jurisdiction of the individual provinces and the territories. The federal Government, through the Canada Assistance Plan, assists Canadians by sharing in costs to provinces and territories for providing financial assistance and social services to persons who meet the eligibility requirements. The province,

on the other hand, assumes responsibility for determining eligibility and deciding on the amount or type and extent of social services that are to be provided within the province or territory.

The Canada Assistance Plan shares in the costs incurred by provinces and municipalities for operating transition homes for battered women and their children. The care and social services provided to the residents are shared as assistance costs on behalf of persons in need based on the applications of the needs test. Federal funding is not limited to any predetermined amount and is available to all provinces and territories.

In 1987 CAP shared on behalf of women in need and their children in approximately 130 transition and crisis centres across the country. It is estimated that 265 centres currently provide emergency shelter to women and their children. In addition, the plan provided sharing in provincial costs for counselling, day care, rehabilitation and a wide range of other social services benefiting victims of violence.

• (1835)

Some time ago, Canada Assistance Plan policy was changed to accept the use of an abbreviated needs test in emergency situations for determining eligibility in relation to short term care. This gives provinces and territories the flexibility to simplify their admission policies and provide emergency shelter in crisis situations without losing cost sharing.

It is also important to note that National Health and Welfare through the Family Violence Prevention Division, is concerned that a comprehensive approach to education and prevention of wife assault has to be firmly promoted. The Family Violence Prevention Division provides the necessary liaison and co-ordination of activities, clarifies issues and provides general information. This general information is provided mainly through the National Clearing House on Family Violence. Provincial involvement is necessary if the incidents of wife battering and violence in general within the family is to be reduced.

May I add, for my hon. friend, that if there are a million women who are battered each year, there are a million men who are sick and need treatment. Women need shelter and there is an increasing need for role modeling that is healthy, supportive and constructive within the family, and that will deal with this issue. While shelter is important and we must provide it for these distressed families, there must be a cure for these people who are sick and need to find a different way of handling their problems rather than battering wives.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.37 p.m.

HOUSE OF COMMONS

Wednesday, October 21, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ABORIGINAL PEOPLES

EDUCATION—CALL FOR INCREASED FEDERAL FUNDING

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, today many hundreds of Indian people, most of them young, rallied on Parliament Hill to protest vigorously the Government's decision to limit and restrict its spending on education for Indian and Inuit students.

Thousands of young Indian and Inuit students will be unable to pursue post-secondary education this year because of the Government's complex system of capping expenditures and creating categories of eligibility. Funds for primary and secondary education are being shifted here and there across the country, and Quebec is about to lose nearly $3 million in the process.

Indian control of Indian education is proceeding at a snail's pace. When there is a transfer of responsibility, it is with fewer resources than when it was retained under government control.

I say, Sir, to the Minister of Indian Affairs and Northern Development (Mr. McKnight), and to the Prime Minister (Mr. Mulroney), re-examine your spending priorities. I ask, do not cast aside yet another generation of aboriginal young people.

Six thousand one hundred and thirty-nine Indian people have signed documents urging the Government of Canada to fulfil its treaty and trust obligations, and provide the necessary educational funding. Those signatures will be delivered this afternoon to the Prime Minister's Office. The Indian people of Canada do expect a positive response.

• (1405)

HOUSE OF COMMONS

EFFECT OF TELEVISING PROCEEDINGS

Mr. Arnold Malone (Crowfoot): Mr. Speaker, 10 years ago the House of Commons was introduced to the heat of television lights and the ever watchful eye of automated cameras. During the past decade the House of Commons has been trivialized by being televised. The new medium has brought a new message.

The televising of House of Commons Question Period has reinterpreted the rule book without rewriting the rules. The rule of relevance is vanishing. The notion that questions ought not to be argumentative has given way to the new medium that demands heat and attack.

No longer is substance the essence of politics. Very few people measure the warrant, the premise, the presumptions, or the evidence upon which conclusions are drawn. The new medium encourages unsubstantiated accusations. Cute expressions have become a substitute for research. Shrillness and high drama are characteristics that are observably more present than a decade ago.

Parliament, citizens, and the process of thoughtful democracy have been the losers. Our nation and her citizens have turned more negative. Accomplishments are seldom applauded, because in every great achievement there is, no matter how small, a dark phase to be exploited, and television drama and exploitation are synonymous. Television has reduced our character and diminished our procedures.

Ah, TV or not TV, that is the question.

Whether 'tis is nobler in the mind to suffer the slings and arrows of outrageous comment, or by opposing end them . . . *Et tu, Brute*!

* * *

PERSONS AWARDS

PRESENTATIONS TO FIVE OUTSTANDING WOMEN

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, this afternoon the 1987 Persons Awards will be presented to five outstanding Canadian women to honour their contributions toward improving the status of women in Canada.

The "Persons Case" was won on October 18, 1929, by a group of suffragists known as "The Famous Five". Led by Judge Emily Murphy, the first woman magistrate in the British Empire, this group of Alberta women included Louise McKinney, Nellie McClung, Irene Parlby, and Henrietta Muir Edwards. Together they fought to have women defined as persons under the law and succeeded in their struggle.

[*Translation*]

I want to ask you to join me in celebrating the anniversary of this remarkable achievement by paying tribute to the women who have followed in the footsteps of the Famous Five: Jacqueline Laprise-Demers, Margaret Catherine Harris, Frances Laracy, Kay Macpherson and Norma Walmsley. It is very encouraging to see that their efforts to improve women's social economic status have been acknowledged by the Canadian Government. I hope this recognition will inspire other women to take part in the struggle to improve the status of Canadian women.

[*English*]

As Rosemary Brown once said, "Until all of us have made it, none of us have made it".

* * *

[*Translation*]

PERSONS AWARDS

CONGRATULATIONS TO FIVE RECIPIENTS

Mrs. Gabrielle Bertrand (Parliamentary Secretary to Minister of Consumer and Corporate Affairs): Mr. Speaker, I want to join the Hon. Member in congratulating the five women who are to receive the Persons Awards today. In 1929, five other remarkable women ensured that Canadian women would be legally recognized as persons, which gave them the right to be appointed to the Senate. Those women were Emily Murphy, Louise McKinney, Nellie McClung, Irene Parlby and Henrietta Muir Edwards, who won this battle through their own efforts.

With the Hon. Member and all the Members of this House, I wish to congratulate today's award recipients, and especially Mrs. Jacqueline Laprise-Demers and Mrs. Norma E. Walmsley, both from Quebec.

* * *

TRIBUTE TO LATE ROSA BECKER

Mrs. Lucie Pépin (Outremont): Mr. Speaker, on this day, the anniversary of the Persons Case, when five Canadian women will receive awards in the Senate this afternoon, in recognition of their contribution to and leadership in improving the status of women in Canada; on this day when we pay tribute to the women who were innovators in our country, either by their activities or by their approach and attitudes, I would like to pay a posthumous tribute to Mrs. Rosa Becker, who died last November in Franklin, Quebec. Mrs. Becker was 54 when the Supreme Court awarded her half the assets she had earned while sharing the life of her spouse for twenty years on a farm in Valleyfield. When the court handed out its judgment in December, 1980, Mrs. Becker was happy that she had helped advance the cause of women through this particular case. When she died six years later, she was working as a maid on a farm in Valleyfield and had yet to obtain a single penny of the money she had been awarded, and all because her lawyer had taken his own fee before handing over the money she had been awarded. She left a message, asking the women of Canada and the Government to change the legislation so that when a similar judgment is handed down, the money and assets are give to the client before the lawyers can take out their own fees.

We wish to pay tribute to Mrs. Rosa Becker and to all women in similar situations.

* * *

• (1410)

[*English*]

CRIME PREVENTION

LAUNCHING OF MOBILE WATCH PROGRAM

Mrs. Pauline Browes (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, community crime prevention was given a major boost today with the launching of Mobile Watch. Mobile Watch will link cellular phone and two-way radio operators with local police departments in order to provide fast information on criminal activity. All Mobile Watch members will become part of a standardized reporting system enabling them to report suspicious activity to the police as it happens.

Over the next 18 months, Mobile Watch will involve 800 corporations, 40,000 vehicles and 100,000 cellular phone users in the fight against crime. I commend the Solicitor General (Mr. Kelleher), Metro Toronto Police Chief Jack Marks, the Association of Investigator and Guard Agencies, and the Canadian Society for Industrial Security for developing this outstanding non-profit crime prevention program.

Community crime preventions do work. Mobile Watch, together with Neighbourhood Watch, provide Canadians with a chance to become more involved in maintaining the safety of their community. They send a clear message to anyone contemplating criminal activity—"We're watching you."

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON CAPE BRETON

Mr. Jack Harris (St. John's East): Mr. Speaker, the people of Cape Breton whose economy is so dependent upon the operations of two Crown corporations are very concerned about the potentially devastating effects of the Government's trade deal with the United States.

The Cape Breton Development Corporation sells coal to the Nova Scotia Power Corporation under a special arrangement to protect the jobs of Cape Breton workers. This underground coal is more expensive to produce than American coal and would not be competitive.

Sydney Steel, a provincial Crown corporation, receives preferential treatment from Canadian National and from the Canadian International Development Agency in the purchase of steel rails for use in Canada as well as internationally.

Because the Government has agreed with the United States to open government procurement to competition from the United States and because the Government has also agreed to take measures to ensure compliance by provincial and local authorities, there is an urgent need for the Government to clarify this issue. It should tell the people of Cape Breton and of Canada whether provincial and federal Crown corporations and federal government agencies, such as CIDA, will be required to purchase from the lowest bidder, whether American or Canadian, or whether they will be prevented from operating such programs which support jobs and industry in the regions of Canada desperately needing government action to assist in economic development.

* * *

REGIONAL DEVELOPMENT

PROPOSED CONSTRUCTION OF ETHANOL PLANT IN DAWSON CREEK, B.C.

Mr. Albert Cooper (Peace River): Mr. Speaker, Agri-Fuels Canada Limited is planning to construct a $90 million ethanol plant in Dawson Creek, B.C. A large portion of the required grain will come from farms located in the Alberta Peace country. The use of ethanol in gasoline has many advantages. The opportunity for farmers to market their grain would create jobs, keep people on the farms and stimulate economic activity to help farmers through these difficult times. The use of ethanol would also result in a cleaner, safer environment.

The market currently exists for ethanol in Alaska. However, in order to ensure the success of the plant, action must be taken to secure a Canadian market. The Minister of State for Science and Technology (Mr. Oberle), who has worked hard to ensure this project's success, advised me that Petro-Canada should be making a decision this week on the use of ethanol in its product.

I strongly urge Petro-Canada officials to come to a positive decision to use ethanol from the Dawson Creek plant as a fuel additive.

* * *

PERSONS AWARDS

TRIBUTE TO FIRST WOMAN SENATOR CAIRINE WILSON

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I want to join my colleagues in the House of Commons today who have made a very eloquent statement on this very important day, Persons Day. This day would not be complete without mentioning Senator Cairine Wilson who, of course, was the first woman Senator of our country and a resident of Cumberland Township in the riding of Glengarry—Prescott—Russell.

• (1415)

I am sure all Members of the House will remember and will have heard about the famous debate as to whether or not women were considered persons before the law. The whole debate was created by the appointment of Cairine Wilson to the Senate.

I still have the honour to represent members of Cairine Wilson's family. Indeed, two of her sons still live in the constituency of Glengarry—Prescott—Russell. I am sure that this is a very special day for all members of the Wilson family, as well as for all women and, indeed, all Canadians.

* * *

CANADA POST CORPORATION

MANAGEMENT'S ACTIVITIES DURING RECENT STRIKES

Mr. Rod Murphy (Churchill): Mr. Speaker, once again I am required to bring to your attention the anti-worker actions of the Government and, in particular, its Crown corporation Canada Post.

Following the strike earlier this year by the Letter Carriers Union I presented in the House an internal document of Canada Post which documented the activities of management during that strike. It pointed out that many workers feared harassment and discipline if they exercised their legal right to refuse to do the work normally done by those on strike.

At the same time, I also referred to a Canada Labour Relations Board ruling in Halifax which found Canada Post management guilty of breaking the Canada Labour Code.

We now have further stories on the activities of Canada Post. During the most recent CUPW strike *The Toronto Star*, among other media, reported that agents of Canada Post were lurking in bushes wearing army fatigues and blackened faces.

They were also reported to be following women picketers home and peering through their windows.

These types of activities are entirely unwarranted on the part of Canada Post. They worsen worker-management relations and they put into question the Government's commitment to civil liberties.

These actions must be investigated. I call upon the Minister of Labour (Mr. Cadieux) to initiate an immediate, open and complete investigation into the activities of Canada Post during the recent lawful strike by its employees.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON AUTO PACT AND PARTS MANUFACTURERS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, in the absence of the Prime Minister I would like to direct a question or two to the Deputy Prime Minister.

In his speech last night to the Business Council on National Issues the Prime Minister said: "We have maintained the Auto Pact, and have made important potential gains for our parts industry". That is quite an astounding claim when the same day the chairman of the largest Canadian auto parts manufacturer called the Prime Minister's agreement "nonsense". He called it "stupid trading". He said that the deal would cost Canada "a multitude of jobs" and that his company would move to the United States if the deal went through.

The president of another major auto parts manufacturer in Canada said this: "I can assure you that if the so-called free trade deal were to go through, my consideration would be to set up plants in the United States".

I ask the Deputy Prime Minister this. How can the Prime Minister of of Canada have the nerve to say that this trading deal is good for Canadian auto parts workers when two of the major auto parts companies in the country say that they will move to the United States and set up plants in that country if the deal goes through?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, if the right hon. gentleman wants to quote selectively then perhaps I can do the same. The Automotive Industry Association of Canada called this a tremendous opportunity. Dean Wilson, President of the Automotive Industry Association of Canada, in summing up the results of the recently negotiated free trade agreement said: "We feel very positive about the work done by the Canadian Government, Mr. Reisman and his negotiating team".

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Mr. Speaker, the quotes I gave to the House came from people who have responsibility for workers in the country and who manufacture original automobile parts. They know what they are talking about and they have said what they will do.

Some Hon. Members: Hear, hear!

[*Translation*]

CANADA-UNITED STATES TRADE AGREEMENT—POSITION OF PRIME MINISTER

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, last night's speech delivered by the Prime Minister in Toronto before the big guns of the business community contained a whole series of statements, most of them erroneous. The major car parts manufacturers rightly denounced the Prime Minister and indicate they will move their plants to the United States. Considering that these people reject the trade agreement negotiated by the Prime Minister with the United States, will the Prime Minister agree to withdraw it?

• (1420)

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I do not know why we would want to withdraw the agreement because we also believe, as a government, that we have the responsibility to the workers of Canada. That is why we have provided a climate through our policies wherein close to a million new jobs have been created since this Government assumed office.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: We will continue to take up our responsibility.

One of the key initiatives toward economic growth and prosperity for Canada, and long term durable jobs, is the successful negotiation of the free trade arrangement. The right hon. gentleman should get on board and be part of the action. Be positive for a change, rather than negative.

Mr. Turner (Vancouver Quadra): What we have here is a little more feeble bravado from the Deputy Prime Minister who did not deal with the substance of questions relating to the auto parts manufacturers.

DISPUTE SETTLEMENT MECHANISM

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, let me move on to other ground on which the Minister may or may not feel more comfortable. It concerns the proposed dispute mechanism between Canada and the United States.

Last night, the Prime Minister said in one breath in the same speech that he had gained permanent access to the U.S. market, then admitted that U.S. trade laws would continue to

apply against Canada. He then said that the so-called dispute mechanism: "guarantees fair and impartial application of respective laws", but went on to say that the mechanism would not deal with "fine points of law".

In the same speech the Prime Minister said on the one hand that he had permanent access to the American market; on the other hand that American trade laws would continue to apply in their protectionist vein; and on the third hand—if he had one—that the mechanism would not apply fine points of law. In light of these contradictions of the Prime Minister, affecting one of the essential elements of the agreement, namely, the character of the dispute mechanism, what will the Prime Minister do to explain to Canadians that this is a good deal for Canada?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, as the agreement says, the dispute settlement mechanism is a binding dispute settlement mechanism. Let me read one sentence for the Leader of the Opposition. It states that the binational panel would apply the appropriate standard of judicial review applicable under the domestic law of the party under whose authority the order was challenged.

The significant point here is that having a binational court of appeal will make the process, whether it is within Canada or the United States, a more fair and impartial process. That is what we have been seeking during the course of these negotiations, an impartial application of the law. Our laws in Canada are very similar to the United States laws. Where we have had difficulty in the past is where we have felt their laws have not been applied in the most impartial way.

TABLING OF COMPLETE TEXT OF AGREEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, my question is directed to the Deputy Prime Minister. The Minister of Finance is trying to tell us what is in the trade agreement with the United States. However, all we have so far is a document entitled "Elements of the Agreement".

On October 5 the Prime Minister promised the House that he would table "the complete text of the agreement as soon as the wording is finalized". It is now October 21. Exactly when will that complete text be tabled in the House? When will the Prime Minister keep his promise?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, right now the work is under way to translate the elements of the agreement into the legal text as is the normal process for this type of agreement. I expect that that text would be available some time during the month of November.

VIEWS OF AUTO PARTS MANUFACTURERS

Hon. Herb Gray (Windsor West): Mr. Speaker, the Minister of Finance just told us that it will be another six weeks potentially before we get the complete text of the agreement. How can the Minister of Finance try to convince the House and Canadians that he knows what he is talking about when he claims that the agreement is so good for Canadians in the face of the clear views of leaders in the auto parts industry, for example, when he cannot even give the House a complete text? How can he say he knows what he is talking about in the face of clear evidence from people like the heads of the auto parts manufacturers who say that what they know about the deal shows it is a disaster for Canada?

• (1425)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, possibly I might turn that back to the House Leader of the Liberal Party. If he does not know what is in the final text, why is he criticizing it so much?

Some Hon. Members: Hear, hear!

MEXICO AND ISRAEL—REACTION TO AGREEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Deputy Prime Minister. Last week we heard the Mexicans say they would never have signed the kind of deal—

Some Hon. Members: Oh, oh!

Mr. Crosbie: You are talking through your Mexican hat.

Mr. Riis: Order.

Mr. Crosbie: It's a Mexican hat dance.

Mr. Riis: Show some respect for the Chair.

Mr. Speaker: The Hon. Member for Oshawa.

Mr. Broadbent: Last week we learned the Mexicans would never have signed such a deal as we did in the resource sector. Today the Israelis have said Canada gave away a hundred times more than the Americans in the deal. Beyond that, we also learned today that before the ink was dry on the agreement, the United States proceeded to violate it.

Specifically we learned that the United States, in violation of a clause to which it is already committed pertaining to both countries avoiding subsidies in terms of trade in agricultural products with other countries, in clear violation of this section of the agreement, has begun to negotiate a grain sale with the Soviet Union and India which entails going after our markets with subsidized grain sales from the United States.

Very simply, having negotiated a deal that is already unfair to Canada, how is the Government possibly going to respond to this hypocritical action by the United States?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Leader of the New Democratic Party excels even his own former record by that question which contains no fewer than three direct misrepresentations. He misrepresents the Government of Mexico in what it said last week. He misrepresents the Government of Israel, and let

me read him part of the relevant statement. I will read it all to him, if he wishes. It was released by the Embassy of Israel:

> With regard to the story which appeared today in the Canadian Press, it is important to note that the general impression created there is erroneous. It is Israel which is now studying some of the benefits accorded to Canada in the draft agreement and the possibilities of incorporating similar benefits in future U.S.-Israel trade agreements.

Mr. Crosbie: Right on!

Some Hon. Members: Hear, hear!

Mr. Broadbent: That's great, Joe.

Mr. Clark (Yellowhead): The rules of the House prevent me from calling those misrepresentations what they are, but they have become a consistent pattern of the Leader of the New Democratic Party, and he should respect the people of Canada and this Parliament more than using his position to cast misrepresentations around the country.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, I will refer the Minister to what the Israelis actually said, which was that the Canadian Government gave away a hundred times more than they got.

PROPOSED UNITED STATES SALE OF SUBSIDIZED GRAIN TO U.S.S.R. AND INDIA

Hon. Edward Broadbent (Oshawa): I want the Minister to deal with the problems of Canadian farmers, which he did not deal with at all.

Some Hon. Members: Oh, oh!

Mr. Broadbent: The clause in question, on page 14 of the documents produced by the Government of Canada, specifically prohibits the United States and Canada from having subsidies, right now, after it was signed, in agricultural products sold to third parties. The United States, after it signed this, specifically went after our markets in the Soviet Union and India with subsidized grain products, a clear violation of the accord it signed. How is this gutless Government now going to respond to that?

• (1430)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, speaking of gutless, this Government is not jerked around by Bob White and Shirley Carr.

Some Hon. Members: Hear, hear!

Mr. Clark (Yellowhead): Whether the actions taken by the U.S. are consistent or not with the trade agreement regarding attempts to take away traditional Canadian markets, they are wrong, and the Minister of State for the Wheat Board and myself have protested them. We will continue to oppose that attempt by the U.S. to seek markets which traditionally are Canadian. More than that, we will continue to show international leadership by trying to reform international trade practices as was symbolized yesterday by the statement tabled by this Government in Geneva on agricultural trade.

CANADIAN POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I want to get this very clear. The U.S. signed this agreement in one of its many forms on October 4 or October 5 and specifically committed itself not to subsidize agricultural products. It is now specifically going after Canadian markets in clear violation of that agreement. Is the Minister saying that notwithstanding that, the Government of Canada, instead of clearing up this matter right now, is simply going to say: "Oh, dear, how shameful.!" Is that the Government's response?

Mr. Crosbie: What nauseous dishonesty.

Right Hon. Joe Clark (Secretary of State for External Affairs): No, Mr. Speaker, that is not our response as the earlier exchange indicated. The Leader of the NDP should stop his systematic misrepresentation. I say that not only in the context of this Question Period but more generally. It is not at all in the tradition of Tommy Douglas and David Lewis to abuse his privileges so consistently in this House of Commons.

Mr. Crosbie: A Broadbent initiative.

Mr. Clark (Yellowhead): We have made very clear to the U.S. our view that, specifically with regard to the use of their existing subsidies, to seek traditional Canadian markets is wrong and we want it stopped. We have gone beyond that to try to work with other countries to change international agricultural trading patterns, actions which had never before been taken by a Canadian Government. They are being taken by this one because we know it is better to act with leadership internationally than to simply sit and shout from your seat.

UNITED STATES EXPORT ENHANCEMENT PROGRAM—GRAIN SALES—CANADIAN POSITION

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is directed to the Secretary of State for External Affairs as well. Today we learned that the U.S. is prepared to spend hundreds of millions of dollars through its Export Enhancement Program to steal our traditional wheat and other grain markets in China and Russia. At the same time it would lower the price Canadian farmers are receiving.

I want to know what specific protest the Government of Canada is making to the U.S. Is it going to call in the Ambassador and tell him to cease and desist in these unfair trading practices?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, if the Hon. Member has only learned today that the U.S. is using its Export Enhancement Program to seek to take over Canadian markets and those of other countries, I wonder where in the world he has been for the last several months when the U.S. was doing exactly that and this

Government and others were intervening to try to protect our traditional markets.

He asks what we are doing. Among other things, it is on the list of things I intend to be discussing with Secretary Shultz—

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): Here we are. The NDP would prefer to sit back and be told how to shout by Shirley Carr. What we are going to do is continue to express to the U.S. at the highest levels, and I will be meeting Secretary Shultz on Saturday, our concern about this program, and repeat our request that the U.S. stop using that program to try to cut in on traditional Canadian markets.

EFFECT ON CANADIAN MARKETS

Mr. Maurice Foster (Algoma): Mr. Speaker, it is very clear that the U.S. agreed in the free trade deal to take into account Canada's interests when it uses its Export Enhancement Program. Yet within two weeks of the signing of the deal we find out it is stealing our markets. Why is the Government spending $12 million to promote free trade when it knows the Americans broke the deal within two weeks?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the reason we are seeking this kind of arrangement is because we know it will be very much in the interests of Canadians generally and Canadian agriculture in particular. The deal had been very carefully and fairly negotiated to protect the interests of Canadian farmers who thought their interests might have been threatened, and also to advance the interests of Canadian producers who wanted access to a larger market.

There were in existence U.S. programs which caused us problems before the deal was in place. They are still the law of the United States and are still being applied by the U.S. We made it clear we want those programs stopped. I have done it and I will do it again. We are going to do everything we can to try to continue to protect the interests and traditional markets of Canadian farmers.

UNITED STATES COUNTERVAIL DUTIES

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, a few short weeks after the initiation of these free trade talks in Quebec City the U.S. imposed countervailing duties against our hogs and pork. About a year later it did the same thing on softwood lumber. The Government told us that would stop once we got an agreement. The agreement was signed and tabled in this House. Where the hell is the Government's response to this?

Some Hon. Members: Hear, hear!

Mr. Lewis: The Emmies are in March.

Mr. Speaker: I think the Hon. Member has put his question.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I heard the—

Mr. Crosbie: Profane histrionics.

Mr. Clark (Yellowhead): —profanity; I missed the question. Perhaps he could repeat the latter.

Mr. Althouse: Mr. Speaker, the Minister has been missing the question for two years.

Some Hon. Members: Hear, hear!

Mr. Althouse: The Minister assured us on pork, hogs, softwood, saltfish, raspberries, steel, potash, and a number of other issues, that if there was a free trade agreement the U.S. would not indulge in these kinds of activities. It is clear today that it has continued to indulge in subsidizing exports to India, China and Russia, contrary to clauses in the free trade agreement. Since we have had those assurances over the past two years that this sort of thing would stop once such an agreement was signed, why is it continuing?

Mr. Clark (Yellowhead): Mr. Speaker, the position of the Canadian Labour Congress and the political Party it controls, the NDP—

Some Hon. Members: Oh, oh!

Mr. Althouse: That is my question. You answer it!

Mr. Clark (Yellowhead): I am answering the question put by the farm spokesman.

Mr. Crosbie: Nauseous and noisy.

Mr. Clark (Yellowhead): I understand how difficult it must be to be the farm spokesman for a Party controlled by the Canadian Labour Congress.

Some Hon. Members: Hear, hear!

Mr. Broadbent: The farmers are listening to you.

Mr. Clark (Yellowhead): Their position historically has been that they should simply do nothing at all about the problems facing Canadian producers; they should not try to put in place a better arrangement—

Mr. Speaker: The Hon. Member for Egmont.

SOCIAL PROGRAMS—FISHERMEN'S SEASONAL UNEMPLOYMENT INSURANCE BENEFITS

Mr. George Henderson (Egmont): Mr. Speaker, my question is directed to the Deputy Prime Minister. Yesterday the Minister for International Trade told the House "that social programs such as unemployment insurance are not part of the trade deal". She went on to say "They are preserved and protected". The Deputy Prime Minister knows full well that, under the free trade deal, a dispute settlement mechanism or review panel can only review American countervailing duties

to ensure that such action complies with existing or future U.S. trade laws. In light of this fact, I want to ask the Deputy Prime Minister if he can now say that seasonal unemployment insurance benefits for fishermen will be exempt from future countervail duties.

• (1440)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, my understanding is that that was the subject of a countervail action and it was defeated.

FISHING INDUSTRY—EFFECT OF AGREEMENT

Mr. George Henderson (Egmont): Mr. Speaker, we are dealing with an omnibus Trade Bill that is before the U.S. Congress at this present time, one which could come into effect before January 1, 1989. The Minister knows full well that the Bill before the U.S. Congress could have very severe ramifications for the fishing industry.

Why did the Government fail to get an agreement from the United States when it was negotiating the free trade deal to exempt fishermen from future countervail duties and future American trade laws?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, we have made it absolutely clear on this side that social programs of any form are not and have not been a part of the negotiations and are clearly outside the agreement that was signed and tabled in the House on October 5. Anything else that the Hon. Member wishes to talk about is speculation in his own mind.

* * *

[*Translation*]

TRADE

FREE TRADE—POSITION OF SOCIALIST PARTY IN 1965

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, this morning's newspapers are proof positive of the hundreds of thousands of dollars expended by the socialist party to rant on about free trade with the funds of the very people who, since 1965, have owed their living to free trade in the car industry, unless this is the way Mr. Bob White has chosen to run as a candidate in response to the invitation of the Hon. Member for Terrebonne. To the Minister, if one of the socialists' major sources of funds can be traced back to free trade in the auto industry, I should like to know where they stood in 1965: For or against free trade? For or against one out of five jobs in Canada? For or against—

Right Hon. Joe Clark (Secretary of State for External Affairs): In all likelihood, Mr. Speaker, the question was directed to the leader of the socialist Party. But the answer is that, at the time when the House of Commons considered the Auto Pact, Mr. White was against it, the socialist Party was against it, and now Mr. White is—

Some Hon. Members: Order!

* * *

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—REQUEST FOR SUSPENSION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also directed to the Secretary of State for External Affairs who will realize that the deal that was signed on the weekend of the 4th has now been broken by the United States. If it is broken in this area, it will be broken when it comes up for shakes and shingles, for softwood lumber, for potash, for fish or for any area at all. The Minister has indicated that he will protest this, that he will go to Washington to indicate our concern. Surely to goodness if the Secretary of State is serious about what the Americans have done, he will suspend the signing of this agreement until the whole matter is resolved?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, a couple of corrections, if I might. One always has to do this with the members of the NDP because of their peculiar view of the truth. I did not say I was going down to Washington. I said I would have discussions with Mr. Shultz, which I will be doing in Brussels on the weekend.

Mr. Hovdebo: Answer the question.

Mr. Clark (Yellowhead): I am not sure why the New Democratic Party wants to shout down answers. The actions of the United States in furtherance of an existing program are actions which we oppose but they are not actions which are in breach of the agreement in issue.

REQUEST THAT SIGNING OF AGREEMENT BE POSTPONED

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the text of the agreement says that each party has agreed to take into account the export interest, of the other party and the use of any export subsidy on agricultural goods. The Americans have obviously broken the agreement that Canada signed, which means that they can break it on softwood, on shakes and shingles or on any other areas that come up. Rather than simply make a phone call to protest this, will the Secretary of State do something serious and indicate to the Americans that the signing of this agreement will be put off until this is resolved?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I suppose what the New Democratic Party would do is threaten to take violent action against the United States.

Mr. Riis: What are you going to do? Are you going to wimp out again?

Mr. Clark (Yellowhead): Since their policy—let me refer to the agreement. This part of the agreement says that each party has agreed to take into account the export interests of the other party in the use of any export subsidy on agricultural goods exported to third countries, recognizing that some subsidies may have prejudicial effects on the export interests of the other party.

Mr. Riis: Don't do anything about it.

Mr. Clark (Yellowhead): The House Leader of the NDP keeps babbling from his seat and will not let me answer the question. The actions that have been taken by the United States in pursuance of an existing program do not breach the treaty that was initialled.

FISHERIES—UNITED STATES COUNTERVAIL DUTIES

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Deputy Prime Minister. In January of 1986 the United States imposed duties on the salmon and herring fishing industries in Canada. A few months prior to that in 1985, duties were imposed by the Americans on fresh Atlantic groundfish. These duties were imposed while we were supposedly negotiating in good faith with the Americans on a free trade agreement.

Why did the Government sign this agreement without first asking or demanding that the Americans drop these countervailing duties? Is it not true that by consenting to this agreement, Canada has acknowledged and legitimized existing countervailing duties in the United States as well as all subsequent countervailing duties imposed by the United States?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, if the Hon. Member were to check his facts, he would discover that no duties were imposed against herring and salmon by the United States in January of 1986. In other words, he is absolutely incorrect in that assertion.

Second, the imposition of a countervailing duty against unprocessed Atlantic groundfish destined for the United States is a clear example of why the dispute settlement provisions of this agreement have been so necessary and will bring untold benefits to the fishery which in fact in all respects gains immensely as a result of this agreement.

POSSIBILITY OF FUTURE COUNTERVAIL ACTIONS

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the same Minister. If the United States International Trade Commission decides that its domestic industry is being injured by Canadian imports, then it can still impose duties on Canadian fish, even under the free trade agreement with the United States.

Are we Canadians, and in particular fishermen on the Atlantic Coast, supposed to depend upon the influence of the Prime Minister with the President of the United States to prohibit countervail on fisheries, or is it true that the Prime Minister has failed with his dear pal in the United States to get a legal text that would prohibit future countervail against Canadian fishermen, particularly those on the Atlantic seaboard?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, what seems to irritate the Hon. Member and his colleagues in the minority Parties is that we have achieved a mechanism within the context of this agreement which represents a great step forward not only in terms of dealing with an independent court of arbitration on matters of dispute regarding trade remedy law but in fact a general lowering of tariffs which encourages more processing at home, more exports, and more dollars in the pockets of each and every fisherman and plant worker in Canada.

UNITED STATES EXPORT SUBSIDY PROGRAMS

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. The Secretary of State just made an extraordinary statement when he said that there had been no breach of the agreement by the United States. The agreement says on page 14 that each party has to take into account the export interests of the other party in the use of export subsidies on agricultural goods exported to a third country. If that does not mean that the United States should stop using its export subsidy programs, then what indeed does that clause of the agreement really mean?

• (1450)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the clause means what it states. This allegation is put by the New Democratic Party as they flail around for some other justification to oppose an agreement that they decided ideologically, or were instructed by the CLC, to oppose some time ago. Their allegation is that this is in breach of the agreement. It is not.

Mr. Broadbent: Good stuff, Joe.

GRAIN SALES—UNITED STATES EXPORT ENHANCEMENT PROGRAM

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I know the Secretary of State is not a lawyer.

Some Hon. Members: Oh, oh!

Mr. Nystrom: But as Secretary of State for External Affairs he is one of our chief negotiators.

I wish him to tell the House what this clause means for the farmers of Canada and the people of this country who are concerned about our sovereignty and our exports, if it does not mean that they are supposed to take into account the export

interests out of our country when they subsidize grain sales to the Soviet Union, India, or China. What does that clause mean, if it does not mean that they are not supposed to do that if it threatens our markets? Please tell the people of this country what is meant by that phrase.

Right Hon. Joe Clark (Secretary of State for External Affairs): The Hon. Member has not had my distinguished career at law school, and I thank him for the generosity of spirit that would cause him to make that comment on the floor of the House of Commons.

The Hon. Member and I have been engaged in exchanges before with regard to the Export Enhancement Program in the United States. That program has been in place for a long time. It is a program that we oppose. We oppose it both in its application to traditional Canadian markets, and we have opposed it relatively successfully there, because our share of grain exports has been increasing rather than decreasing during the period in question.

We also oppose it through the GATT. We will be opposing it again in representations that I intend to be making directly to Secretary Shultz to try to protect the interests of Canadian producers.

Mr. Nystrom: What does the clause mean?

Mr. Clark (Yellowhead): I repeat the point that the allegation by the New Democratic Party respecting the agreement, as with so many of their allegations, is false.

Mr. Nystrom: What does it mean, Joe?

* * *

TAX REFORM

WHITE PAPER PROPOSALS—INSURANCE COMPANIES' RESERVES

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is directed to the Minister of Finance. It concerns the White Paper on Tax Reform, 1987.

In view of the fact that policy holders are becoming increasingly worried about the proposals which discourage insurance companies from maintaining reserves, would the Minister make a statement on motions to clarify his intentions in the matter?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, in my judgment the tax reform proposals do not discourage the insurance companies from creating reserves. What they do is put the provision of reserves for the banks, trust companies, and life companies on a more balanced basis. As the Hon. Member knows, they are designed to ensure that the life insurance companies do pay their fair share of tax. That is the nature of the proposals that we have put forward.

We are listening very carefully to the views of the Finance Committee that has been hearing representations from the insurance industry. We have also been consulting with the industry. We will be making our views known on this particular matter once we have all those views in place.

SOLVENCY LEVELS

Miss Aideen Nicholson (Trinity): Mr. Speaker, in view of the fact that legislation passed in this House in June allows the Superintendent of Financial Institutions to mandate solvency levels, would the Minister think it reasonable that at least those levels be allowed as business expenses for taxation purposes?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, we are getting into quite a technical area here, as I know my hon. friend does realize and does agree. These matters are before the Finance Committee, and because of the level of technicality that is prevalent, they are probably best dealt with in that committee.

Once the committee makes its report, I would be happy to discuss it further with the Hon. Member.

* * *

EXTERNAL AFFAIRS

ARCTIC CO-OPERATION—PROPOSALS MADE BY SOVIET UNION LEADER

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, my question is directed to the Secretary of State for External Affairs.

In his Murmansk speech of October 1, Mikhail Gorbachev made a number of proposals relating to Arctic countries' co-operation in such fields as disarmament, natural resources, and the setting up of a joint Arctic Scientific Council. Has our Government made any formal response to those proposals?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we have not received the proposals, although we have naturally noted what was said by Mr. Gorbachev in his Murmansk speech.

We are interested in continuing to pursue the question of Arctic co-operation with the Soviet Union, and indeed with other countries that share, as we do, an important North.

Earlier this year we renewed the Arctic Sciences Agreement. The Hon. Member will know that there have been a number of exchanges, including those by the now Secretary of State when he was Minister of Indian Affairs and Northern Development and spent some time in the Soviet North. We intend to continue that high level of co-operation.

We will look very carefully at the proposals put forward by Mr. Gorbachev in his speech. Naturally, we will not conclude

any agreements with them on the basis of a speech that he makes. If there are some specific proposals that might flow from it, we would be interested in pursuing them in detail and formally.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—U.S. EXPORT ENHANCEMENT PROGRAM

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, my question is for the Secretary of State for External Affairs. Surely, the Minister will agree that, regardless of what one thinks of the agreement, it is a very serious matter for all concerned if the Americans are able to take this type of action in spite of the agreement that has been reached between this Government and the Government of the United States.

The Minister has outlined for us what the Government has done before the agreement with respect to this, and what the Government intends to do in the future when all of this is outside the agreement. Given that the agreement does state what it states with respect to the use of any export subsidy, which has been repeated over and over again, will the Minister please answer the question as to what this clause might possibly mean, given that the United States, subsequent to the signing of the agreement, has been able to do what it has done?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I believe this is the first question asked by the Hon. Member in his capacity as the foreign policy spokesman for his Party. I wish to congratulate him on his appointment to that position.

The original position that had been put forward by the New Democrats in this Question Period—and I wish to answer the question directly—had been that because of an action taken with regard to an existing Export Enhancement Program in the United States, we should throw out the trade agreement. I find that extreme, and I find its premise wrong. It does not breach the agreement.

I certainly do believe that this action by the United States, with regard to the Export Enhancement Program, is not consistent with the spirit of the trade agreement. That is the point that I will be making to George Shultz when I see him in Brussels on Saturday.

CANADIAN POSITION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, our allegation was just that, that this did breach the agreement, and that it was something that the Government should take seriously enough to indicate, as was suggested by the Hon. Member for Kamloops—Shuswap, that the signing of the agreement might be suspended until such time as the Americans explain their action.

What we are urging upon the Government is within the context of the Government's own policy that, if it takes this agreement seriously, and if it expects that the United States should behave in a particular way with regard to export subsidies, why will it not indicate to the United States that, pending withdrawal of the action it has taken in the last few days, the Government will not be willing to sign any agreement because the Americans have indicated that they do not intend to respect it anyway?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I think it would be both extreme and wrong to come to the conclusion that the Hon. Member has with regard to the intention of the United States respecting the agreement that has been initialled. I think it would be foolish and it would cost Canada thousands of jobs were we to put aside the agreement, or even to suggest that we were going to suspend a signature which is, in any event, not going to occur for some time.

With regard to the principle, not only have we been making that case, and not only about the Americans but also about the Europeans who are using subsidies to try to take away traditional Canadian markets, but we intend to continue to make that case.

I will be making it again personally on Saturday, and we will be adding to our argument the fact that this action by the United States, while it does not breach the treaty, is not consistent with the spirit of that agreement.

VALUE OF AGREEMENT TO FARMERS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is directed to the Right Hon. Secretary of State for External Affairs. It concerns subsidized wheat sales by the United States designed to displace Canadian markets.

• (1500)

I want to ask the Minister if what he has told us moments ago is correct in other words, that there was no breach of the agreement. If a sale of millions of tonnes of wheat, oilseed, and milk to the Soviet Union, China, and India at bargain prices does not constitute a breach of the agreement, can the Minister tell the House what in blazes is the value of such an agreement if it does not protect us any more than that? What redeeming value is there for Canadian farmers in such an agreement?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I have answered that question several times.

In terms of the value for Canadian farmers, a number of Canadian farmers who practise supply management had been concerned about this arrangement. The way it has been negotiated leaves them with no cause for concern.

A number of Canadian farmers had been seeking wider access to American markets. As a result of this agreement, an access which was denied them before is now in place.

A number of Canadian farmers know that it is in their interest to have a more buoyant Canadian economy. As a result of this agreement, we will have a more buoyant Canadian economy.

[*Translation*]

FREE TRADE—GOVERNMENT'S POSITION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I would respectfully suggest that the Minister has failed to respond to the question put to him.

Is he now prepared to tell the House just how many times the Americans will have to break the agreement, or the spirit of the agreement, as he puts it, before he gets up to tell them we have had it and the whole deal is off?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I answered this question in English on a number of occasions. I am pleased to answer in French and repeat that farmers and the agricultural community stand to gain major benefits from the free trade agreement which the Canadian Government has signed with the Americans. People working in industries protected by the supply management system will continue to be so protected. As to other Canadian farm producers who are seeking larger markets, American markets, these markets are now open or will be open to them once the agreement has been signed, but right now they do not have access to these markets.

[*English*]

Mr. Speaker: I wish to advise Hon. Members that this will be the last question of Question Period. On a single question, the Hon. Member for Skeena.

* * *

ABORIGINAL PEOPLES

EDUCATION—AMOUNT OF GOVERNMENT FUNDING

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is for the Deputy Prime Minister. Eighteen months ago the Government denied plans to implement the Nielsen "Buffalo Jump" of the 1980s.

Would the Deputy Prime Minister explain why his Government, as laid out in the Nielsen plan, has been over the last 18 months cutting funds to Canada's Indian, Inuit, and Métis people across the board in post-secondary education, creation of new bands and reserves, economic development, Bill C-31 implementation, claims and test funding, housing, and the list goes on?

Why is the Government cutting the budgets to those Canadians who face the highest levels of unemployment, the highest rate of infant mortality, the highest rate of incarceration, and the lowest life expectancy of all Canadians?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I think the Hon. Member shares with the Government the concern for adequate post-secondary education.

I think the evidence clearly points to the fact that greater emphasis has been placed on post-secondary education. For example, the support for Indian post-secondary education now stands at some $93.7 million. This has grown from less than $9 million a decade ago. The number of full-time students has been increased by some 148 per cent, to over 11,000 students since 1981-82.

While that is tremendous progress, as the Hon. Member knows there still remains much to be done, and the Government is committed to doing more.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petitions Nos. 332-2966 to 332-2972 inclusive, 332-2975, 332-2978, 332-2981, 332-2983, 332-2990, 332-2999, 332-3026, 332-3028, 332-3029, 332-3101 to 332-3103 inclusive, 332-3105, 332-3108, 332-3109, 332-3127, 332-3147, 332-3198, 332-3209, 332-3212, and 332-3222.

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INTERPARLIAMENTARY DELEGATION

PRESENTATION OF REPORT OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

Hon. Lloyd R. Crouse (South Shore): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House, in both official languages, the report of the Commonwealth Parliamentary Association on the 18th Conference of the British Islands and the Mediterranean Region, which was held on the Isle of Man from June 7 to June 13, 1987.

[*Editor's Note: See today's Votes and Proceedings.*]

COMMITTEES OF THE HOUSE

PRIVATE MEMBERS' BUSINESS—PRESENTATION OF SEVENTH AND EIGHTH REPORTS OF STANDING COMMITTEE

Mr. Bill Kempling (Burlington): Mr. Speaker, I have the honour to present the seventh and eighth reports of the Standing Committee on Private Members' Business, in both official languages.

The seventh report deals with the selection of a votable item pertaining to the seventh draw which took place on October 8, 1987. May I note that pursuant to Standing Order 36(1)(b) this seventh report is deemed adopted when laid upon the table.

The eighth report deals with the criteria which the Standing Committee on Private Members' Business has developed for the selection of votable items.

[*Editor's Note: See today's Votes and Proceedings.*]

FISHERIES AND OCEANS—EXTENSION OF AUTHORIZATION TO TRAVEL

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there have been discussions among the Parties, and I think you would find consent for the following motion to be placed immediately. I move:

> That, further to the order of reference given by the House on September 28, 1987 allowing the Standing Committee on Fisheries and Oceans to travel to Norway from October 24 to 31, 1987, the House authorizes the committee to extend its trip for four days to include a visit to Scotland to examine the Scottish aquaculture industry and questions related to the control of fish diseases.

Mr. Speaker: Does the Hon. Member of State have unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

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

Some Hon. Members: Agreed.

Motion agreed to.

* * *

PETITIONS

MIGRATORY BIRDS CONVENTION ACT—PROTECTION OF ABORIGINAL RIGHTS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, I have a duly certified petition to present to the House of Commons from members of the Cree Indian Nation resident in northeastern Ontario who consider that the Migratory Birds Convention Act violates their law and custom, as well as their treaty and aboriginal rights.

First, they are urging the Minister of Justice (Mr. Hnatyshyn) to withdraw the 11 charges made under the Act. Second, they call upon the Solicitor General (Mr. Kelleher) to order the Royal Canadian Mounted Police to stop its harassment of Indian people under this Act. Finally, they ask that the Government initiate a review of the Migratory Birds Convention Act and complete the process of amendment, which was begun several years ago, designed to protect and recognize aboriginal rights with regard to the hunting of game birds.

OPPOSITION TO PROPOSED TAX REFORMS

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, it is my duty to present a duly certified petition from constituents of mine in Thunder Bay—Nipigon as well as from residents of the neighbouring riding of Thunder Bay—Atikokan.

The petition protests that the federal Government's White Paper calls for changes to the taxation structure of Canada but does not change an already unfair tax structure for average Canadian families, while allowing wealthy Canadians earning over $100,000 per year not to pay their fair share and in fact to receive a tax cut under the proposal.

The petitioners also protest the fact that the changes permit 60,000 profitable corporations to pay no income tax at all. They particularly protest the possibility of a tax levy on food and on other essential items.

They call upon the Government to restore full indexation to the personal income tax system. It is my pleasure to present this petition to my colleagues in the House.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure—indeed it is an honour—to present, pursuant to Standing Order 106, a petition on behalf of a number of western Canadians who are concerned about the Government's approach to Bill C-55.

They ask Parliament to recall that the standing committee of Parliament dealing with refugee status has proposed a new procedure which, if adopted, would fairly and effectively solve the problems of backlogs and unsubstantiated claims. It has the support of the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and virtually every other group in the country knowledgeable on refugee issues. Therefore, they ask the Government to withdraw Bill C-55 and substitute it with legislation embodying the principles of fair and quick oral hearings.

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[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Order Paper Questions

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, question No. 191 will be answered today.

[*Text*]

PROPOSED TRANSPORT OF PLUTONIUM BY AIR OVER CANADA

Question No. 191—**Mr. Caccia:**

Did the government raise with the International Atomic Energy Agency the issue of the proposed transport of plutonium by air over Canada and (*a*) if so, on what date and in what manner (*b*) if not, for what reason?

Hon. John C. Crosbie (Minister of Transport): Transport Canada advises as follows:

(a) Not applicable.

(b) No, the Canadian Government did not specifically raise the issue of the proposed air transportation of plutonium over Canada with the International Atomic Energy Agency (IAEA) as this is not the proper forum. Consultation was carried out bilaterally with the principals involved, Japan and the United States.

[*Translation*]

Mr. Lewis: Mr. Speaker, I ask that the remaining questions be allowed to stand.

Mr. Speaker: The questions enumerated by the Minister have been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

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MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

• (1510)

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Monday, October 19, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that

province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—Conferences on the Economy and Other Matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—References

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendment of Mr. Turner (Vancouver Quadra):

October 1, 1987—That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

and on the amendment of Mr. Broadbent:

October 1, 1987—That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution.—Mr. Broadbent.

and on the amendment of Mr. Caccia:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

and on the amendment of Mr. Allmand:

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms."

Mr. Lewis: Mr. Speaker, I rise on a point of order. There have been discussions among the Parties. I think you will find that there is consent for the following suggestion with respect to the rotation of speakers this afternoon.

We would suggest that the Hon. Member for Ottawa Centre (Mr. Cassidy) be allowed to complete his remarks and that he be followed by the Hon. Member for Cambridge (Mr. Speyer), the very capable chairman of the special committee, who will be followed by the Hon. Leader of the New Democratic Party, the Hon. Member for Oshawa (Mr. Broadbent), with the suggestion that should the Hon. Member for Oshawa require additional time to complete his remarks that the House give its consent to that extension. The next speaker would then be the Right Hon. Prime Minister (Mr. Mulroney) followed by my hon. friend, the Hon. Member for Papineau (Mr. Ouellet). It would then be the suggestion that the House return to the normal rotation of speakers.

Mr. Gauthier: Mr. Speaker, in the spirit of accommodating the House, you will have noticed that the Liberal Party, the Official Opposition, has given up its spot in the rotation of speakers. In doing so, and Wednesday being a short day, it could be that we will only get one speaker on today. I would like the patience and possibly the understanding of the House in that should the Hon. Member for Papineau (Mr. Ouellet), who will speak for the Liberal Party of Canada, need a few minutes extra to cover his points, he will be granted that time.

Mr. Lewis: Agreed.

Mr. Speaker: There seems to be a disposition in the House to agree with the request of the Hon. Member for Ottawa—Vanier. Is there unanimous consent.

Some Hon. Members: Agreed.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, when I spoke on Monday, I was comparing the position taken by the New Democratic Party at our convention in Montreal in March when we had arrived at the end of a lengthy period of reflection on the question of Quebec and Canada with the actual terms of the Meech Lake Accord.

We called for the Constitution to recognize the uniqueness of Quebec, and the Accord recognizes that Quebec constitutes a distinct society. We said in our resolution, in our Party policy, that Quebec should be able to opt out with compensation if there was any transfer of provincial powers to the federal level with which it disagreed. That is contained in one of the provisions of the Accord. We said that Quebec should have a veto on any amendment that would alter federal institutions when these were considered vital to the security and preservation of the French language and culture in Quebec. As you know, the Accord provides that there is in fact a veto to every province because of the rule of unanimity for changes in federal institutions.

The fourth part of our resolution, which as I say was arrived at after a great deal of sober and serious reflection, wanted the Party to explore new constitutional provisions. The purpose would be to protect the linguistic rights of Quebec's majority

while at the same time ensuring the preservation of minority language rights as they now exist in the Constitution. We were not exactly sure how to do that, and put it aside for further study.

I regret that the Premiers were unable to resolve this particular issue in their discussions at Meech Lake and in the Langevin Block. I believe this is a matter which should be dealt with in the future because, as Quebec has indicated through Bill 101 and by other means, there are particular requirements in that province as a French speaking island in a North American continent which speaks English, where the protection of the language of the majority as well as the protection of minority language rights should be sought.

There can be no question about the fact that New Democrats have concerns over the Accord. I share those concerns. But we have to put these in context with the fact that Quebec is saying yes to Confederation. It is in that spirit that I support the Accord and intend to vote for it when it comes to the vote next Monday.

Nonetheless, I and my colleagues share the concern that the Accord passes over the question of whether or not the rights that were won after such a battle by women at the time of the constitutional agreements of six or seven years ago might be downgraded by the Accord. Our experts, our members, who sat on the joint committee, did not believe that. It is not our position or belief that that is the case, but in order to ensure that that does not take place, and in response to the concerns of women's groups across Canada, we believe that the Accord should specifically ensure that women's rights are not overridden by these provisions.

We are concerned that the Accord completely ignores the essential requirement that the Constitution of Canada be amended in order to deal with legitimate concerns of Canada's aboriginal peoples. I believe the commitment at the last round, that there be a constitutional conference on aboriginal peoples and rights, should have been reiterated in the Accord.

We are concerned that one province could veto the Yukon and Northwest Territories from becoming a province sometime in the future.

We are concerned that a northerner cannot be named to the Supreme Court of Canada. We believe that that should be fixed now rather than being left.

I have to say that, given the recent difficulties, perhaps as well the Accord should be amended now in order to curtail for a limited period of time the powers of the Senate of Canada to block legislation that has been adopted by the Parliament of Canada.

When I hear other complaints about the Accord I have to say that I fail to find them convincing. It has been suggested that Canada is becoming balkanized and yet powers are not redistributed in the Accord. It has been suggested that the spending power will no longer be a useful tool for the federal Government, despite the fact that the spending power is being recognized for the first time in the Constitution, according to the terms of the Accord. It is only where we are talking about a shared program in an area of provincial jurisdiction and where a province puts in place a program that meets the national objectives that a province will be able to enjoy the financial compensation which is called for in the Accord. That is a very narrow set of requirements, Mr. Speaker. It is still open for the federal Government to use its spending power exclusively, rather than on a shared basis, in order to act in an area which is largely of provincial jurisdiction.

The question here is the nature of the country. I believe that Canada has to operate co-operatively. I was here in this Parliament as an observer, as a journalist in the 1960s. I have seen the development of the provincial levels of Government in the past 20 years during my active career as a journalist and as a politician. The provinces have much more competence than they had back in those days. They have a much greater share in spending and in the provision of social services. They are closer to being equal partners with the federal Government than they were at the beginning of the 1960s. I do not think there is anything wrong in recognizing that in a constitutional Accord, which at the same time reserves the essential powers already there for a federal Government.

My Party, however, recognizes that we cannot run Canada, a country which is 4,000 miles in breadth, as though it were a centralized small state like the United Kingdom of England, Wales, Scotland and Northern Ireland. We must have decentralization. Everybody acknowledges that whether we are talking about regional development policy, economic development policy or the Constitution. I believe we have the right balance in the Accord.

Some people have expressed concern over the provisions recognizing Quebec as a distinct society. I simply say to them that the New Democratic Party since its foundation in 1961 has sought to recognize the uniqueness of Quebec. We have used a number of different formulae but we have not wavered in our recognition that Quebec is a unique society. Yes, of course, that can create some difficulties.

• (1520)

If the alternative is not to have a country that is whole, then surely we must recognize what observers have said from the beginning of the foundation of our country, that having a part of Canada where French is the language and culture of the majority is something unique and distinct and it should be recognized in the Constitution.

It has been suggested that because of the rule of unanimity we are freezing constitutional reform. I disagree. The fact is that most amendments to the Constitution can continue to be made on the basis of the majority plus seven provinces. The rule of unanimity only applies to certain areas where it did not apply before, namely, to the area of federal institutions. I regret that perhaps this makes the process of Senate reform more difficult. The process of the abolition of the Senate will

be more difficult. Nonetheless, we can get to that later. We are bringing Quebec in right now and we are not stopping the power of the majority of the provinces, for example, to change the allocation of powers between the federal and provincial levels if that is what they want to do.

I have already dealt with the question of women's rights. I want to note, however, that both the National Action Committee on the Status of Women and the *Fédération des femmes du Québec* agree with the position that with an abundance of caution, there should be a saving clause. I would hope that Members of all Parties would accept that particular amendment by the New Democratic Party.

I want to conclude by speaking about two important decisions which are now before this Parliament and this country. First is the issue of the Meech Lake Accord, the constitutional amendments, and the second is the issue of free trade. I want to talk about the process that is taking place in those two particular questions.

It is now some 25 years since the beginning of the quiet revolution, 30 years since the beginning of the quiet revolution in Quebec. It is 25 years since Canadians have begun to actively ask, "What does Quebec want?" as it was phrased in Ontario, and to work in different ways to find a new basis for partnership between the rest of Canada and French-speaking Canadians in the Province of Quebec.

When we embarked on constitutional change in 1981, it was after a referendum in Quebec in which Quebecers spoke in favour of Canada, but that was on the basis of a pledge by Canadians from the rest of the country that real action would be taken. Now we have a second run and real action is being taken. The Meech Lake Accord follows proposals made first by Premier Levesque and then by Premier Bourassa. It follows lengthy negotiations. It follows a process of discussion by the premiers as well as by their representatives. It will not be ratified until it has been endorsed by this Parliament and by the legislature of every province. The process has been criticized by the select committee, by the joint committee. Nonetheless, there has been a lengthy process in which every Canadian could become involved, and this for a document of only 12 pages.

When the President of the United States said two and a half weeks ago that Canada and the United States have signed the basis of a new economic constitution for North America, have signed what amounts to an economic union between Canada and the United States, and I look at the process which is being followed, I am ashamed of the Government. I am ashamed of my country that we should enter into this agreement with such a faulty process.

If we sign an extradition treaty with the Republic of India, for example, it is done by the normal executive powers which the Government of the day sustains through having the confidence of the House of Commons. However, there was no mandate for the free trade agreement in the 1984 election. In fact, the Prime Minister (Mr. Mulroney) spoke against it in running for the leadership of his Party back in the early 1980s. There has been no mandate from the people of Canada to have an economic union with the United States.

In previous years, in the 1870s, in 1911, and again after the Second World War, the prospects of economic union was discussed, considered and in one case went to an election, and Canadians indicated that they did not want to lose sovereignty. Of course, there has been a cost. We have lost, perhaps, in terms of our standards of living. Perhaps a few products from United States have not been available in Canadian stores. But we have gained in terms of our nationhood, in terms of the fact that we have done things differently, and that Quebec can now find a place within Canada which it could never find within a unified new nation comprising Canada and the United States. What we have gained is without comparison.

I believe we had better put it on the line and say that it is wrong to let the sovereignty of this country go down the drain without at least giving the people of Canada a chance to speak. I am not afraid, as some members of the Government have suggested, for Canada to go it alone if this is a bad deal. I am not afraid to take the risk of Canada standing on its own, because we have stood alone for 120 years since Confederation. We have often been threatened with absorption by our neighbour to the south and we have withstood that successfully. I am proud of what we have achieved as Canadians and I believe that Canadians are confident enough to continue in that way if we cannot get a decent kind of arrangement with the United States.

I believe this country must have the chance to speak on the Meech Lake Accord, and we are speaking, through our parliaments and through our legislatures. The people of Canada have had a chance to say, yes, they want Quebec in. The people of Canada have not had that chance with respect to the free trade agreement. I believe that before the free trade agreement is entered into there must be an election in which all Canadians can speak. If the Prime Minister and the Secretary of State for External Affairs (Mr. Clark) and their Cabinet are in fact not afraid, as they accuse us of being, why will they not take this country to an election in which we can endorse the Meech Lake Accord and in which Canadians can speak loud and clear as to whether they want to give the soul of this country up to the United States?

We are gaining on the Meech Lake Accord. We are proud to be Canadians and we want to keep Canada sovereign, not to give our sovereignty away to the United States. That is why I am going to vote for the Meech Lake Accord. That is why I call on members of the government to back my claim and my Leader's call to have an election on the free trade agreement. Let us take this to the people and see what the people of Canada want. Let them speak up for Canada because this Government will not.

Mr. Berger: Mr. Speaker, I listened to the Hon. Members's remarks and, in particular, I would like to refer to his comments about the spending power of the federal Government

and the ability of the provinces to opt out of national shared-costs programs if the provinces carry on programs or initiatives that are compatible with the national objectives.

The Hon. Member says he is not concerned with this particular provision and the fact that it may inhibit the reform of our social programs or the creation of future social programs. I would like to remind him of the Canada Health Act, adopted by this House in 1984, which sets out in Section 3 the objective of that Act. It says the objectives of the Canadian health care policy is to protect, promote and restore the physical and mental well-being of residents of Canada and to facilitate reasonable access to health services without financial or other barriers. That is the objective.

Under sections relating to program criteria and conditions, one such criterion is that in order to satisfy the criteria respecting comprehensiveness, the health care plan of a province must "ensure all insured health services provided by hospital or medical practitioners", and it goes on in that same vein.

What I am concerned about is that a future Parliament of Canada would not be able to obtain the adherence of the provinces to a condition of this nature. If the government of a province wanted, for example, to exclude certain services such as, let us say, abortion services, and those services were not eligible under a plan of a particular province for reimbursement under medicare, the Parliament of Canada could not impose such a condition which is far different from the general objective of the nature that is described in the Canada Health Act under "objectives".

• (1530)

When the Hon. Member reflects on the difference between an objective, a criterion, and a condition, does it not give him concern that the ability of the Parliament of Canada to legislate and lead the country in the area of social programs is being diminished?

[*Translation*]

Mr. Cassidy: —for Laurier (Mr. Berger). In fact, I find the Accord reassuring, because before, the federal Government's spending power was not defined in any constitutional document, except in comments by constitutional experts. Now this spending power will be in our country's Constitution, if the Accord is ratified by the provinces and this Parliament. The Hon. Member says: Suppose a province decides to exclude abortion procedures from its health insurance program. How could Parliament make the province's health insurance system cover these procedures? I think the Hon. Member forgets that in some of the Maritime Provinces and, if I am not mistaken, Alberta, abortions are not covered by health insurance, something I personally deplore, but that is the situation at this time. However, should the Parliament of Canada specify as one of our national objectives that no citizen should have to pay for medical services, I don't think a province could refuse to pay for necessary procedures such as an abortion. So we are strengthening instead of weakening the situation as it is now.

Mr. Speaker, I believe the Hon. Member for Laurier, a Liberal Member from Quebec, is opposed to the position taken by the provincial Liberals in that province. We in the New Democratic Party support the efforts of all Quebecers to make Quebec truly a part of Canada. The Hon. Member was describing the kind of situation that might create problems in the future. And that is why he is opposed to the Accord which is Quebec's chance to truly be part of Canada. I think it is so important for Quebec to be part of Canada and to join our constitutional union, that this must outweigh the criticism the Accord has received. As for spending power as I said before, we have lost nothing, we have only gained, in terms of the federal Government's authority to use that spending power according to rules that are more clearly defined and that seem fair to the provinces and to the federal Government and to augur well for the future.

Mr. Berger: I have a supplementary, Mr. Speaker.

The Hon. Member said that before, the federal Government's spending power was not defined in our Constitution, that it was simply confirmed by certain experts. Mr. Speaker, if I am not mistaken, the opinion of these experts is that the Supreme Court of Canada, in its various decisions, has confirmed the federal Government's authority to spend in areas that fall under provincial jurisdiction. I would therefore suggest this is a power the federal Government already has under our present Constitution and which has been confirmed by decisions of the Supreme Court of Canada.

I also believe there may be some confusion in the Hon. Member's mind about general objectives. The provinces can subscribe to objectives that are general enough so they can opt out of a social program or receive full compensation from the federal Government or the Parliament of Canada. They do not have to abide by the kind of criteria we discussed earlier, like the integrity of medical services.

I would also like to say to the Hon. Member that my objections to the Accord go beyond the issue of spending power. My objections are much broader and are based on many other aspects of the Meech Lake Accord which, as I see it, goes against what the Parliament of Canada has done in the past 25 years to ensure that all of Canada belongs to both Francophones and Anglophones. It goes against the linguistic equality policies introduced by various governments in the past twenty-five years. Perhaps the Hon. Member would care to read what I said a few days ago on the subject in the House.

[*English*]

Mr. Cassidy: Mr. Speaker, I appreciate the Hon. Member's comments but he seems to be saying that he prefers to rely on judgments of the Supreme Court respecting the spending power of the federal Government despite the fact those judgments can be overturned. What the Supreme Court

decides today it can change tomorrow. I agree that spending power is a more important part of the *de facto* Constitution of Canada. If he feels the same, then I suggest it is too important to be left to the Supreme Court. It should be part of our written Constitution. That is the conclusion the Premiers and the Prime Minister came to and they hammered out an agreement which at the same time respects duality when we come to deal with shared-cost programs.

I remind the Hon. Member that spending power is unaffected if the federal Government chooses to go alone in a particular area. The only place where it is affected is in the area of shared-cost programs. In addition, I remind him that it was Liberal legislation, the Canada Health Act of 1974, which, as he says, is meant to protect the integral nature of health services, yet under that legislation certain provinces, including Prince Edward Island, Newfoundland and Alberta, decided to withdraw coverage for abortion.

What is really required if we get into that kind of confrontation is for the federal Government to show the political will to spell out the national objectives to ensure that a province cannot duck out of its responsibilities. What the Hon. Member is saying is that his Government did not have that political will three and a half years ago and no Government in the future can have it either. That is of course nonsense.

I would like to conclude by reminding him that the first part of the Accord recognizes that the existing French-speaking Canadians centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians concentrated outside Quebec but also present in Quebec, constitute a fundamental characteristic of Canada. Certainly that is what we have been saying for 25 years. It also says Quebec constitutes a distinct society and if the Hon. Member—

[*Translation*]

If the Hon. Member for Laurier cannot agree that Quebec is a distinct society and should be recognized as such in the Constitution, that is his opinion and not mine. It is not the opinion of my Party, nor is it the opinion of the people of Quebec, including the Liberal Government in Quebec.

[*English*]

Mr. Chris Speyer (Cambridge): Mr. Speaker, on Monday, September 21, I had the privilege of tabling in this House the report of the joint committee of the House and Senate which considered and evaluated the Constitutional agreement which we have come to know as the Meech Lake Accord. Before getting to the main part of my remarks I would like to offer the House some preliminary impressions that I formed sitting as co-chairman of that joint committee.

At the outset, when the Meech Lake Accord was drafted and signed, I was not sure, nor do I believe many other Members were sure, just exactly what the implications were going to be for the Constitution. It was not until we began to sit and hear evidence, and we sat week after week, five weeks to be exact, that I became appreciative of the fact that the Prime Minister (Mr. Mulroney) and the First Ministers had drafted a superb document which was going to strengthen Canada. Week after week my belief in this document became more intense.

• (1540)

The second thing I would like to say is that the committee was in an anomalous situation in the sense that we had the uniqueness of having the Leader of the Liberal Party, the Leader of the New Democratic Party and the Prime Minister, as well as all the premiers, agreeing that this document should form part of the Constitution of Canada. Yet there was a body of opinion within the country which felt that they disagreed with the Meech Lake Accord. This was probably best exemplified when the former Prime Minister, Pierre Trudeau, wrote his article which appeared in *The Toronto Star*.

In those situations I think there was a general determination by all members of the committee that we were going to look squarely and fairly at every issue that evolved from the Meech Lake Accord. That is why I am rather proud that the document, the constitutional Accord report, reflects all of the issues raised, whether or not one agrees with the conclusions. I hope that we have fairly dealt with all issues that were raised during the currency of the hearings.

This afternoon in thinking about what the substance of my remarks ought to be I thought of the testimony of Gordon Robertson and the way in which he approached the Meech Lake Accord in testifying before us. As a result I would like to also set forth the policy considerations that I think are pertinent to deciding whether the agreement struck between the Prime Minister and the ten premiers ought to be adopted.

Like any other politician in the Chamber, this summer in my constituency office I was swamped by telephone calls and other communications with respect to the Sikhs coming to our shores. In my own riding office I received somewhere in excess of 250 communications with respect to that issue. Yet, at the same time, I had a handful of calls or letters with respect to the Meech Lake Accord. So I think that I can say with some confidence that the bar stools of Cambridge do not twirl at the mention of the words "Meech Lake". Yet, this Accord to me is an historic act of national reconciliation which, if adopted, will better reflect Canadian realities.

Conversely, should the Accord not be adopted then one must be prepared to accept, at least in the foreseeable future, that Quebec will remain officially estranged and that a constitution without Quebec will continue to limp along without the willing participation of one of the key parties to Confederation.

Professor Max Cohen has called our Constitution the revered script in our national passion play. From earliest times men and women have sought to reduce to writing the values that a nation hold to be sacred. Our Constitution is now but five years old, but it is incomplete. While the 1982 Constitution Act gave us patriation, the amending formula and the Charter of Rights, the isolation of Quebec as a willing

participant in the Constitution left a grievance that would have to be addressed by future Canadian leaders.

Furthermore, with the emphasis in 1982 on the patriation process, and now on the Charter, important questions were put aside concerning the appropriate balance between the federal and the provincial Governments.

The Prime Minister and the Premiers at their Edmonton meeting in August of 1986 agreed to an agenda which would focus specifically on the issues of Quebec and the subsequent negotiations which became known as the "Quebec Round". The atmosphere surrounding the negotiations I think can accurately be described as pessimistic. However, the bargain that was struck by the 11 Canadian leaders was welcomed by many as the miracle of Meech Lake.

It is curious that the word "miracle" was used to describe it by some people. Why did some people describe it in that fashion? I think that was because individuals with such disparate political philosophies and different constitutional track records as Premier Vander Zalm on the one hand and Premier Pawley on the other could arrive at an agreement with the Prime Minister of Canada, as well as each and every other premier, on the thorny issue of the treatment of Quebec.

What questions ought Canadians to be asking themselves with respect to the Meech Lake Accord? It seems to me that the first question should be whether or not the First Ministers were correct in having as their objective and as their priority Quebec as a willing participant in the Canadian Constitution. If this objective was correct then we must go on to ask ourselves whether the arrangements agreed upon have adverse consequences for the rest of Canada. Finally, I think it is important to ask ourselves what the consequences will be if the 1987 constitutional Accord unravels.

It is on these three points that I would like to say a few words this afternoon. From strictly a legal point of view, the 1982 Constitution applies to Quebec. But, in the words of Yves Fortier, a friend of many in this Chamber and a former distinguished President of the Canadian Bar Association:

> The fact is that politically and even morally the 1982 Constitution Act does not apply to Quebec. Those who claim it does are guilty of constitutional heresy.

Or, in the words of Professor Bill Lederman, an individual, whom I respect a great deal:

> Everyone knows in the technical, legal sense it is in force in Quebec. But that is not good enough, particularly for a constitutional document. We always have to be renewing our beliefs in and our allegiance to our constitutional principles. A bare legal technicality is not good enough.

The legitimacy of a constitution rests on the willing assent of the governed. A law that is perceived to be unfair generates resistance and resentment. This is true whether the provisions are found in a statute or in the constitution itself. It is important for us to remember our own history. When Quebec voted for Canada in the referendum of 1980 the Government of the day promised Quebec a renewed sense of federalism. I think the emotion of that time was eloquently captured by Madam Chaput-Rolland in her testimony before the committee. This testimony has been quoted by, I believe, the Hon. Member for New Westminster—Coquitlam (Ms. Jewett). It had a profound effect on some of us who were sitting in the room as members of the committee. She said:

> I think none outside Quebec knew the reality of the referendum. I travelled throughout Canada, about a few months later. It was all over, eh? Good. It was not exactly all over. Families against families, towns against towns, fathers and mothers not speaking to their children. During the referendum we spoke with thousands of Quebecers. Women wanted to leave to their children a country as big as the one they had received from their father. That was mainly the article that reached the heart, because your are right: In this country if we put a little more heart into what we are doing, maybe we would be aware of the hurt we inflict on others. And then we came home.
>
> We went back to the National Assembly, back to our villages, back to our houses, back to the friends that were no more friends; they were on the "yes", we were on the "no". It was not a picnic, it was not a social gathering, it was not a think-tank, it was a battle between brothers, a dangerous, divisive battle, and we still feel it. It was not 100 years ago, it was seven years ago that we lived that referendum. English Canada could not care less one month after, and it stung me and it stung all of us who fought so hard to remain in Canada and to find ourselves outside of Canada.

Madam Chaput-Rolland recalled the lack of national reconciliation following the referendum, and the wide special sense of the betrayal among those who voted no. And so, what was Quebec's position in the aftermath of the passage of the Constitution Act, 1982? Let us examine and remember our history. The Legislative Assembly of Quebec passed a resolution which was agreed to by all Parties condemning the Constitution Act of 1982. It then moved swiftly to challenge the constitutionality of the Constitution Act, 1982, albeit unsuccessfully. Thereafter the Government made the maximum use of what we call the notwithstanding clause, Section 33 of the Charter, which excluded Quebec legislation from the provisions of Section 2 and Section 7(15) of the Charter. Furthermore, Quebec's lack of participation at constitutional conferences limited the chance of success even for reforms that did not require unanimous consent of all provinces.

• (1550)

It seems to me that the objective of the First Ministers was to redeem the promises made to Quebecers during the 1980 referendum and following it. In the result, the reconciliation with Quebec has been made, the Accord has been signed and this leads directly to the second question which I posed a few minutes ago. Does the bargain struck by the premiers and the Prime Minister have adverse consequences to Canada?

Perhaps in a more positive way the question can be framed as to whether or not this agreement is in the best interest of the country. Let me begin by noting that the Accord does not change the distribution of powers in any way under Section 91, Section 92 and Section 93 of the Constitution. Section 2(4) of the Accord specifically preserves the existing powers of the legislatures and of Parliament.

I was very impressed by the testimony of Gordon Robertson who attended every First Ministers' Conference since 1950 until his retirement in 1979. He pointed out that the constitutional negotiations that took place from 1968 through 1971,

and later up to 1979, fully expected that there would be changes in the distribution of power.

Perhaps the most controversial aspect of the Accord is the inclusion of two interpretative clauses, namely, that the Constitution is to be interpreted in a manner consistent with linguistic duality across the country, which has been described as a fundamental characteristic of Canada, and with the recognition of Quebec as a distinct society. These principles must be taken into account by the courts along with other rules of interpretation in arriving at a decision on a given set of facts.

As a matter of law, the linguistic duality and distinct society clauses neither grant new powers nor derogate from existing powers. An interpretative clause by definition cannot breathe life into a jurisdiction that does not exist.

The Accord recognizes that within Canada, Quebec is a distinct society. This recognition is appropriate, not only because it is historically and sociologically true but because Quebec's distinct society has already been acknowledged by the courts. The Accord does make explicit what has been implicit in our laws and constitutional arrangements for over 250 years.

It must be remembered that Quebec's distinct society includes not only the French-speaking majority but also the English-speaking minority, the aboriginal people in northern Quebec and the rich and diverse communities of other cultures and traditions.

How, then, will the distinct society clause work? How does it come to have any meaning? In the view of the distinguished constitutional experts who appeared before the committee, the distinct society clause will have an influence on Section 1 of the Charter.

For example, when a Quebec statute is challenged as being inconsistent with some Charter principle, if the court decides that there is an inconsistency or a violation of that Charter value the court will then be compelled to decide whether the provision of the statute can be saved as a reasonable limitation in a free and democratic society. This is a process that constitutional lawyers go through every day before the courts. The court would make that decision using as one factor the linguistic duality, distinct society interpretative clauses in the Accord.

The distinct society provision has not been specifically defined. But then, such phrases as "reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society", which is in the 1982 Constitution has not been defined. The phrase "peace, order and good government" and "property and civil rights" have not been defined with any sense of precision in the past. It has been left to the courts to interpret those phrases in a socially relevant fashion. In due course, a body of jurisprudence will develop which will put contours around the meaning of such phrases.

Another area of controversy pertains to the participation of the provinces in the appointment process of the Supreme Court of Canada judges and Members of the Senate. The evidence before the committee was that it was common practice in other federations around the world to provide for such participation. We found no justification for having the Supreme Court of Canada, which is the umpire of Confederation, chosen exclusively by one of the players, namely, the federal Government. Similarly, our report makes the point that the Senate was intended to represent regional interests at the centre. But when all is said and done, it is still the federal Government and only the federal Government that makes appointments and I think that is a very important point to underline.

The members of the joint committee were acutely aware of concerns that have been expressed by Charter rights, especially gender equality rights. The evidence from experts has satisfied us that those rights were not placed at risk. If Members who sat on the committee thought there was a real legitimate fear that these hard-earned rights were at risk, we would have voted against it in those circumstances. However, the weight of the evidence clearly was that there were no risks with respect to this particular area of concern. These rights have since 1982 been considered by the courts in light of whatever reasonable limits the courts believed to be demonstrably justified. The courts will continue to perform this task in respect of legislation that touches on linguistic duality and the distinct society.

The third question which I raised concerns the consequences of not adopting the Meech Lake Accord. Laurent Picard, former president of the Canadian Broadcasting Corporation, put it this way:

> The choice is not between what you have and what you might have but between what you have and what you will have if the Accord is rejected.

Mr. Picard went on to say:

> Once you have reached an Accord you have created a credibility. You have created a process of understanding. And to break the Accord after that is not going to bring you back to the day before, it is going to create a totally different situation. No government of Quebec will be able to accept less, so the situation will be much worse than it was before.

It is my view that if the Accord becomes discord, if it is allowed to unravel, if the terms of reconciliation are undermined, there will develop a serious breach between Quebec and the rest of Canada which will have long term consequences for the country.

Accordingly, in deciding whether or not the amendments ought to be considered, the Government Members of the committee used the test suggested to us by Dean John White of Queen's University Law School. Dean White said that the deficiencies of the Accord must be serious and they must be likely if the agreement is not to be accepted. The critics of the Accord, in the view of the committee, failed to meet that test.

Our committee did reach certain conclusions. One was that the provincial governments' concerns about giving northern territories the trappings of provincial status were unjustified. Specifically, we felt that it was unfair that a lawyer or a judge

from the Northwest Territories or the Yukon could not be nominated by those territorial governments to the Supreme Court of Canada. There is no mechanism in the Accord where such a recommendation could be made to the Minister of Justice for the federal Government's consideration of such a proposal. Accordingly, we are hopeful that this matter will be addressed at the next First Ministers' Conference.

Similarly, we have made certain other recommendations concerning both aboriginal peoples and the amending formula as it applies to the northern territories and we are hopeful that the federal Government will pursue these suggestions.

Finally, it was evident to all members of the committee that a new process must be created so there can be public participation in future constitutional change. Professional associations, interest groups, and members of the public want to have an input before and not after constitutional decisions are taken by First Ministers.

The committee recommended that a joint Senate-House of Commons committee be established with appropriate linkages to the legislatures of each province to report to the First Ministers on matters of constitutional importance which are brought before the committee.

I wish to conclude my remarks by stating unequivocally that as a result of the Meech Lake Accord Canada is the clear and undisputed winner. The inclusion of Quebec into the Constitution in a voluntary fashion is an act of reconciliation which will strengthen and help unify the country, and it will also permit opportunities for reform in other constitutional areas where grievances exist. For this, in my judgment, a huge debt of gratitude is owed to the statesmanship of the Prime Minister and the Premiers.

• (1600)

Some Hon. Members: Hear, hear!

[*Translation*]

Hon. Edward Broadbent (Oshawa): Mr. Speaker, with this debate on the Constitutional Accord, Parliament is taking another significant step in the historic process of Quebec's entry into the Canadian family. This Accord concerns a number of important fields, but we must bear in mind that the fundamental purpose of the Accord is to repatriate Quebec in our Constitution.

As a country we are living up to the challenge of the unfinished reconciliation of 1982. And the fact that we are living up to the challenge provides all Canadians, men and women alike, with a unique opportunity to celebrate. As a country we can celebrate the end of the constitutional isolation of Quebecers and the fulfillment of the promise made to Quebec during the 1980 referendum.

Mr. Speaker, this Accord meets the aspirations of both the people of Quebec and all Canadians. Thanks to its positive approach towards Quebec, it enables Quebec as a distinct society to resume its place and participate fully and actively in the Canadian federation. We in this Party are very pleased with this outcome. For a few people, Mr. Speaker, the May Meech Lake Accord signalled the begining of this debate.

Still we must not lose sight of our historic perspective: for over 20 years now the constitutional reform has been the concern of Canadians who wanted to say yes to Quebecers. Even without this Accord, from a legal standpoint Quebec is in the Constitution. That is obvious! But imposition through mere legal coercion is unacceptable in a democracy. Citizens whose lives are governed by laws must accept those laws. If they do not accept a law, it loses its moral authority. It is extremely serious when we are talking about the Constitution, the supreme law of the country.

As Leader of the New Democratic Party, Mr. Speaker, I am proud to support this Accord which recognizes the distinct identity of Quebec.

From the time our Party was founded in 1961, until our convention in Montreal in March of this year, the New Democrats have recognized Quebec's distinct identity in Canada. Quebecers feel it is high time, Mr. Speaker, that the Constitution should reflect this reality. From sea to sea, the New Democrats believe that having a province where the language and culture of the majority is French enriches our country.

By recognizing this special character in the Canadian Constitution, we are further defining our vision of Canada.

Mr. Speaker, I want to thank all members of the committee who helped produce the report on the Meech Lake Accord. It is an excellent piece of work. The Hon. Member for New Westminster—Coquitlam (Ms. Jewett) and the Hon. Member for Yorkton—Melville (Mr. Nystrom) sat on the committee on behalf of my Party. I would like to stress their important contributions and extend my sincere thanks for the work they have done.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, together with our caucus, they carefully examined the Constitutional Accord and concluded that it conformed to our principles as Canadians and social democrats.

[*English*]

I want to say something about the latter point. I have said on other occasions and have indicated in my earlier comments today that this approach to a continuing constitutional problem in our country has been met with resolve by the leaders of all of Canada's federal Parties and by our provincial Premiers. There has been a remarkably creative and productive non-partisan approach to a very important Canadian problem.

I was not at the bargaining table personally, but I want to use the occasion to compliment in this regard both the Prime Minister (Mr. Mulroney) of Canada and all the Premiers for doing a very fine job on behalf of the people of Canada.

Some Hon. Members: Hear, hear!

Mr. Broadbent: I also want to add, as a social democrat, that not only is this accomplishment consistent with the broader principles with which all of us as Canadians can agree, but it also is quite consistent with the philosophical objectives of my Party in particular.

In approaching a question of this magnitude from within that framework, we do consider certain aspects of our history as a nation to be of particular relevance and particular importance to us. Our broader vision is grounded on some key elements, on what has evolved as a distinctively Canadian tradition with our particular blend of the values of liberty, equality and community.

We look to our belief in the principles of co-operation which ought to be fundamental, not only in political but also in social and economic organization, and to our belief in the constant need in North America to be working toward a greater degree of Canadian autonomy, a greater mastery over our own destiny. We should also keep in mind that we want a strong public sector and a strong private sector and we give importance to both of these aspects of our social and economic institutions in society.

Finally, in approaching a question of this nature that goes in a sense to the root of nationhood, we want provincial Governments to be seen not as burdensome obstacles to some national vision but as very important entities in the nation of Canada that were there in 1867, that are there now and that have a role to play in their domain which is fully as important as the role of the federal Government in its domain.

Some Hon. Members: Hear, hear!

Mr. Broadbent: In that context, finally, we do believe it is imperative in a nation as diverse as ours, culturally, economically and regionally, that we have a federal Government that has very substantial powers, a very real capacity to deal with national and international problems.

We have assessed the Accord from within this particular social democratic framework as well. We find that it is quite consistent with our principles. In particular, we have looked at its provisions to ensure this consistency with regard to three particular items that have been discussed in this debate, and I wish to say something about each of them.

• (1610)

First is the need for an effective national Government. Second is the principle of co-operative federalism. Third is the need to maintain at the heart of our Constitution the integrity of the Charter of Rights and Freedoms.

On the first of those, the need for an effective national Government, I wish to say to those Canadians who have listened to arguments on the other side that the powers of the national Government of Canada have not been reduced one iota by this constitutional Accord.

Some Hon. Members: Hear, hear!

Mr. Broadbent: And I would, for this occasion only perhaps, welcome the presence of a former Prime Minister with whom I have had some agreements in the past, but also some serious disagreements in stressing this important reality.

I say to some Members of the House who have raised points of concern about the alleged whittling away of the authority and power of the central Government that in Section 91 of the Constitution there are some 29 specific, unique, exclusive federal powers. I repeat that they have not been altered one whit. They are there to be used by any Government that wishes to show effective national leadership.

Some Hon. Members: Hear, hear!

Mr. Broadbent: In addition, there is one section of this Accord that, prior to the committee stage, got a lot of discussion by the Premiers, by the Prime Minister and by those of us who have a constitutional role to play in opposition, and that is the section that permits the federal Government to spend in areas of provincial jurisdictional authority. I wish to make the point that if there has been any shift whatsoever, it has been to clarify, confirm, and will have written in the Constitution for the first time the right of the federal Government to spend in areas otherwise in exclusive provincial jurisdictional authority.

As a Canadian who recognizes the importance of effective central Government, particularly working in conjunction and co-operation with the provinces to implement certain national programs from time to time, whether it is medicare, as it was in the past, or a child care program, as I hope it will be in the future, we should also acknowledge that in saying this, which I believe to be the case, that we are now putting in writing what was not there before, the right of the federal Government to do this. We should pay recognition to the provincial Premiers who are acknowledging this important role from time to time of the federal Government.

Some Hon. Members: Hear, hear!

Mr. Broadbent: It addresses the concerns that are genuinely felt by some Members of the House, as well as other Canadians. It simply states that if a national program, for example, in child care is brought in, it has a flexibility built into it that enables us to say that if we have a child care program that meets certain national objectives in Prince Edward Island—

[*Translation*]

The details are not necessarily the same as for a small town in Quebec.

[*English*]

—or in British Columbia, or in a Prairie community, that the needs for child care will be diverse, reflecting the diverse regions of our country and the diverse sizes of our communities, and as long as fundamental principles are adhered to, established by the national Government, that is precisely the

type of national program that we would wish to put in place in any case.

I wish to turn immediately from that question of the continuing need to have a central Government that has effective powers in Canada, where I have said that if anything there has been a heightening, certainly a heightening of the recognition of those powers and not any reduction whatsoever, to the second question of co-operative federalism.

Certainly in my Party the term "co-operative federalism" was used at the 1961 founding convention, and it has been used by members of other Parties, particularly during the period of the Government of the Right Hon. Lester B. Pearson. I stress that it was a notion pursued by all, by leading elements in all Parties, that in our federal state we have to get built into this great country of ours the notion that when we are embarking upon programs that innovate, co-operation is necessary. But also in the ongoing work that has to be done in the federal state, whether or not we are talking about innovation, we have to be supersensitive as a people to the need to co-operate between the various levels of Government.

Therefore, one of the provisions that I welcomed that was not only in the original draft of the Accord, but also in a subsequent draft, was the right of the provinces to participate in the selection of Supreme Court judges. If Supreme Court judges are going to be making decisions, as they do, in matters that affect federal and provincial powers, and if they are going to make decisions that affect the rights of Canadians, federal citizens as well as provincial citizens, it is entirely legitimate and appropriate that the provinces play a role in the selection of Supreme Court judges. I think that is a good recommendation.

Some Hon. Members: Hear, hear!

Mr. Broadbent: I wish to now turn to another provision on the same point of the need for expanding co-operation between the federal Government and the provinces, and the provinces with each other, which is the suggestion that we will be having regular conferences to discuss constitutional reform. In the future, hopefully we will not have to have them because they are dealing, quite literally, with the crisis of unity of the country. If we do institutionalize such conferences—and I will have some more to say about the need to have Canadians participate more directly—hopefully when a problem begins to emerge, at the regular annual conference that discusses constitutional change, the federal Government and the provinces will come together and be able to address the need for change before a problem becomes a crisis. Again, I think that that provision is a good one, and it will be conducive to the spirit and reality of co-operative federalism.

The next aspect of this Accord that I wish to say something about is the Charter of Rights. I wish to say at the outset that my Party would not support the Accord if we believed the rights of Canadians under the Charter were overridden in any way by this Accord. I say in this context that the Charter remains, and it remains as strong after this Accord as it was before this Accord was introduced.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Notwithstanding our belief that the Accord will be good for Canada, we do have some serious concerns and objections. For that reason we have proposed some amendments. I wish to mention at the outset the reasoning that lay behind those amendments.

When any group of Canadians in any of Canada's political Parties receive a constitutional document, and one does not need to be lawyer to do this type of thing, they can find lots of things wrong with it after perusal of some 20 seconds. I am tempted to say if one is a New Democrat, it can normally be done after five seconds, but I will not say that.

The serious point I wish to make is that any constitutional document that one has will always be short of what a person in good faith can deem to be desirable in terms of additional conclusions. We all have an agenda and a favourable item that we wish to have included in a major proposal for constitutional change.

When my Party addressed this Accord it was aware of the plethora of proposals that could be made to add to it. We are also very conscious of the fact that the document was prepared with care, thought about with prudence, and that it is absolutely essential to gain acceptance in the early future by the Parliament of Canada and all provinces. Therefore, we did not want to propose a whole extended range of amendments. That was an important part of our thinking. The number of amendments we had in mind had to be few in number and had to be, of course, totally consistent with the Accord itself. Therefore, we proposed three of them, and I want to speak briefly on each.

• (1620)

The first one was on aboriginal rights. I do not think there ought to be a Member of Parliament who, at this point in our time as a nation, should be ignorant of the moral need to act and to act with speed in redressing the legitimate moral concerns of our aboriginal peoples.

Some Hon. Members: Hear, hear!

Mr. Broadbent: The reality is that in the last Constitution go-around in 1982 we in Parliament entrenched aboriginal rights. It was a historic battle in the many stages of the process, but it was a historic accomplishment at the time. Many of us believed that by the time we got to this round certain specific rights of our aboriginal people needed to be addressed in a further more comprehensive way and, specifically, that the long overdue right of aboriginal Canadians to have some form of self-government ought to be put in place.

Therefore, it was with regret that we did not see a commitment in the Accord to have a further conference on this subject when we had commitments to have further conferences on

other subjects which, if I can put it this way, are certainly no more important than the claims of our aboriginal peoples. We have an amendment which deals with that, and it deals with the rights of aboriginal peoples themselves to participate in those conferences which will come up with a settlement of a number of claims, particularly the moral claim of establishing a form of aboriginal self-government in the country.

The second area of concern was the injustice which is now being foisted upon Canadians in the northern part of our land. It is a sad irony, in one sense, that we should be going from a form of isolation in our Constitution of the people of Quebec to imposing another kind of isolation upon Canadians in the North. This is completely unacceptable to my Party. Frankly we do not understand. I have written to the provincial Premiers and to the Prime Minister, and I cannot understand why we cannot get an amendment, even at this point, which would redress this grievance before we put it in place with this Accord. It is this injustice which is now being imposed upon the people of the Northwest Territories and the Yukon, both with regard to the process of becoming a province and to their right to participate equally with other Canadians in the selection of Supreme Court judges and Senators.

I repeat that the best way of dealing with one injustice for one part of Canada is not simultaneously to impose another injustice on another part of Canada.

Our third amendment deals with the equality rights of women. We in my Party do not believe that the linguistic duality-distinct society interpretation clause abrogates, supersedes, or overrides sexual equality rights or any other rights guaranteed by the Charter of Rights and Freedoms. However, I add immediately—and on Persons Day how symbolically appropriate it is to be making this point—that in earlier debates and discussions in the development of the Accord some of us said that no matter how remote or how unlikely an adverse effect of the distinct society clause would be in respect of aboriginal rights or our multicultural heritage, Sections 25 and 27 of the Charter should be included in Section 16 of the Accord, as we said, out of an abundance of caution.

As Hon. Members of the House will know, this change was made. We believe that the reasoning or concerns held by Canadians who were sensitive to the possible abrogation of aboriginal rights and multicultural rights were addressed. However, if it was legitimate to make a change to address those concerns, even though we did not believe those rights threatened, surely we ought to be making the same changes as this affects the rights of women. The same abundance of caution should be applied to sexual equality rights. This, in our judgment, could once again be done without in any sense jeopardizing the Accord.

I suppose in this context I would like to make a special appeal to the Premier of the Province of Quebec and to the other Premiers to give some serious second thought to accepting an amendment on this important point.

The equality rights of women in the Canadian Charter of Rights and Freedoms were won, incredibly as it may seem, a mere five years ago through a collective struggle. Again to be frank, it was really initiated and carried through by the women of Canada themselves who, by force of their argument and force of their concern, made the rest of us listen. The great struggle they had, which was carried on subsequently in the House of Commons, led to the establishment of Section 28 in our Constitution. It is a matter of which we as Canadians should be proud. Section 28 does for Canadian women what the United States has yet to do for women in the United States. We can be showing leadership in this regard, and in showing leadership, I say to the Prime Minister in this context, I hope he will give some consideration to accepting the kind of amendment we favour, which would reassure Canadian women on this important point and at the same time be totally consistent with the Accord before us.

I would now like to say a few words about some further proposals for future constitutional reform.

[*Translation*]

I would first like to say a few words about the Charter. Several groups that appeared before the committee expressed concerns that went beyond the scope of the 1987 Constitutional Accord.

The concerns of national womens' groups and their constitutional experts, of visible minority groups and others arose, for instance, from the legal interpretation of the Charter of Rights and Freedoms during the first five years of its existence. We must maintain the guarantees for the rights and freedoms of Canadians, including equality rights. A review of the Charter requires considerable participation on the part of the public and sufficient funding to enable all Canadians to make their views and concerns known.

Representatives of our visible minorities presented to the committee some convincing arguments about the need to examine, above all, Section 33 of the Charter, the "notwithstanding" section. We believe that Canada will not have an egalitarian society until the Charter's guarantees equality for minorities can no longer be compromised. We therefore suggest that a future first ministers' conference consider repealing Section 33.

[*English*]

We also agree whole-heartedly with representatives of ethnocultural associations who, in welcoming the Accord, stressed that constitutional recognition should also be given to Canada's ethnocultural reality as a fundamental characteristic of Canada. We too think that should be done.

The Canadians making these suggestions emphasized that one-third of Canadians are of neither English nor French origin. The Charter already recognizes Canada's multicultural heritage, and it is time that we moved one step further in the constitutional evolution of our country.

• (1630)

I urge the First Ministers to move quickly to recognize in the Constitution Canada's ethnocultural reality as a fundamental characteristic of our nation.

New Democrats also agree with those who told the committee that Canadians must more directly be involved in future constitution making. The Constitution, after all, belongs to all Canadians, not just to the politicians here in the House of Commons or in the provinces. We must have a process that permits the people of Canada to participate in the discussion of constitutional reform before First Ministers deal with certain matters, and not just after. We want changes made in that direction.

I want to conclude with this observation. As I have indicated, the work done by the First Ministers, including the Prime Minister, and the committee that studied this question, has been a first rate job for the people of Canada. The Accord, as many Canadians have said both in this House and outside, is not a perfect document. But this constitutional Accord is a good document, good for Canada, good for Quebec, good for all the other provinces and good for individual citizens who want their rights preserved. We need to support it.

Some Hon. Members: Hear, hear!

Mr. Broadbent: But I say this, that constitutions, no matter how good, do not cause progressive change in themselves. Constitutions lay the framework that permits active men and women to bring about changes that will make Canada a more just and compassionate nation. What is needed, in my view, is the political will now to act within a newly established constitution to achieve these goals.

With this reconciliation of monumental importance with the Province of Quebec and with the renewal of co-operative federalism, we must now strive together to make a better tomorrow for all Canadians.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Deputy Speaker: Are there any questions or comments? Resuming debate. The Right Hon. Prime Minister (Mr. Mulroney).

[*English*]

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I rise to speak on the resolution on the Meech Lake Accord which brings Quebec back into the constitutional fold, which strengthens national unity and unblocks the process of future constitutional reform.

May I commend the Leader of the New Democratic Party today both for the excellence of his comments and the generous outlook he has taken on the problem of constitutional reform. While I was absent, my right hon. friend, the Leader of the Opposition (Mr. Turner), spoke and I commend him as well for the leadership that he has adopted on a very sensitive national issue.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I have recommended this Accord to my colleagues in the Government. I recommend it today without reservation or qualification to all of my colleagues in the House of Commons. I commend it as well to future generations of Canadians, confident that the Accord will stand the test of time and the scrutiny of history.

Eleven First Ministers from four political Parties support this Accord.

[*Translation*]

The three national leaders of Canada's political parties in the House support it as well. Today, I sincerely invite all Hon. Members to join with us in this unique act of nation building, in saying "yes" to Quebec, "yes" to Canada, and "yes" to future constitutional reform.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I want to speak today, briefly and from the heart, as a Quebecer and as a Canadian. Our constitution, the fundamental law of the land, is more than words on paper. It defines the terms of our living together, it expresses our prospects for a future together. It enunciates the way we see ourselves as a people and as a nation. The Meech Lake Accord has been scrutinized by the joint Senate-House Committee, which received 301 submissions and heard testimony, I am told, from 131 groups and individuals—from every walk of life, from every segment of our society.

The committee concluded that the Accord should be adopted by Parliament because, and I quote them:

It "represents a reasonable and workable package of constitutional reforms".

I want to pay tribute to the committee and its co-chairmen, the Hon. Member for Cambridge (Mr. Speyer), and Senator Arthur Tremblay, for their distinguished contribution to the national life of Canada.

Some Hon. Members: Hear, hear.

Mr. Mulroney: And, Mr. Speaker, I also pay tribute to a Senator, something we do not do very often in the House these days, but I am referring to a Conservative Senator, the Minister of State for Federal-Provincial Relations, the Hon. Lowell Murray, who played an absolutely vital role on behalf of the federal Government in this great undertaking.

Some Hon. Members: Hear, hear.

Mr. Mulroney: Mr. Speaker, I followed the committee's work quite closely and noticed a common thread running through the weeks of testimony. Canadians know that, without

the willing assent of Quebec, our Constitution is fundamentally flawed. Deep down inside, every Canadian knows that. Certain promises were made to Quebecers at the time of the 1980 referendum, solemn promises about constitutional renewal, which were not kept, unfortunately. With the Meech Lake Accord, that promise, made to Quebec on behalf of all parliamentarians, has been honoured on terms that are good for all Canadians. And I think it is a significant aspect of our debate because, Mr. Speaker, we have not acted with haste, nor have we improvised the results, as the NDP Leader indicated.

The Meech Lake Accord culminates more than two decades of intense constitutional debate in this country. Its elements are not new. As my friend the Hon. Member for Ottawa—Vanier (Mr. Gauthier), the Chief Whip of the Liberal Party, reminded his former Leader when he appeared before the committee, the Hon. Member said, and I quote:

> As I remembered, you mentioned restricting the federal government's spending power; you talked about granting effective concurrent jurisdiction in the field of immigration and in Quebec, there were the Cullen-Couture agreements. You suggested provincial participation in Senate appointments. Your aim, expressed in different bills and your personal convictions, was to allow the regions to have a voice in Parliament.

But the Hon. Member for Ottawa—Vanier, a distinguished parliamentarian, might have added that the former Prime Minister had also proposed provincial involvement in Supreme Court appointments and at the 1980 round of constitutional talks he was prepared, and I quote him, "to recognize the distinct French-speaking society centred in though not confined to Quebec " in the constitution. How can it be wrong now when it was proper then? And I commend the Hon. Member for Ottawa—Vanier for his outstanding contribution.

Some Hon. Members: Hear, hear.

Mr. Mulroney: The fact was, however, Mr. Speaker, these earlier proposals did not meet with success, and no one should underestimate the grave risks we ran as a country with Quebec left on the constitutional sidelines, as a result.

• (1640)

[*English*]

As the Hon. Robert Stanfield told the committee: In 1982 we created two Canadas, one that felt bound by the agreement and another that did not. Only Quebec's agenda was not addressed in the 1982 Accord. Only Quebec was left out. I ask, how would we all have felt had the concerns of women, aboriginal people and multicultural Canadians not been addressed in 1982? I ask all Members of the House to consider the sadness and sense of exclusion the people of Ontario would have felt if such basic constitutional arrangements in 1982 had been entered into without the approval of their elected representatives at Queen's Park. I tell you, Mr. Speaker, that I would never have agreed to a constitution that left Ontario on the sidelines, and I have worked hard to correct a similar situation regarding Quebec.

Although legally binding, the 1982 Accord did not bind the hearts and minds of Quebecers to Canada. The consequences in a generation or two may have been absolutely incalculable for all Canadians representing all regions of this House from the Gaspé to the coast of British Columbia. Imagine the possibility of another referendum on independence in Quebec where the Prime Minister of Canada would enter the campaign and solemnly promise on behalf of all Canadians to renew the Constitution. The leader of the anti-Canada forces would only have to say that Quebecers had heard such promises once before from a Canadian Prime Minister and were not about to be fooled a second time. What would the federalist forces say to that? What would be said of us for failing to seize this moment at this unique time in our history? What would be said of those in this House of Commons who did not act judiciously as the incomplete Constitution with which we were all left inexorably gave rise to separate Canadas?

In reopening the constitutional debate, in renewing the constitutional process, we had both an opportunity and, I think, on behalf of the people of Canada, an obligation. The opportunity was to seek Quebec's signature on our Constitution on terms that were fair to all regions and that built on the substantial achievements of 1982, patriation, the Charter and the amending formula. Unless we believe in a country whose Constitution represents two-thirds of the population, unless we believe in the emergence of two Canadas, our obligation was to secure Quebec's signature on terms consistent with the national interest. I sought that opportunity as Leader of my Party. I undertook that obligation as Prime Minister of Canada, and on behalf of all Members of Parliament I believe we have delivered on that commitment to all the people of Canada.

Today I wish to speak to both my colleagues in the House and to our fellow citizens in the country. All of us have come to this place with our own perspective and our own sense of Canada, with our own view of the country. This House gives us a unique perspective on our vast and diverse country, a national outlook fully consistent with our roots and origins. Wherever we come from, whatever our outlook, we all love Canada. The voices we hear every day in this House are the voices of Canadians in English and French, in idioms that also celebrate the multicultural diversity of our people.

[*Translation*]

Mr. Speaker, I cannot imagine too many countries where a fundamental question of nationhood—such as the one posed in Quebec during the referendum—would have been resolved in a fully peaceful and democratic manner. For those Canadians who also call ourselves Quebecers, it was a most remarkable experience. We all remember the solemn undertaking given on

May 14, 1980, at the Paul Sauvé Arena, by the Prime Minister of Canada—whom I approved indeed, whom we all approved—on behalf of the Government and people of Canada, and I quote him, "to renew the Constitution". But something else was said that night, and all Quebecers, all Canadians, can still remember these words, and I quote: "We, the Quebec MP's" he said "Are laying ourselves on the line, because we are telling Quebecers to vote no. And we are telling you in the other provinces that we will not agree to your interpreting a no vote as an indication that everything is fine and can remain as it was before. We want change and we are willing to lay our seats in the House on the line to have change" he said.

Mr. Speaker, six days later, in a great springtime of hope for our country, Quebecers did say no to separation. But that affirmation of confidence in Canada was never redeemed. In the constitutional discussions that followed the referendum, and I do not pass a value judgment on anybody's motives, the fact is that after the constitutional debates that followed the referendum Quebec was left isolated and alone. The eloquent promise made on the eve of the referendum to a whole population remained unfulfilled. All Quebecers longed to put these bitter divisions behind them, and it remained for those of us in public life to find a way.

At Sept-Îles on August 6, 1984, I made a pledge of my own, to seek Quebec's signature on the Constitution, on terms that it could sigh "with honour and enthusiasm". I believe the manner in which the members of the Quebec National Assembly said yes to Canada is evident testimony to the genuineness of their commitment and their willingness to enshrine it. All of us will always remember the words of Premier Bourassa at the signing ceremony on June 3, when he said, and I quote: "It is with great pride as a Quebecer and as a Canadian that I am here today to express my deep satisfaction with the re-integration of Quebec within the Canadian Constitution".

[*English*]

I can tell you, Mr. Speaker, it was a long time since I or anyone else had heard a Premier of Quebec make such a profound commitment to Canada, and when that takes place all Canadians, and the profound sentiments of Canadian unity, benefit from one coast of Canada to the other.

I also support the Meech Lake Accord because it corresponds as best it can, as the Leader of the New Democratic Party pointed out, with how we can organize the affairs of our federation and how we can try to live together as Canadians. The Hon. Eric Kierans, who served with distinction at both levels of government in the Lesage and Trudeau Cabinets, captured, I think, the essence of the Accord when he said:

> I am for Meech Lake because it is the closest that we have ever come to the division of powers enshrined in the British North America Act and the real spirit of that Act.

At Sept-Îles I undertook to establish a federal-provincial advisory and co-ordinating body which would operate at the highest levels and seek to harmonize the policies of the two levels of government and respect provincial jurisdiction. I believe the Meech Lake constitutional Accord translates that vision of Canada into reality.

• (1650)

Federal-provincial relations need not be a theatre for dramatic and sterile posturing. They can become, as we are witnessing, with the co-operation of all of the First Ministers, a unique laboratory for effective and productive economic and social action.

I have spoken of the historic opportunity presented by this Accord, but we are no less aware of solemn obligations, in the eyes of our fellow citizens and in the eyes of history itself. It is the obligation of Parliament and the Government, and the solemn duty of the Prime Minister, to uphold the national interest. It is equally the duty of Parliament, the Government, and the Prime Minister to protect the rights of individuals and groups who compose our society. For as one of our founding fathers, George Etienne Cartier, observed over a century ago:

> In a country such as ours, all rights must be safeguarded, just as all convictions must be respected.

I think the Meech Lake Accord is very much in harmony with those principles. It builds upon and in no way negates the significant achievements of 1982, including the Charter of Rights and Freedoms. As the joint committee notes, the recognition of duality and Quebec's distinct society will not "have the effect of justifying an erosion of bilingualism or charter rights, or lead to a denial of multiculturalism".

In the view of the First Ministers, all of them, according to the Government's best legal advice, and consistent with the preponderance of expert legal testimony at the hearings, nothing in this Accord overrides the guarantees of the Charter, or takes away in any way from minority language rights, equality rights for women, or Canada's multicultural heritage.

Some Hon. Members: Hear, hear!

Mr. Mulroney: That is the best expert opinion. That is our intent in presenting the Accord. That is our commitment.

Let there be no misunderstanding whatsoever. In voting for this Accord, Members are upholding the rights of our language minorities, English-speaking in Quebec and French-speaking outside Quebec. Let no one misconstrue our commitment, either now or at any time in the future. If I, for one moment, thought that anyone's rights were being overridden by this Accord, I would not have recommended it to my colleagues in Government, and the Government of Canada would never have brought it forward for consideration in Parliament today.

In my maiden address in this House, on the Manitoba language question, I said that in my judgment there is no obligation more compelling and no duty more irresistible in Canada than to ensure that our minorities, linguistic and otherwise, live at all times in conditions of fairness and justice.

That remains my view today, and I know it is the view of every single Member of this House.

Some Hon. Members: Hear, hear!

Mr. Mulroney: As many people have noted and as many observers have commented upon, we are already reaping the benefits of a stronger and more united Canada.

[*Translation*]

On September 1, in Quebec, I met with Premier Bourassa prior to the Francophone Summit, in itself another event which relates to national reconciliation, a very significant event in terms of the French dimension of our international personality. I was especially struck by something he said on that occasion: "Never have we known a period of national solidarity as profound as that which we are experiencing today," he observed. I applaud the Premier, and all his colleagues, for their statesmanship and vision. Individually and as a group, the First Ministers had the courage, and summoned the political will, to do the right thing for Canada.

[*English*]

On behalf of all parliamentarians I salute all First Ministers who participated in this noble objective.

Some Hon. Members: Hear, hear!

[*Translation*]

Indeed, Mr. Speaker, they are mature men, sensitive and intelligent human beings, and all Premiers knew that as long as Quebec was absent from the table, the Constitution Act of 1982 was dangerously incomplete. And they knew that as long as Quebec was absent, the constitutional process could not go forward on other important issues such as Senate reform, aboriginal rights and fisheries.

[*English*]

With the Accord, Quebec comes back to the constitutional table and back to the table of the Canadian family. In supporting the Accord we are opening the door to future constitutional reform. For example, without the participation of Quebec, reform of the Senate was both legally and politically impossible. You can talk about it all you want, but it could not have taken place in the absence of Quebec.

On the question of aboriginal rights we came very, very close to achieving a resolution of the principal issue at the 1985 First Ministers' Conference. It is my view that we would have come much closer, given the track record of succeeding Quebec Governments on this very sensitive issue, indeed we probably would have succeeded in 1985, had Quebec been part of the process at that time. Justice would have been achieved for our aboriginal peoples, at least in a substantial measure, two years ago. We must now, in my judgment, manage this issue with great care, as we have done with the Quebec Round.

We are continuing to discuss with aboriginal groups a number of important ideas for a fresh start on constitutional recognition of self-government, as well as the question of constitutional funding. Most of all, as we tried to do in the Quebec Round, we have to get together as parliamentarians to create a climate that can help to ensure success in bringing justice to our native peoples.

[*Translation*]

Mr. Speaker, on the important question of gender equality rights, the Joint Committee notes: "We do not believe that the entrenchment of the distinct society duality clause will in any realistic way erode the present constitutional protections of individuals rights, including gender equality rights." I refer Hon. Members to the testimony before the Joint Committee of Mrs. Francine McKenzie, President of the Quebec Advisory Council on the Status of Women, who shares this view, and to the remarkable comments made by my friend, the NDP Member from British Columbia, who has shown strong leadership in this case as in many others. This is what Mrs. McKenzie said:

> Let me remind you that it was because of the special request made by women's groups in 1982 that section 28 was put into the Canadian Charter. In this way, the right to equality came foremost in the constitutional hierarchy and thus for the past five years it has been clear that the constitutional rights and freedoms granted to the men and women of Canada must at all times be exercised in equality.

In my opinion, Mr. Speaker, it is a telling argument.

[*English*]

On the question of the Territories, the joint committee noted that their residents will continue to be constitutionally eligible for appointment to the Senate and the Supreme Court. The Government shares this view and agrees with the committee that First Ministers may wish to examine the matter at future constitutional conferences. This Government will continue to encourage the political evolution of Canada's North. Indeed, we are taking steps to facilitate and accelerate that evolution which will contribute to a much stronger nation.

In perhaps a more general way I would refer Hon. Members to the comments of the Hon. Jack Pickersgill, former Clerk of the Privy Council, Principal Secretary to the Prime Minister, and a senior cabinet Minister who served four Liberal Prime Ministers and Canada with enormous distinction and accomplishment. I am sure there are Conservatives, no longer in this House, who would not agree entirely with that statement because, among other things, Mr. Pickersgill was a most accomplished parliamentarian who took it out on many Tories and a few New Democrats as well. Given his life's work and his tremendous contribution to Canada, I was particularly interested in some comments he made shortly after Meech Lake. He wrote: "On the eve of that meeting," in reference to Meech Lake, "I would not have given the First Ministers one chance in ten of success. I was excited and delighted when they reached accord. Once I read the document I was satisfied it met the requirements of Quebec without in any way reducing the jurisdiction of the Parliament of Canada. I was delighted

by the generous and united reception of the miracle of Meech Lake by all Parties in Parliament".

• (1700)

Mr. Pickersgill later said: "If we allow this opportunity to pass, my guess is that it will probably not arise again for another generation, and never again will it arise on such reasonable terms". I agree with Mr. Pickersgill on that. It was for us to seize the moment. It is a great tribute to all Members of the House of Commons that we have done just that.

Some Hon. Members: Hear, hear!

Mr. Mulroney: This is about Canada. Although, obviously, the object of the exercise was to bring Quebec back into the fold, we have achieved many gains for Canada with the Meech Lake Accord. We have obtained the return of Quebec to the Canadian constitutional family—a pretty important event—with honour and enthusiasm. One would not want another backing into an important situation of this kind. There had to be the pride, the dignity and the acknowledgement of Quebec's unique role in our development, and that requires enthusiasm. It requires the output of one's mind, but also the output of one's heart.

We have reaffirmed the principle of the equality of provinces, large and small. Since when does Alberta have to be a second-class province in this regard, or British Columbia, compared to some other provinces? Under this agreement all the provinces are equal irrespective of size. I think that is a tremendous affirmation of what we truly believe in in the House of Commons.

As my friend, the Leader of the New Democratic Party, has pointed out, we have, very importantly, for the first time, given constitutional recognition to the federal spending power. We entrenched our commitment for the next round on Senate reform and other issues in our ongoing constitutional process. Canada's First Ministers said all along right from the beginning that if no egregious error was found in the text, we would proceed with the resolution. There are complaints. There are concerns. There are suggestions. But no such egregious error has been indicated.

I can tell you, Mr. Speaker, without hesitation, that the Government of Canada is not prepared to jeopardize this act of national reconciliation by reopening for renegotiation virtually every section of the Accord, as some would have us do. We believe that this is very much in the national interest of Canada, and we are bringing it forward in that light.

[*Translation*]

Mr. Speaker, the Meech Lake Accord is not only a sound document—it is one that conforms to a consistent, generous and logical vision of Canada. It respects the equality of Provinces and values the distinctiveness Quebec brings to Canada. It specifically reaffirms the strength and the leadership of the national Government in the great constitutional debate. Quite obviously, the Accord is not perfect. But if we wait for perfection, we risk undoing what has been accomplished and will make no progress at all.

[*English*]

I urge the House to adopt this resolution. The Quebec National Assembly and the Saskatchewan Legislature have already ratified the Meech Lake Accord. I suggest that the House and other legislatures adopt the resolution in exactly the same spirit.

I support the Meech Lake Accord because it is a time for healing in this country. It is a time for redeeming solemn pledges. It is a time for Members of Parliament and Canadians to take the long view of history. It is a time for federal arrangements which better reflect the very nature of our country and the sentiments of our people. It is a time for making Canada whole again. It is a time for putting the divisions of the past behind us so that we can, as a united country, meet the challenges of an increasingly complex and interdependent world.

It is a time to continue the task of building one Canada, united and strong. That is what Meech Lake is all about—one Canada. We saw the emergence of two, and this is about one, built on tolerance, fairness and generosity for all Canadians.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I stand where every Prime Minister from Sir John right through to Mr. Diefenbaker have stood on behalf of my Party and all Parties in this House. All Prime Ministers have been motivated by the concept of the integrity of this country, one Canada. The possible emergence of two was something that had to be dealt with firmly, fairly, equitably and with generosity and vision. That is what leadership is about. This House is invited to take a great act of national leadership and bring Canadians from one end of the country to the other together again in one—

[*Translation*]

—one Canada, united, strong and prosperous. And that is what Meech Lake is really about!

Some Hon. Members: Hear, hear!

Hon. André Ouellet (Papineau): Mr. Speaker, it is an honour and a privilege for me to follow the Leader of the New Democratic Party (Mr. Broadbent) and the Prime Minister in this most important debate. By speaking today, they have both done a lot for Canadian unity.

I would like to begin my comments by quoting the words of the Minister of Justice (Mr. Hnatyshyn), who said the following in his speech of September 29:

> Canada is a partnership of its peoples and provinces, a partnership which can be willingly embraced but not imposed. This concept is understood and accepted by Canadians from coast to coast.

As I rise in this House today to support the adoption of the Meech Lake Accord, I have to ask myself, after listening to some of my colleagues, whether they have really understood

and accepted the quite accurate definition given by the Minister of Justice of the nature of Canada. Our country is a federation, a political system comprised of two levels of Government which must complete and complement each other to serve the population. It is a delicate union of often very different people spread out regionally over an immense continent. Indeed, it is a union which has defied all logic for over 120 years.

• (1710)

We have to marvel at the fact that, throughout our history, we have always been able to solve our problems and settle our differences relatively peacefully. As we know, other countries have had wars and revolutions, but not Canada.

While I fought vigorously against them politically, I must say that I have always admired the democratic understanding of the supporters of independence in Quebec. Mr. René Lévesque and his supporters used elections and a referendum to try to achieve victory for their political ideals. They did not succeed. However, to defeat them, their opponents had promised in May of 1980 a renewed federalism and a new, updated Constitution which would take into account the legitimate aspirations of the various partners in our federation.

That was the beginning of the great constitutional debate of the early 1980s, which led finally, after many years of frustration, to patriation of our Constitution and to entrenchment of the Canadian Charter of Rights and Freedoms, which was a major achievement.

I do not have enough time here to pay tribute as much as I would have liked to the former Prime Minister, Pierre Elliott Trudeau. However, I shall simply say that, because of the Canadian Charter of Rights and Freedoms, he will be remembered as one of the greatest Prime Ministers of Canada, if not the greatest. On the other hand, while the Constitution Act of 1982 was the crowning achievement for some people, it was unfortunately for many others a show of strength and an agreement excluding Quebec.

In the euphoria of success, we federal Liberals did not fully realize the bitterness of those who had been left out.

We rationalized this situation at that time by saying that the PQ would never have agreed anyway. But they were not alone in condemning this agreement passed without the consent of Quebec's duly elected Government. This explains why the Members of Quebec's National Assembly, PQs and Liberals alike, voted against the agreement. I will even say that, intoxicated with this success, we invited Her Majesty the Queen to come over and celebrate with us this triumph, although she was in the eyes of several opponents at that time the living symbol of colonialism.

Because the constitutional issue had become an open sore, it had to be treated. It had to heal as soon as possible. The Leader of the Conservative Party, for one, was well aware of the need to have it healed. He should be commended for having stated in Sept-Îles in August of 1984, and I quote:

> We must make commitments and take concrete steps to achieve the goal which I have set for myself and which I repeat today: convince Quebec's National Assembly to approve with pride and enthusiasm the new Canadian Constitution.

This is also what Premier Bourassa had in mind when he stated the five conditions which he insisted had to be met before the Government of Quebec could adhere to the Constitutional Act and when he sent Mr. Rémillard, his Minister responsible for Canadian Intergovernmental Affairs on a tour of the provincial capitals to explain Quebec's proposals.

As a matter of fact, Senator Tremblay emphasized this on August 27. I think I should quote part from his remarks to show how we came about getting the accord we are dealing with today. He said:

> What has specifically happened is that Mr. Bourassa's current Quebec government, having set out a number of points in its election campaign—five, which resurfaced later—and having thus obtained an unquestioned mandate from the Quebec people, embarked on the process which has brought us to the Meech Lake Accord; in exchange all the other partners were obliged to make a major concession: specifically, to respect these five points. It happened that the reasonableness of Quebec's proposals made it possible for an accord to be reached.

This is what was also understood by my leader, the Leader of the Opposition (Mr. Turner), when in May of 1986 he publically accepted in an article published in *Le Devoir* Mr. Bourassa's five proposals, and made a commitment to have that new constitutional position recognized within the Liberal Party of Canada. Thus the Meech Lake Accord is the response to Mr. Bourassa's proposals. It complements the 1982 Constitutional Act. Our work remained incomplete because Quebec had not signed. Because of that serious shortcoming, this country did not really constitute a whole as we would have liked. The work had to be completed.

The Leader of the Opposition had promised to do so as soon as he would be re-elected Prime Minister. However, this Prime Minister (Mr. Mulroney) did it before him, because it must be recognized that all English-speaking Premiers wanted to see that page turned.

Mr. Lévesque claimed he was betrayed by the latter in 1982, and I am convinced the English-speaking Premiers were eager to make good to Quebec. Such a feeling certainly made things easier for the Prime Minister. Surely we must give the Prime Minister credit for the work he did, but for modesty's sake he must recognize that the success has to be shared with the Leader of the Opposition who took the political sting out of that debate and who very early made it clear that if he were Prime Minister, just like the present Prime Minister, that matter had to be solved. And certainly the Prime Minister will accept to share the limelight with Quebec's Premier, because as Senator Tremblay reminded us, without the specific, clear and bounded proposals of the Quebec Government, it would

have been excessively difficult to reach this constitutional accord.

I know the Leader of the Opposition spoke to his colleagues, the Liberal Premiers who were parties to the agreement. I know he even spoke with the Premier of his own Province of British Columbia to make sure there would be that spirit of co-operation and understanding to reach a compromise, a honourable compromise for Quebec.

In any event, this should come as no surprise, because national interest always transcends political groups. Was Prime Minister Trudeau not assured of the support of Premiers Bill Davis and Richard Hatfield when he started off on his historical process of patriating the Canadian Constitution?

This is why I do not hesitate to say today that the Prime Minister did what was to be done to bring Quebec back as a full partner into Canada. Some people suggest the Prime Minister made too many concessions to get that agreement. My answer is no. First, as suggested by the Leader of the Opposition in his speech of September 29, 1987, the Canadian Government keeps its leadership role within Confederation and loses none of the powers it already has under the Canadian Constitution.

Second, when we take an impartial look at the main provisions of the Meech Lake Agreement, it must be recognized that this kind of give and take, under one form or another, already had been proposed by the previous Liberal Government. In fact, those provisions relating to immigration only enshrine some administrative arrangements agreed to by the former Liberal Government and implemented successively in the following agreements: Lang-Cloutier in 1971, Andras-Bienvenue in 1975 and Cullen-Couture in 1979. We, in the Liberal party, would be ill-advised to pretend it is a bad thing.

As a Quebecker and member from Quebec, I am happy with the provisions relating to the Supreme Court because they definitely guarantee the appointment of at least three judges from the Quebec civil law system. This practice has existed for a long time but from now on, it will be a constitutional rule. As well, provinces will now be involved in the selection of members of our highest court. I suggest this is quite appropriate in a federal state and I do not think it is an unreasonable concession.

Then, the Accord states that, until the Constitution is amended in order to reform the Senate fundamentally, provincial Governments will also be directly involved in the appointment of Senators. This is perhaps the part of the Accord that I like least, because no deadline has been set for that desirable reform of the Senate. Therefore, with time, provincial Premiers might come to like these appointments and forget that long-overdue reform. I might add that although I am not pleased, we should not forget nevertheless that the Senate was originally established to reflect precisely provincial interests in the Parliament of Canada and that the former Liberal Government was even willing to let at some time the provinces appoint half of Canadian Senators. It is therefore difficult to believe that this initiative goes too far. It can hardly be claimed, I think.

In addition, the Accord deals with new procedures between Ottawa and the provinces for the establishment of future cost-sharing programs and it allows provinces to opt out with compensation in specific circumstances. Some people fear that provision of the Accord might put an end to major Canadian social programs. I, for one, do not agree with that view. The people's will and the real and pressing needs of Canadian citizens will always win over politicians concerned by their re-election. By the way, the Minister of Justice has well summarized that part of the agreement when he said, and I quote: "This is clearly an area where federal and provincial powers overlap and therefore it is necessary to negotiate accommodations to ensure co-operation and avoid court contests. Such plans can only work with the genuine support of both the federal and provincial Governments, and jurisdictional issues must be avoided in the interest of those who are to benefit from such plans."

• (1720)

In my opinion, this is not an excessive concession but merely an expression of wisdom.

The Accord also provides that a greater number of subjects will require unanimity for amendments and it specifies that there will be annual conferences of First Ministers on constitutional matters.

When I came to Ottawa in 1964 to work for the Minister of Justice, Hon. Guy Favreau, he was working hard to have the provinces agree to a patriation and amending formula. It was the Fulton-Favreau formula, as it was called in those days. Many more procedures have been suggested since then, including the Victoria and the Meech Lake formulas. As a matter of fact, all the successive federal and provincial Ministers of Justice have tried to find one. I sometimes get the impression that a constitutional lawyer must be hiding behind every politician. That is why I am convinced that the search for the ideal formula will go on for years and that many interesting suggestions will come up.

What is before us today is the Meech Lake formula. It reflects the very simple reality that all provinces are equal, regardless of their size, numbers and year of entry in the Canadian federation. Personally, I cannot help but think that the rule of unanimity must prevail, in all justice, for the amendment of some basic institutions in this country. This is not compromise but simply fairness. It may be an exaggeration to have annual First Ministers Conferences to discuss constitutional matters. Once a year may be too much. And discussing fisheries year in and year out may seem a bit ridiculous. But politics is the art of compromise. And if this is the price that the Prime Minister had to pay to convince Newfoundland to support the inclusion of Quebec into the Canadian Constitution, I might find that rather ludicrous, but I cannot hold it

against him because he did not abdicate the federal jurisdiction in the area of fisheries, contrary to what some are alleging.

Last, there is in the Accord an interpretation clause which formerly recognizes two basic realities: the linguistic duality of Canada and the distinct identity of the Province of Quebec. Let us consider for a while the crux of the issue, the bone of contention, that is to say the recognition of Quebec's distinct character. In fact, this is the issue which has raised the most heated discussions during this debate. The roots of Quebec's specificity, to paraphrase a term used in the Pépin-Robarts report, are older than Canada itself. The witnesses who have appeared before the Joint Committee on Constitution of the Senate and the House of Commons pointed out that the legal basis of that notion dated back to the year 1713 at least. Thus, the co-existence of two distinct communities was formerly recognized. Others have pointed out that the Treaty of Paris, in 1763, and the edicts of various British governors recognized certain religious and linguistic rights as well as legal rights for the allocation of new lands, according to what they called "the French laws".

As a consequence, throughout our history, the distinctive and actual presence of a francophone community living in a given geographic area affected the legal and institutional structures governing it.

Those institutional frameworks, including the British-North America Act, have progressively allowed the blossoming of a modern French society in America.

As Mr. Claude Ryan said in his Beige Book, and I quote:

> In the Province of Quebec, the laws, legal system, municipal and provincial institutions, voluntary organizations, media, arts, literature, educational system, social and health services, religious institutions and credit unions are mostly French by reason of the language and the culture that permeate them. So, Quebec is, within the Canadian federation, a distinct society due to its language, culture, institutions and life-style.

This recognition of Quebec as a distinct society was Premier Bourassa's first and most important prerequisite. All four claims were accepted, but for all provinces. First, there was the issue of extended powers for Quebec in immigration matters, and this was also offered to the other provinces; second, limitation of the spending power of the federal Government, which obviously does not apply only to Quebec, but to all other provinces wishing to opt out of various programs; third, the new procedure to amend the Constitution, which provides a veto for Quebec and which also applies to the other provinces; and finally, the participation of Quebec in the appointment of judges, which also applies to the other provinces.

However, the distinct identity clause is special and applies only to Quebec. I must say that this major claim could not be rejected. The Prime Minister and the Premiers recognized that fact, and at this time, I feel that I must pay hommage to three of my colleagues who could have objected to the Accord, but who, with generosity and an open mind, have decided to support it. I am thinking especially about the Hon. Member for Notre-Dame-de-Grâce (Mr. Allmand) who represents, in my opinion, the increasingly tolerant and understanding views of the English-speaking minority in Quebec. In this regard, the Hon. Member for Notre-Dame-de-Grâce is in agreement with Alliance Quebec, the major movement which defends the English-speaking minority in Quebec and which was not afraid to assert that it was in favour of recognizing the distinct identity of Quebec.

I also wish to pay hommage to two Members who represent the French-speaking minorities outside Quebec, my colleague for Ottawa—Vanier and my colleague for Glengarry—Prescott—Russell, both of whom could have said: Something is being done for Quebec, but not for us, French-speaking minorities outside Quebec, and we want it to happen immediately. However, just like the organization which represents all French-speaking Canadians outside Quebec, the *Association des francophones hors Québec*, which appeared before the Joint Committee of the Senate and the House of Commons, they were magnanimous enough to say that recognizing the distinct identity of Quebec would not reduce by any means the development opportunities of French-speaking minorities outside Quebec.

I therefore salute these three Members of my caucus who could have taken different stands, but who had the open-mindedness to accept that, at this historic moment, we should say yes to Quebec at a time when conditions are the most favorable even to achieve an accord which will give a generous place to Quebec in Canada, and when, under the leadership of Premier Robert Bourassa, at whose abilities I grow more and more pleasantly surprised every day, Quebec is going through a period of peace and moderation and its demands have never been as reasonable.

In the final analysis, that Accord is good for Canada because it is good for Quebec. It may not be perfect and there will always be room for improvement, but it is the best deal that could be negotiated at this time by the Prime Minister of Canada and all Premiers.

Some of my colleagues who are opposed to this Accord or who have some concerns about it should remember that even former Prime Minister Trudeau and his Minister of Justice, Mr. Jean Chrétien, have not made a perfect deal in 1982. They did not solve the problem of native people. They even had to grant major concessions, such as the notwithstanding clause or the "where numbers warrant" rule. However, they agreed to that deal because it was the best possible one at the time. Then, they were certainly very happy with their achievement that despite concessions and some compromise granted, because in their mind, it was a huge step forward in the constitutional area and they were right to think so. Today, some concessions have had to be made. Some adjustments have had to be left aside. Certainly the Prime Minister and the Premiers have not solved everything during the Meech Lake meeting, but they still have made a deal that will be another major step forward in the constitutional area.

• (1730)

[*English*]

Recently I read the special issue of *Life* magazine on the American Constitution. In February, 1787, the American Congress instructed the delegates of the 13 states to devise measures to render the federal Constitution adequate to the exigencies of the Union. They assembled in Philadelphia, and for four months they worked diligently *in camera* to produce a 4,400 word document that is a remarkable achievement, even after two centuries.

Interestingly enough, there was a very strong opposition to the ratification of this text. Those who prepared it were saying: "It is a genuine compromise, you have to take it as a package. Now is not the time to amend it, it is the time to ratify it, otherwise the union will fall apart, and we may never have another occasion to get such a deal".

Those who were opposing it felt that it was not perfect, it should be amended. Too many things were left out, and they were predicting that, if ratified, things would not work out and it would be the end of the Union.

When I was reading the article, I thought I was reading the history of the Canadian Meech Lake Accord. Well, as you know it was ratified. The Union did not fall apart. Soon thereafter a Bill of Rights was added to the Constitution. Over the years, as the United States of America grew and prospered, 16 more amendments were added.

Among those who favoured the Accord were Benjamin Franklin, James Madison, and George Washington, all of whom have a prominent place in the history of the United States.

Who remembers today those who opposed the Accord? Very few. They were so wrong; they had such a *défaitiste* attitude that nobody wants to remember Elbridge Gerry or Patrick Henry.

[*Translation*]

To conclude, I want to say that I know that my Leader, the Opposition Leader, would like to amend the Meech Lake Accord to make it more acceptable for more Canadians. That is fine if it can be done. Otherwise, as he said himself, and I quote: "If our amendments are rejected and voted down, we intend to make these amendments part of our Party's constitutional program. We intend to make them part of the platform in the next federal election and put them before the people of Canada. If and when we form a government, we intend to make them part of the ongoing constitutional process."

The Opposition Leader is right to say that, much remains to be done. I am very glad he thus clearly established the future constitutional agenda, and I hope that under his leadership, the aboriginal people will finally obtain what they want, the Senate will become an elected body, Canada's North may have a chance to prosper under the aegis of the provinces and that Canada's multicultural minorities will be even better protected. This is a long-range project reflecting a very clear understanding of where subsequent constitutional reforms should lead us. I may add that although the Leader of the Opposition would like to make some major changes in this document, he had the courage and strength of character to say that if those amendments were not adopted now, he would nevertheless vote in favour of the Meech Lake Accord, and I think he is to be commended for saying so. I want to say that, as a Quebecer and a Canadian, I am very proud of the Leader of the Opposition.

Parliamentarians should forget past struggles and partisan considerations and take advantage of the unique opportunity we now have in this country to say yes to Quebec. That is why I will vote for the Accord, although I realize there is room for improvement and that there are some oversights and shortcomings. I will vote for the Accord, because the Meech Lake Accord is based on a philosophy that is broad and generous enough to accept the distinct character of a province that was fully aware of its identity but failed to obtain formal recognition of that fact. I would go so far as to say, and in fact I am convinced, that this will increase the confidence of Quebecers in the legitimacy of the federal system. To me it is obvious that our country will be more united if the role and specific place of Quebec in Canada are fully recognized.

Mr. Speaker, I fully appreciate the concerns expressed with vigour and conviction by some of my colleagues, especially in my own Party. I believe those concerns reflect the intrinsic complexity of constitutional reform. I acknowledge and respect their convictions, because as Machiavelli once said: "Nothing in the world is more difficult to grasp, more perilous to undertake or less likely to succeed than the desire to reform the constitutional system of a State."

Though these words were said in Florence about 500 years ago, they are still true today, in our country as in many others.

Mr. Speaker, Renan described a nation as a daily plebiscite. He stressed that to be a nation, a people must clearly express its desire to live together. During the Referendum, Quebecers expressed that desire, and seven years later, the Meech Lake Accord is a new reflection of that desire. Seven years later, Mr. Speaker, I want to say to every Member in this House and especially the Members of my own Party that all of Canada must say yes. And that is why I fully support the Meech Lake Accord.

Some Hon. Members: Hear, hear!

• (1740)

[*English*]

Hon. Bob Layton (Lachine): Mr. Speaker, I join in the debate today realizing that it is the end of a full day of debate which has included some very special presentations on the Meech Lake Accord by the Prime Minister (Mr. Mulroney), by the Leader of the New Democratic Party (Mr. Broadbent),

and by the Hon. Member for Papineau (Mr. Ouellet) of the Official Opposition.

I come to this debate with a kind of special background. I am one of those elected by the community of Montreal whose first language is English. As the Hon. Member for Lachine I am particularly pleased to have the occasion to share in this historic debate. Lachine provides an excellent example of Canada's two cultures living and working in co-operation. It reflects a wide range of opinions and a mixture of economic and multicultural heritages.

I also come to the debate today as a member of the special joint committee which was established to review the Meech Lake Accord and the representations regarding constitutional change. I spent many hours with that committee over weeks of hearings, hearing and reading informed opinions and concerns of Canadians. I can report that the witnesses who appeared before us were virtually unanimous in their agreement with the important and desirable goal of having Quebec willingly and honourably rejoining the Canadian constitutional family.

Finally, as an active member of the English-speaking community of Quebec and as a proud third generation Canadian, I feel that it deserves my best effort to be a responsible representative of the community which I serve.

In 1984, Canadians elected a Conservative Government to fulfil its publicly announced mandate. The unification of Canada was one of our first priorities, together with enhanced trade, tax reform, a defence policy, improved social programs, and the introduction of fiscal responsibility to government. The first objective, the objective of uniting Canada, required a constitutional process to bring Quebec into the family willingly and honourably. I believe that all Quebec Members of Parliament support this fundamental objective to be part of a country with full commitment to the Constitution.

I should like to refer to the words of Peter Meekison when he said:

> I feel very strongly that Quebec must be part of the Constitution. Moreover, it is not just being part of it. It is sitting around a table like this and having full participation by the Quebec Government.
>
> I have been involved in this process since 1969 and I know what a significant contribution to the over-all debate Quebecers can make and to have them sit there and not participate, to me, is a tragedy.

After appraising all the opinions and comments of the witnesses, I am satisfied that the process of getting Canada and Quebec reunited has not come at the expense of the rights and interests of the English population which I represent. In fact, let there be no misunderstanding. By supporting the Meech Lake Accord I am saying yes to Quebec, yes to Canada and yes to the protection of minority language rights for all Canadians. All Quebecers, both English and French-speaking, share the essential need to have Quebec as full partner in Canada.

• (1750)

I was attracted to a new issue of the magazine put out by the Commissioner for Official Languages. It arrived at my desk this week. Its title is *Language and Society*. There are a number of articles on our Meech Lake Accord. In the summaries of this new series and new magazine that all can read, and I hope people will, such thoughts are recorded as:

> Public opinion, particularly among the younger generations, is increasingly supportive of the country's linguistic duality. Despite this, linguistic prejudice still raises its head from time to time in some parts of Canada.

Another comment reads:

> Our minority language groups are still in a precarious situation. Far too many Canadians still do not enjoy the linguistic guarantees provided in the Canadian Charter of Rights and Freedoms, especially in the educational area.

It goes on:

> Canada is far from being the only country in the world searching for wise and reasonable solutions to the kinds of conflicts that can set language communities at odds.

One of the comments in a letter to the editor to welcoming the new format of the magazine comes from Royal Orr, President, Alliance Quebec. He says that the new *Language and Society* magazine:

> —is good news for all Canadians interested in the promotion of both official languages.

That is just a summary, Mr. Speaker, of the views that are shared by my colleagues and neighbours in Quebec. Some are of the opinion that the Meech Lake Accord will be accompanied by a diminishing of rights of anglophone Quebecers. But these concerns have been studied by many of Canada's leading legal and constitutional experts and declared to be unfounded. It has been clearly stated by the majority of witnesses and, for that matter, by the Hon. Prime Minister and the Leaders of the opposition Parties that in their interpretation no loss of rights would be permitted by the amendments. In fact, Quebec's signature on the document of amendments to the Constitution guarantees the recognition and preservation of the English-speaking minority in Quebec as part of a fundamental characteristic of Canada. Furthermore, the amendment document goes on to say:

> The role of the Parliament of Canada and the provincial legislatures shall be to preserve that fundamental characteristic mentioned above.

Constitutional change must reflect the reality and the development of Canada as a changing nation in a changing world. At the same time it must provide for growth and preservation of rights and values. The accomplishments at Meech Lake were achieved in spite of the major differences that have been expressed in advance by leaders across the country, in spite of the strong regional interests which have always been characteristic of Canada, and in spite of the many past frustrations of those who had tried to solve the problem.

In his remarks to the House earlier today, the Prime Minister quoted one of our senior parliamentarians, the Hon. Jack Pickersgill, who said that the achievements at Meech Lake were in a sense a miracle with so many differences to

resolve. The results were achieved in an atmosphere which was basically are of a common commitment. We came out of the Edmonton, Alberta meeting of First Ministers a year earlier bringing Quebec into Canada and the Constitution as a first priority for Canadians and the Governments of Canada. With the leadership of our Prime Minister this was achieved at Meech Lake. It was based on an approach which is consultation and collaboration. Compromise, yes, but also trust.

I was disappointed in the hearings of the Meech Lake committee in one respect. There was not enough time for all of us to pose all the questions to the witnesses that we might have liked. In particular, I found myself prompted to want to question our past Prime Minister, Mr. Trudeau, when he was with us. He had an idea of Canada with which Canadians were not comfortable. We had come to Government with the obligation and the opportunity to change the country. I wanted to ask the previous Prime Minister, knowing his particular skills in debate and in intellectual activity, at what point of importance did he place goodwill and trust in a partnership and association that is Canada? I think that is something that has been brought by our Prime Minister to this negotiating table and to the Accord that we are now debating.

There are many essential items in the Accord. One, immigration jointly managed where the provinces wish, which is exactly in line with the agreement that had been reached between Quebec and Canada many years ago in the 1970s. Two, spending powers on federal programs within provincial jurisdiction and an automatic recognition of the rights of the provinces, leaving the need for initiative and leadership by the federal Government. Three, the appointments process to the Supreme Court of Canada and, until it is reformed, to the Senate. I think this was a very generous but at the same time a realistic recognition of the rights of the provinces in these two areas.

Unquestionably the section of the constitutional amendment which has prompted the greatest reaction and comment among my community has been the interpretive clauses calling for the recognition of a language duality and within Canada the distinct society of Quebec. Since the 1970s there has been no question that Quebec's English-speaking community has felt anxious with respect to its historic position.

We have had attacks on anglophone rights in the original Bill 101, Bill 22 and even to an extent today in Bill 101 with the sign concerns under both nationalist and moderate Quebec provincial Governments. Many of these fears were put to rest when, by a majority of Quebecers, we voted no to a separate Quebec and no to a divided Canada. We are proud Quebecers and aware that both communities must continue to look for the balance of mutual acceptance. Much of our community supported Mr. Bourassa in 1985 because of his commitment to find an acceptable solution with respect to bilingual signs. We look forward to his living up to those commitments.

In 1982, when we patriated the Constitution with an amending formula and our Charter of Rights, the Quebec Government refused to participate. Since that time Canada has been, if not legally but morally, ethically and spiritually, incomplete. The Meech Lake Accord repairs the omission of 1982 and represents an historic act of reconciliation. For the first time, it explicitly recognizes the presence of English speaking persons in Quebec as an integral element of Canada's linguistic duality. Quebec's distinct society within Canada which, in my opinion, represents a fact that has been in existence for many years, includes English-speaking Quebecers. As I and much of my community have always felt, we are an essential part of Quebec's distinctiveness. The courts will now be constitutionally directed to acknowledge that reality.

The linguistic duality clause affirms Quebec's role in preserving Canada's linguistic duality. Both linguistic duality and distinct society clauses must be read and interpreted together by the courts. Quebec's role in preserving and promoting its distinct society is thus qualified by its additional role in preserving Canada's linguistic duality.

I must assure this House and the constituents of English speaking Quebec, and most importantly Lachine, that I would not be promoting the Meech Lake amendments if I felt that any rights of the community have been take away. I am confident, based on the expert legal witnesses who came before the committee, that no rights would be altered because of the amendments we have proposed.

As declared so forcefully, so passionately and so effectively by our Prime Minister, the Meech Lake Accord and the constitutional amendment gives us, all Canadians, a united country ready to live and work together for mutual advantage. It is ours. Let us make it work.

* * *

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Tuesday, October 20, consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the third time and passed.

Mr. Deputy Speaker: It being 6 p.m., pursuant to Standing Order 13(4)(a), the House will now proceed to the deferred recorded division on the motion for third reading of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other acts in consequence thereof.

Call in the Members.

The House divided on the motion (Mr. Bouchard) which was agreed to on the following division:

● (1800)

(Division No. 282)

YEAS

Members

Bernier
Bertrand
Binns
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Champagne
(Champlain)
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Coates
Cochrane
Cooper
Corbett
Côté
(Lac-Saint-Jean)
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Daubney
Della Noce
Desjardins
Dick
Domm
Dorin
Duguay
Duplessis
Ellis
Epp
(Provencher)
Fontaine
Fretz
Friesen
Gagnon
Graham
Gray
(Bonaventure—Îles-de-la-Madeleine)
Grisé
Gurbin
Gustafson
Hamilton
Hardey
Harvey
Hawkes
Hnatyshyn
Hockin
Horner
James
Jelinek
Jepson
Johnson
(Bonavista—Trinity—Conception)
Kelleher
Kempling
King
Ladouceur
Landry
Lanthier
Lawrence
Layton
Leblanc
Lesick
Lewis
MacDougall
(Timiskaming)
Mailly
Malone
Mantha
Martin
Mayer
McCain
McCrossan
McCuish
McDermid
McKenzie
McKinnon
Merrithew
Nicholson
(Niagara Falls)
Nickerson
Oberle
O'Neil
Pennock
Peterson
Plamondon
Redway
Reid
Reimer
Roman
St. Germain
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Siddon
Sparrow
Speyer
Stevens
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tupper
Vankoughnet
Vézina
Vincent
Warner
Weiner
White
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—115

NAYS

Members

Allmand
Althouse
Berger
Blaikie
Boudria
Caccia
Cassidy
Copps
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Fulton
Garneau
Gauthier
Gray
(Windsor West)
Guilbault
(Saint-Jacques)
Harris
Heap
Henderson
Hopkins
Hovdebo
Isabelle
Jewett
Johnston
(Saint-Henri—Westmount)
Jourdenais
Keeper
Killens
Langdon
MacLellan
Manly
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Penner
Pépin
Prud'homme
Riis
Robichaud
Rodriguez
Rompkey
Rossi
Skelly
Turner
(Vancouver Quadra)
Waddell
Young—48

● (1820)

[*English*]

Mr. Deputy Speaker: I declare the motion carried.

Motion agreed to, Bill read the third time and passed.

Mr. Deputy Speaker: It being 6.26 p.m. the House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.26 p.m.

HOUSE OF COMMONS

Thursday, October 22, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Jim Hawkes (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, Question No. 192 will be answered today.

[*Text*]

SMOKING AREAS—NEW TERMINAL AT TORONTO AIRPORT

Question No. 192—**Ms. McDonald:**

1. Were any provisions made in the planning of the new Toronto airport terminal for separately ventilated smoking areas and, if so, what are they?

2. Will users of the new terminal have access to smoke free air and, if so, in what areas?

Hon. John C. Crosbie (Minister of Transport): 1. The new terminal building at Toronto, Lester B. Pearson International Airport, will be owned, designed and operated by a private sector developer. The selected developer will be obliged to comply with all applicable building codes and municipal by-laws including any which govern the provision of non-smoking areas in public buildings. In addition, the developer will be advised of Transport Canada's practices with respect to the provision of non-smoking areas in airport terminal buildings.

2. At this time, the designs for the new terminal building have not advanced to the stage that the owner's plans with respect to the location and/or ventilation of smoking areas have been defined or demonstrated.

[*English*]

Mr. Hawkes: Mr. Speaker, I ask that the remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions be allowed to stand?

Mr. Murphy: Mr. Speaker, I rise on a point of order. I am certainly happy to see that one of the questions was answered today. However, before giving unanimous consent to let the rest of the questions stand, I hope the new Parliamentary Secretary will ensure that an adequate number of questions are answered every day and that we do not have a repetition of the situation which was regrettably so in the past where day after day the old Parliamentary Secretary would rise and ask that all questions be allowed to stand.

Mr. Hawkes: Mr. Speaker, we will be happy to attempt to facilitate those questions in the manner which they deserve.

Mr. Speaker: The Parliamentary Secretary has already started to use the royal "we".

Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Wednesday, October 21, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

Constitution Amendment, 1987

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to

participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendment of Mr. Turner (Vancouver Quadra):

October 1, 1987—That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each

territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

and on the amendment of Mr. Broadbent:

October 1, 1987—That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution.—Mr. Broadbent.

and on the amendment of Mr. Caccia:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

and on the amendment of Mr. Allmand:

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and freedoms."

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, I am glad Hon. Members opposite seem to be looking forward to my speech on the Constitution Amendment.

Mr. Prud'homme: It is always a great pleasure.

Mr. Fontaine: I am also glad to see the Hon. Member for Saint-Denis (Mr. Prud'homme) also supports the proposed Constitution Amendment.

Mr. Prud'homme: Not so fast, I haven't made my speech yet!

Mr. Fontaine: For the benefit of the Hon. Members, Canadians in general and the people in my riding, I would like to start my speech by quoting the main clause of this Amendment, and I quote:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

The second important point:

(b) the recognition that Quebec constitutes within Canada a distinct society.

• (1110)

Mr. Speaker, those are the most important points: the recognition of Quebec as a distinct society. Another important aspect is the appointments to the Senate. It has always been the prerogative of the Prime Minister of this country to make Senate appointments. Our Government has modified this procedure, and after the Meech Lake Accord is ratified, Senate appointments will be made by the Prime Minister of Canada from lists of candidates provided by the provinces to which the vacancies apply. This is a very significant step, which gives the provinces a chance to make recommendations to the Prime Minister on Senate appointments. This is a definite advantage for the provinces.

As far as Quebec and its immigration policy is concerned, the province will have the option of admitting up to 5 per cent more immigrants in terms of the province's population as a percentage of the population of Canada. This means that we as Quebecers will, in many cases, benefit from increased numbers of francophone immigrants.

Appointments to the Supreme Court of Canada will also be to the advantage of Quebec. Three of the nine justices of the Supreme Court will be recommended by Quebec. Finally, should Quebec or any other province decide to opt out of national programs and national interests, they can still work together with the federal Government, while having the authority to administer their own respective programs, and this applies to Quebec, Ontario and any other province in Canada.

Canada is now the result of discussions by 10 provinces that together have decided to change the rules of the game and have kept for themselves a number of important activity areas. I think it would be useful to take a look, in chronological order, at the various events that led up to the Meech Lake Accord. First of all, since we are going back in time somewhat, I think we should mention one event that was not a very happy one for Quebec. I am referring to March 29, 1982, when Quebec, which had sent 74 members to Ottawa, these 74 federal Liberals forgot that Quebec even existed and allowed an agreement to be signed in Ottawa, without Quebec, an agreement that received royal assent on April 17, 1982, in the presence of federal Liberal Ministers from Quebec, to the detriment of 27 per cent of our population which at the time was completely ignored by its Liberal Members, several of whom are still here, Mr. Speaker.

Another important event that lead up to the Meech Lake Accord occurred on August 6, 1984. In his election speech in Sept-Îles, the present Prime Minister of Canada (Mr. Mulroney) promised to undertake discussions aimed at bringing Quebec back into the constitutional fold. And I quote the Right Hon. the Prime Minister of Canada: "We will have to make pledges and take action if we want to convince the National Assembly of Quebec to sign the new Constitution with honour and enthusiasm". Our federal-provincial policy will be geared to specific objectives: concertation and harmonization of the policies of both levels of Government, and respect for provincial jurisdictions.

Our Government reaffirmed its commitment in the October, 1986 Speech from the Throne, referring to the compatibility of the future Meech Lake Accord with respect for the Canadian Charter of Rights and Freedoms within the scope of the Constitution. April 30, 1987 is the date of a momentous event: for the first time in Canadian history, and this has to be the historic event, the 10 provincial Premiers reached an agreement with the Prime Minister of Canada. The 10 Premiers, representing four different political Parties, unanimously endorsed our Government's proposed constitutional project.

This marked the beginning of a new era. Quebec was urged to rejoin Canada, a suggestion which was warmly welcomed by the Government of the Province of Quebec. Indeed, taking its cue from Premier Bourassa and his team, the National Assembly began consideration of the Meech Lake Accord on June 23, 1987. After a few days of constructive debates which reflected the unqualified support of most Quebecers, the National Assembly readily accepted the Meech Lake Accord. Thus the Government of Quebec—first among the 10 provincial administrations—confirmed that henceforth Quebecers would feel as full-fledged partners in the Canadian community. The new accord rallied widespread support, and Quebecers now belong to this great country. In my estimation, Mr. Speaker, that is the national affirmation message conveyed to Quebec and the rest of Canada, a message which Quebecers must be increasingly aware of. They are now full-fledged citizens of this great country.

Not long after, a second province—Saskatchewan—endorsed the Meech Lake Accord, paving the way for similar action on the part of all 10 Provinces. What is our position here in the House of Commons of Canada with respect to various Members, different Parties, and an untold number of Canadian communities? Yesterday, we heard our Prime Minister's superb speech. We also heard the speech by the Leader of the New Democratic Party (Mr. Broadbent) and a speech by a Member of the Liberal Party. On the Government side, the benches were full. The seats of New Democratic Party Members were full as well. Among the Liberals, seats were half-empty. Why were those seats half-empty yesterday during the speech on the Meech Lake Accord? Because, Mr. Speaker, there are 10 Liberal Members in the House of Commons who are against the Accord, and despite the fact that their Leader warned them to toe the Party line or else be put out of the caucus, the same Members have nevertheless stated here in the House that they are against the Meech Lake Accord.

We shall see whether the Leader of their Party intends to take disciplinary action. Some Liberal Members have decided to defer their opinion, and I am referring, for instance, to the

Hon. Member for Westmorland—Kent (Mr. Robichaud) and the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy). We will have to wait and see what their position will be, but we hope they will close ranks with their Party and act like true Canadians.

However, I must say, to the credit of a number of federal Liberals, for instance, the Hon. Member for Laval-des-Rapides (Mr. Garneau) and the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), that they do support the Accord.

I have heard some of these Members call each other "Rhodesians from Westmount". That is just their way of promoting Party unity and describing Canada to the outside world. At times we would be grateful for this kind of publicity, which is probably meant to satisfy the narrow interests of certain Party Members.

When we listened to the speech by the Hon. Member for Laval-des-Rapides, I was delighted with his very positive views on the Meech Lake Accord. However, instead of talking about Madeleine de Verchères and Jacques Cartier, significant as they were for the history of our country, and instead of talking about the past and the present, I would have liked to hear him talk about the Canada of tomorrow, the Canada of the future, the Canada we intend to build through our work here in the House of Commons.

I would have liked to hear the Hon. Member and Quebec lieutenant of the Liberal Leader give us his views on the major initiatives in which we are engaged for the benefit of this country and its future development. One of these initiatives is the Free Trade Agreement with United States. I would have liked to hear the former Quebec Minister of Finance and friend of Quebec Premier Robert Bourassa speak out in favour of an agreement that will give Canada an excellent economic base for the future. This Agreement will make Canadians happier and more prosperous, and will, in the final instance, open the door to a better Canada. A better Canada is not just the Constitution and a lot of documents. A better Canada means people who are more prosperous, a more autonomous society, and the Free Trade Agreement is one way of achieving that goal. If we seriously want a better Canada, we will also have to support this historic Free Trade Agreement which protects one job out of four. That is because in Canada, out of a total GNP of $500 billion, $125 billion, one-quarter of that amount, is derived from exports. We have a labour force of between 11 and 12 million. We could say that one-quarter of these workers depend on exports for their jobs. Real Canadians will recognize the importance of our export markets, and especially the importance of the American market, where we sell 80 per cent of our goods and services and sell them at a profit. We sell them $95 billion worth of goods and services, and when I say we, I am referring to our business people, our manufacturers, and our exporters who developed this market and I am also referring to us in the Government who gave this market our blessing through our historic Free Trade Agreement.

I would also have liked to hear the Hon. Member for Laval-des-Rapides explain where he stands on research and development in this country. Madam Speaker, as you know, we are having trouble obtaining Royal Assent for our drug patents Bill. This legislative measure would enable companies to promote research and development. Once enacted, it would prevent certain generic-drug manufacturers from copying the prescriptions of research and development oriented companies and from mass producing such drugs, a tactic which seriously undermines the spirit of initiative and good will of research and development firms. This legislation has remained unchanged since 1968, the kind of legislation likely to attract to this country—and particularly to Montreal—investments of $700 million which in turn would generate 1,300 new jobs in the immediate future.

My contention is that a real Canadian looks far beyond the piece of paper on which the constitutional provisions are printed. A real Canadian—a Quebecer to boot, a friend of Mr. Bourassa—does not buck a government or disregard the views of the Premier of the Province of Quebec. He should voice strong support for Bill C-22 concerning the Patent Act. Madam Speaker, let us bear in mind the fact that twice the National Assembly of Quebec voted in favour of this legislation.

So I would urge the Hon. Member for Laval-des-Rapides to take that into consideration whenever he speaks up in favour of the Constitution and the Meech Lake Accord.

I have a few comments to make about the Members of the socialist Party. I am at a loss to nail down their exact position because the sounds we hear are rather confusing. This brings to mind their main source of income, who also happens to be the vice-president of Canada's socialist party, Mr. Bob White, whom I quote:

"I did not agree the day after the Accord was signed, and I still do not agree."

So we must be wary of their formal statements in the House of Commons, because they do not all see eye to eye with their main financial supporter, Bob White of the Canadian Auto Workers. Incidentally, I might add that he is paid directly from the union dues of the auto workers—and they have been enjoying the benefits of free trade since 1965, the kind of privilege which the socialists are not prepared to recommend for the rest of Canadian labour. What do the socialists want, even though they will say here that they endorse the Meech Lake Accord? They want two Canadas. They want the Canada of Oshawa where the Auto Pact is in force, where unemployment is a mere 3 per cent, the Canada of Oshawa, Madam Speaker. The result of the free trade agreement dating back to 1965 in the car manufacturing industry is that unemployment is 3 per cent, if you can call that unemployment. People in and around Oshawa are doing very well. They do not mind paying their dues to be represented here by socialists who rant on about free trade.

I do not think those people are true Canadians. First they officially support Meech Lake in an attempt to put Quebecers to sleep—and that is not working—then they turn right around and denounce the free trade agreement, all the time knowing full well they have had the same kind of agreement since 1965 in Oshawa, the socialist leader's riding which is their bread and butter, Madam Speaker.

So I think their representations are an exercise in window-dressing. In conclusion, Madam Speaker, I think and I hope that as many Opposition Members as possible will accept this new strong Canada with a distinct Quebec. That will be national collective affirmation. Such is the duty of all Canadians and, hopefully, partisan feelings will vanish and the House will finally agree to vote in favour of our Government's historic accord, the Meech Lake Accord.

The Acting Speaker (Mrs. Champagne): Questions and comments.

[*English*]

Mr. Dan Heap (Spadina): Madam Speaker, I will make use of this opportunity to speak on the question of the Meech Lake Accord. It is a matter that has perplexed me very much. During the summer I was quite unable to attend to the matter of the Accord because of the phoney refugee crisis stirred up by the same Government. That totally occupied my attention. However, I have studied it as well as I could since that crisis came to its intended, manufactured end with the passing of the two anti-refugee Bills.

• (1120)

I have been perplexed about the Meech Lake Accord because I do believe strongly that it is necessary to bring about Quebec's full, willing participation in the Constitution of Canada. On the other hand, I believe that the price exacted for that, apparently by certain provincial Premiers and perhaps other interests, was extortionate and in some ways damaging to Canada. However, by the process and the structure we have, both the legality and perception of the vote will be on the one question of bringing Quebec in regardless of the price. There does not appear to be any way to cast an effective and intelligible vote in protest against the damaging aspects of the Accord.

[*Translation*]

Concerning Quebec, it is more than a simple question of language or culture, songs, literature, music, local traditions, and so on. I lived in Quebec for five years, two years as a McGill University student and three years as parish priest in the Gatineau Valley, close to the Gatineau river. I now have two daughters who reside in Montreal; they are married, both are bilingual, and now and then they work as translators; their husbands are francophones, the children—my grandchildren—are francophones. I visited them for a few days last week and, as always, I very much like the City of Montreal. I believe that Quebec is indeed a distinct society, not only Quebec but also the francophones throughout Canada.

[*English*]

I know something of the concept of the family in Quebec. I should also add that my wife lived there many more years than I. Therefore, I have learned something about their strong protection of the family relationship which I for one, and I think many Canadians, consider very valuable. That is part of the distinct society and it is for that reason they asked for and were given a generation ago a separate and distinct pension system, the Quebec Pension Plan, parallel with the Canada Pension Plan. I have never heard of any harm coming to people in Quebec or any other part of Canada because there are two pension systems funded by the federal Government. I believe it was wise to allow Quebec to handle the pension according to its own mores.

There is other social legislation which I believe is in some ways very sensitive, perhaps more sensitive, to the realities of family life than we find in other parts of Canada, particularly rent control. When my older daughter first moved to Quebec I was amazed at the low rent which she and her husband were paying for a place to live in Montreal. I inquired and found that Quebec was the only province in Canada to continue rent controls after the federal Government discontinued them at the end of the application of the War Measures Act following World War II. I believe that was a very fine thing for the Quebec Government to do. It is not because I ever favoured the Government of Maurice Duplessis, but he did a very good thing in continuing rent controls. I assume he did it because the people of Quebec demanded it and he recognized the justice of their demand.

Quebec is also one of the only two provinces in Canada which has had the good common sense to adopt legislation to prevent strike-breaking. That was a good measure which followed many years of shocking violence on picket lines caused by companies which insisted on hiring strike-breakers to take the jobs of their employees during a shut-down caused by a strike or lock-out. I have seen that law operating when on the road in Quebec. I have seen the Quebec Provincial Police maintaining order on a picket line in a very sober and peaceful way.

• (1130)

I believe that is part of the tradition of peace in Quebec. The people there prefer to live in peace. Quebec throughout this century has established its reputation in Canada for preferring peace. We had a little discussion of that issue during World War I and World War II with respect to conscription. There is no question that the difference is not just one of language. It is a basic moral outlook on the world and I think, although I am entirely of English Canada myself, we would do well to consider the point of view of the people of Quebec who are very reluctant to go abroad to fight. They want to know what it is they are fighting for if they are going to do it. There is a lot of sense in that.

There is also at present strong opposition in Quebec to the militarization of Canada even though a great deal of it is

happening in Montreal. There is strong opposition to the unnecessary low-level flights of NATO training pilots and so on.

As I said, Quebec has a very distinct society. It is sensible and necessary that that be recognized. Nevertheless, they voted by a majority of 60 per cent in the 1980 referendum to stay within the Canadian Confederation. It would be unfair and immoral now, eight years later, to just take them for granted and say we do not need to arrive at any agreement with Quebec just yet because we have some other things that need to be done to the Constitution so Quebec can wait. That would be very wrong and destructive to the life of Canada as a whole.

As I said, I believe the Meech Lake Accord is in great danger of doing damage to Canada in other ways. I am not going to discuss all the objections raised. There are some I do not agree with and some I do not weigh so heavily as others. What I am concerned about is that the act of including Quebec was accompanied, I think unnecessarily and unfairly, by acts tending to exclude others. Whether that was done thoughtlessly or in haste or because of blackmail by certain premiers we mere Members of Parliament are not allowed to know. However, the aboriginal peoples have been shut out again and they are the only ones in Canada who have a stronger moral claim to recognition than the people of Quebec. Part of the difficulty is to define their claim.

The claims of Quebec were defined by Premier Bourassa. They got recognition of Quebec as a distinct society. With regard to more provincial power in immigration, through my inquiries I have learned that there has been very little real change in the distribution of powers on immigration. In fact, Quebec was the only province which made any significant use of the existing power.

I think it is fair that they got a role in Supreme Court appointments. They do not make the appointments, but there must be negotiation and agreement on them. With regard to limits on federal spending, I cannot see that the federal spending power has been reduced. Quebec got part of the veto it wanted on constitutional amendments. It is limited to federal institutions and does not apply to all federal negotiations.

• (1140)

Contrary to what some of my friends in Toronto and elsewhere have told me, the people of Quebec did not get all they asked for. They bargained and got part of what they asked for. The part they got was reasonable.

However, as I have said, the aboriginal peoples have been left out. Not a word was said about any attempt to bring them in. Through an amendment we asked that they be brought to a meeting next year and were told by the big boss from Baie Comeau that there will be no amendments of any sort whatsoever.

The Territories have been pushed further out than they were before. They now have to climb over the veto power of every one of the 10 provinces. They have also been shut out from the privilege of nominations to the Senate and the Supreme Court. That was unnecessary. Whether it was deliberate or by oversight, it was wrong.

The growing ethnic minorities in Canada were only very slightly recognized for what is becoming their increasingly solid place in the basic characteristics of our country.

I believe these damaging characteristics of the Meech Lake agreement were unnecessary. They are unjust and are an ominous sign of a very undemocratic process in which 11 men exercise their power in a very arrogant way. They have said that having met and made a decision they will ensure that no changes are allowed to it. Whether they can make that boast stick, we do not know. They can clearly make it stick in this House because the Government has three-quarters of the vote. It really makes no difference whether one, more, or all of the members of the Opposition vote against it.

There is a deeper fault which is reflected in this habitually undemocratic way of conducting constitutional negotiations in the country. The fact is that for all our pleasure at having won the patriation of our Constitution five years ago, we have a Constitution which is in some ways very much less than democratic. In the history of Canada the question of our Constitution has been dominated by the question of Westminster. We asked whether we were free of Westminster and, if not, how we could get free of Westminster. Now that we are free of Westminster we should not take for granted that we have a complete democracy. In fact, I believe that we do not.

Members of Parliament do not have control over the decision as to whether the country goes to war. We can cheer the Government on by a resolution after one man and his advisers have decided whether we should go to war. We have no right of control over treaties. They are not even presented to us before they are signed and are not necessarily presented to us after being voted upon.

Certain treaties have been kept secret. For example, when the Standing Committee on National Defence was studying the renewal of the NORAD treaty and asked the then Deputy Prime Minister and Minister of National Defence for the text of all treaties with the United States relating to that, he refused to give them to the committee but said that he would give the titles. He did not, in fact, give them all the titles and they had to go to Washington to find the eight titles which he had deceptively withheld. The Deputy Prime Minister can, therefore, deceive a standing committee of Parliament with impunity. That is a serious limitation on our democracy. They could not even get away with that in the United States.

Parliament has no control over security measures. We have a very weak and indirect committee arrangement which may bring some things to light. However, Members of Parliament are not given the confidence that is enjoyed by Members of the American Congress to examine directly the officers who are

supposedly carrying out the mandate of Parliament and the people.

We do not have sufficient protection in Canada for private organizations. Only last week this Parliament adopted a law which enables the Government to interfere in the internal affairs of a private association. That is shocking. Under certain conditions the Government could ban certain members of a union from holding office in that organization. If the Government can do that to one union, it can do it to any union. If the Government can do that to unions, it can do it to churches, ethnic associations, and perhaps even political Parties as such.

Apparently there is nothing in the Constitution which prevents the Government from doing that. There is nothing in the Constitution to prevent the Government from hiring *agents provocateurs* to disrupt organizations which criticize the Government. I am not talking about subversion but about the disruption of critics.

The issue we are discussing is much bigger than the Meech Lake Accord. The Accord, with its damaging faults, is only a symptom of a much deeper weakness in the Canadian democracy. There is a big struggle coming up over that weakness. It is reflected now very powerfully in the frustration of Canadian people, including many legislators, over the fact that one man and his advisers can negotiate a free trade deal which gives away Canada's control over natural resources and investment activities in Canada and damages many other aspects of Canadian life, including certain aspects of our culture.

The superboss from Baie Comeau tells us that no one will be able to change it, that the legislatures do not have any constitutional power to change it. That is a very serious threat to democracy in Canada.

I shall be voting not only for the amendments which other members of my caucus have moved but for the Meech Lake Accord, because to do otherwise, no matter how I justify it by words, would be perceived legally and by most people as being disdainful of the Province of Quebec, the *Québécois*, and the French-Canadian people with whom I have some acquaintance and good friendship.

However, I warn the people of Quebec and all the people of Canada that we have moved this year toward a much more authoritarian and even repressive form of government than has ever been imagined, expected, or envisaged in Canada. It will happen very fast unless the people of Canada, including many Members of this House, think about where we are heading. The symbol of that today is the undemocratic procedure used to narrow the question for voting so that the only way I can vote for Quebec is to vote against the aboriginal people and the northern Territories and cast some doubt about the status of women and ethnic minorities in Canada.

• (1150)

I also regret that the undemocratic structure and procedure even causes occasional distortions in the disciplinary systems of political Parties represented in this House. It is for that reason as well that I give that warning about the procedures around the Meech Lake Accord which are endangering the rights of Canadians to determine what will be done in our country.

Mr. Caccia: Madam Speaker, the Hon. Member for Spadina (Mr. Heap) has made a very thoughtful analysis of the proposal before us. He referred to the damaging characteristics in the Accord which affect minorities and aboriginal people. He also spoke at length about the process whereby this proposal before us, to be voted upon next Monday, has reached the floor of the House of Commons. I believe he referred to the process as undemocratic.

If I did not misunderstand him, he also referred to deeper faults in this document. Yet, to my surprise, at the end of his speech the Member came to the conclusion that he will vote for this measure.

Anyone who listened to him this morning would have difficulty with the logical consistency of the thought process he has adopted. Having criticized the substance and the process, quite rightly, the Hon. Member concluded that he would vote for this measure. He justified voting for the Meech Lake Accord by saying that to do otherwise would be disdainful toward the Province of Quebec. I do not know to what entity he refers, whether the Province of Quebec as a government or as a group of legislators, but to be disdainful in politics is an interesting concept on which the Member may want to elaborate.

To the best of my knowledge there is no constitution in the world that singles out a specific society in a part of the country covered by that constitution in the way that this proposal does in relation to the population in one province. The Hon. Member may want to reflect on the desirability and wisdom of having in a constitution a clause which gives preferential status to the population of a specific territory covered by that constitution.

It would be interesting to know whether the Hon. Member believes it is wise to include in a constitution special recognition for the population in one part of Canada. Does he not think, having reflected on that type of selective legislative identification of one society, since this is a social concept more than anything else, that this error in constitutional drafting by far outweighs his fear of appearing to be disdainful toward the Province of Quebec by voting against this measure?

Mr. Heap: Madam Speaker, I thank the Member for his questions and comment, and for leaving me two or three minutes to answer. The reason why I will vote for this measure, even though I acknowledge the very undemocratic process, is that I believe the greater damage would be to leave Quebec as is for another indefinite term. The earlier damage was perhaps caused by jealousy of others and their lack of understanding. That had to be corrected, as I said in my remarks.

When I referred to deeper faults, I was not referring to deeper faults in the document but to deeper faults in the

structure of Canada which existed long before this document or even the 1982 Constitution. There were undemocratic procedures by which the Government could do anything it pleased, in many cases without parliamentary approval, and often without telling Parliament fully afterwards. I did not have time to add that there is no mandate and no system for having a mandate from the Canadian people. Organizations created by Canadians, like unions, churches, ethnic associations and even political Parties, have no voice as such. They are allowed to speak as individuals. The superboss from Baie Comeau says that they can talk, but he will not pay any attention to them. Those are the deep faults that already existed. They were not created by the Meech Lake Accord, but are illustrated by it.

I am glad the Hon. Member for Davenport (Mr. Caccia) asked whether I could cite another constitution in the world that gives special recognition to one district. While I am not a constitutional expert, I know that there is an example. The Prime Minister (Mr. Mulroney) and the Secretary of State for External Affairs (Mr. Clark) would be very pleased to know that in this respect Canada is following the example of Nicaragua.

Nicaragua has established a constitution which provides for autonomy in its eastern departments. This notion is almost unheard of in Latin American governments. It is to allow special arrangements for people who live there, notably Mosquito Indians and other tribes as well as the Caribbean peoples who have settled there. This was an essential means of ending a civil war within that part of Nicaragua and it has been successful.

Unlike the Meech Lake Accord, this was achieved in Nicaragua as a result of two years of intensive house-by-house, town-by-town discussion that resulted in a broad agreement across the country. It is having the effect of bringing to an end the armed conflicts in the eastern part of Nicaragua.

We do not have armed conflicts in Canada, but I wish we had a more thorough discussion. Nevertheless, I am pleased to inform the Hon. Member that there is what I believe a good, modern precedent for the action the Government has taken at Meech Lake giving special consideration to one part of the population.

• (1200)

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Madam Speaker, I am pleased to rise in my place to participate in this debate today, along with many other colleagues. May I say from the outset that I find it rather strange that Members of the House of Commons over these last few weeks and months, are participating in a debate on the Meech Lake, Langevin Accord, a document which affects the basic constitution of Canada, and conducting that debate in advance of other signatories to the Accord, that is the 10 provinces, having dealt with that matter in their own legislatures. The fact is that only one of the 10 provincial signatories to the Accord, has passed a resolution in its provincial assembly giving its approval to the Accord.

Nine of the 10 provinces of Canada, representing some 75 per cent of the population, have yet to deal with the Meech Lake Accord in their respective assemblies. Why is that important? It is because an important new principle forms the basis of the Meech Lake Accord. That principle is the concept of unanimity with respect to amendments in important areas. Frankly, I find it difficult to imagine how and why the Government of Canada would deem it appropriate for Members of Parliament to deal with the fundamental law of the land, that is, the Constitution, in advance of having the advice and comments, and not to put too fine a point on it, the potential amendments which may arise out of the provincial legislatures.

This is a document that constitutionalizes the concept of unanimity, based, I presume, on the notion that all partners have an equal say, that every voice in the constitutional family must have its say. How could we pass a document that embraces that concept in advance of hearing from 10 of the legislatures of this nation? There is something fundamentally flawed in proceeding in advance of knowing what the Legislature of Newfoundland has to say about the Meech Lake Accord. What amendments, if any, may be forthcoming? It is the same with Nova Scotia, Prince Edward Island, New Brunswick, Ontario, Manitoba, Saskatchewan, British Columbia, Alberta and, yes, proceeding in advance of knowing what the Legislature of Quebec had to say. That legislature has spoken. We know that it has passed the document as written, but we do not know what nine other legislatures have to say about the Meech Lake Accord.

We do not know what amendments nine other legislatures may propose to the Meech Lake Accord. Some may presume, perhaps with good cause because of the commitments of the leaders of the respective governments in each of those provinces, that there will be no amendments. However, whether we like it or not, whether it was intended or not, it is contemptuous of the democratic system and of the notion of paying respect and giving an ear to the voices of the provinces, to proceed, particularly in this Chamber, in advance of knowing what will happen in those legislatures.

It is my view, and obviously my saying it will serve no purpose other than making it known, that the House of Commons of Canada ought to have been the last to deal with the Meech Lake Accord. It should have dealt with it in the full knowledge of the debates of all of the legislatures and in full knowledge of all of the proposed amendments, some of which may pass in provincial legislatures, before acting here in this Chamber.

I do not think it is presumptuous to say that the Parliament of Canada has a role somewhat different than a provincial legislature in this matter. I do not think it is presumptuous to suggest that perhaps it has a pre-eminent role. It is the only assembly composed of respresentatives of every part of this

country, right across the 5,000 kilometres of this land. The only chamber whose members can speak for every single part of Canada is this Chamber. That is not the case in any provincial assembly. It seems to me that a great opportunity has been lost to have this assembly behave as though it were just one of 11 assemblies.

The last time constitutional debates were undertaken in this House and in committees was 1981-82. As a new Member of Parliament I had a role to play, albeit a small part, in the deliberations of 1981-82. I was a member of the Joint House of Commons Senate Constitutional Committee in 1981, as were other Members who are still Members of this House today.

As a rookie member of that committee, one who had no preconceptions, no notion even of how committees worked, let alone a constitutional committee, I learned some lessons. First, I learned that constitution making is no easy task. I remember the frustration at hearing witness after witness, people concerned primarily with the Charter of Rights and Freedoms, representatives of womens' groups, civil liberties associations, native groups, multicultural groups, all saying in essence, if you cannot draft language that is in exact terms with what we give you as acceptable language to us, then the whole exercise is not worth pursuing. If we could not give them a clause affecting their particular group in the Charter of Rights and Freedoms, if it was not in their language, we may as well scrap the whole thing.

I remember sitting as member of the committee acknowledging that we had a Charter of Rights and Freedoms, we were bringing the Constitution back to Canada, and feeling frustrated because, rather than acknowledging the important gains being made, albeit imperfectly from any particular point of view, the witnesses were saying if it is not their way, if it is not drafted in their language, it need not happen at all.

I can tell you, Madam Speaker, from experience, as one who faithfully attended every hour of every day of that committee, that the Constitution we wrote in 1981, which was passed in 1982, was not a Constitution that would have met with the explicit approval of any one of hundreds of groups that appeared before our committee. Not one of them would have said that the language they preferred could be found in the document which was ultimately passed by members of all three Parties in this House of Commons.

That was a frustrating experience. I bear that in mind as I observe the work that has been done by the Prime Minister (Mr. Mulroney) and the premiers in drafting and putting together the Meech Lake Accord. Of course, no constitutional document will ever be without flaw. No constitutional document will ever receive the unanimous consent or approval of all the interested players in society.

• (1210)

The role of Members in 1982 was to look at what had been accomplished, to ask ourselves whether or not what had been accomplished, flawed or not, was good work, was worthwhile, whether it would move the country forward and help to bind the country together. That was the role. It was not to look for perfection but to look for progress. It was not to look for a flawless document but to look for what was intrinsically good and sound about that document.

With few exceptions in 1982 Members of the House approved the 1982 Constitution and, with one exception, the Premiers of Canada approved the 1982 Constitution. But it was a very painful, a very important, a very glaring exception, given the fundamental nature of this country in 1982. That exception was the Province of Quebec. There is no question, whether we realized it then, and I think we did—we certainly realize it now—that in proceeding without Quebec we took a substantial risk in that Quebec's role in the Canadian constitutional family would have to be dealt with. That is what the Meech Lake and Langevin discussions, and the Accord, are all about.

As one who has a particular sensitivity, as I just explained, for the notion that no constitutional document is perfect, I still have to say that in my mind the Meech Lake Accord as presented in this House, indeed as presented in the legislatures of the country, contains serious flaws. These are flaws which we in the Liberal Party have sought to address by way of amendment. These are amendments which I believe would have had—and it is clear now that they have no chance of being passed—a much greater chance of being addressed seriously and in a non-partisan manner had this Chamber waited until all the provincial houses had spoken.

Indeed, we can see already in the Province of New Brunswick the election of a new Government with an overwhelming mandate led by a leader who believes that there are fundamental flaws in the Meech Lake Accord that ought to be addressed. There is something wrong with the fact that we shall deal with this document before that leader has had a chance, which constitutionally he has as one of 10 Premiers who must agree to this document, to have his say at a First Ministers' meeting. There is something flawed about the fact that in advance of the Premier of the Province of New Brunswick, Mr. McKenna, speaking to the Prime Minister and the other Premiers at a First Ministers' conference, to lay out his concerns and to find out whether or not there is any room for agreement, for consensus, on some of those concerns, this Chamber should proceed today with this Accord.

We have asked for amendments to clearly define the role of the respective jurisdictions in naming members to the Supreme Court of Canada. We are not satisfied with a court that becomes nothing more than a body of consensus between premiers and federal governments. It is not the role of the court to be a consensus body between premiers and the federal Government. We have raised concerns about the new role and vision for the Senate in the Meech Lake Accord, a role in which the Senate becomes, obstensibly, a body in which the patronage of power, which is what it is and we better call it

what it is, which is currently in federal hands is transferred to provinicial hands.

I do not think that there is a Member of this House who would not acknowledge that we need Senate reform. There is not a member of the Senate who would not acknowledge that we need Senate reform, and proper Senate reform which would bring about a democratically elected Senate. Everybody says that they are in favour of that. Every premier that I know, the Prime Minister, the Leader of the Opposition, the Leader of the NDP and the Senators all say that they are in favour of that. How is it then that we find in the Meech Lake Accord a clause that does not move us toward an elected Senate, a democratically elected Senate, but instead that merely transfers the right of patronage appointments from prime ministers to premiers?

It is true as well that when that power of patronage appointment is transferred from a prime minister to a premier, and when that premier and every other premier must give unanimous consent before that system is changed, the premiers will not easily give up the right to make Senate appointments. They will be reluctant. Perhaps it is not too strong to say that having the right to name a Senator will be equivalent to having the right to pick the winner of the 6/49. Either way it is a million dollar contest for the lucky recipient. I am doubtful, sceptical, that many premiers will want to give up that right. We have made it impossible to take it away without their consent because of the amending formula contained in the Meech Lake Accord.

I would now like to deal with the Territories. I have not lived in the Territories, but I spent seven years of my young life living in Labrador. I grew up in the north and have some notion of the isolation that northerners feel, some notion of the sense of being not only on the fringes of mainstream Canada but, in fact, some notion of the sense of being forgotten. Being on the fringe presumes that the fringe is visible, that it exists, that it is acknowledged. While Labrador is not seeking provinicial status, the Northwest Territories is moving toward—not tomorrow but an evolution is happening—provincial status.

What does Meech Lake say to the people of the Northwest Territories? It says that they can become a province of Canada, not when they have evolved politically, economically and socially to a point where they are ready to take control of their own destiny, to be masters of their own ship, to chart their own course, to fasten their own sail, but when the premiers of each and every other Province of Canada say they can. That is the criterion. It is not political, social and economic evolution in the Territories. It is the right of every premier to express whether it is in his and his province's best interests at any given point in time that the Territories acquire the status of a province. I think that is a fundamental flaw in the Meech Lake Accord.

These and other flaws we seek to address in the amendments that we have put before the House. They are amendments that I hope, notwithstanding how they intend to vote at the end of the day on Meech Lake, Members will find appropriate to support. I know that many Members opposite and many Members of this Party have expressed clearly their intention to vote for Meech Lake. But an intention to vote for Meech Lake is not analogous with an intention to vote against the amendments.

• (1220)

Surely no Member of the House would suggest that the document is flawless, that it cannot be improved, or that the concerns of native people, of the people in the Northwest Territories and of women are not concerns worth addressing.

Not one of the amendments respecting these concerns has the effect of negating the fundamentals of the Meech Lake Accord. They would improve and enrich the document. Be they NDP or Liberal amendments—quite frankly I am not concerned about the colour of the tag on them—they enhance the document and reflect the body of concern which Hon. Members have heard from one end of the country to the other and in all our legislatures.

At the beginning I said that I participated in the process in 1981-82 and that I quickly learned that no constitution is ever perfect nor can ever be perfect. In 1982 I voted for a document when I knew that it was not perfect. It was flawed. Indeed, the Province of Quebec was not a signatory to it.

I acknowledge today that this document is not perfect and that indeed it is flawed. However, I hope that amendments are made. I would rather be presented with another Accord upon which to vote. As I did in 1982 with reservations, I shall do again when the Accord is before the House, that is, vote for the Meech Lake Accord.

Mr. Hawkes: Madam Speaker, I just have a quick question for the Hon. Member. I think he urged us to vote for amendments. If we vote for amendments it would mean for certain that the Accord would not become entrenched in the Constitution of Canada, because it has to be passed in identical form in all legislatures.

Is the Hon. Member saying that he wants us to approve something which will kill these amendments, or is he saying that he is in favour of this kind of constitutional change? He leaves me in a considerable state of confusion.

Mr. Tobin: Madam Speaker, far be it for me to lecture such an intelligent and knowledgeable Member as the Hon. Member for Calgary West (Mr. Hawkes) on his basic role as a Member of Parliament. He has earned the right to sit in the chair which he occupies and to carry the title "Member of Parliament". He has earned the right to rise and ask questions in this place. He has not only that right but the responsibility to examine legislation with a critical eye and with an open mind and, where possible, to make legislation better. No Member of Parliament can ever occupy his place, call himself a Member of Parliament, exercise his vote, represent his

constituents, and seek to make a better Canada when he starts from the premise that anything presented to him is a *fait accompli*. We cannot start from the premise that the difficulties of democracy, that is, making amendments and subsequently selling them to the provinces, is an untidy spectacle of which we would rather not be a part.

If we amend the document in this place, under the principle of unanimity those amendments would have to be negotiated with the other premiers. That is the reality. Democracy is not tidy. It is never easy. Sometimes it is difficult, but it is democracy and we are sworn to it.

Mr. Caccia: Madam Speaker, as usual the Hon. Member has made a very eloquent and interesting intervention. He has touched upon a number of aspects, particularly the flaws in the proposal before us, and has definitely concluded that the flaws are not sufficient to warrant his opposition to the resolution.

However, there is one aspect, namely, the totality of the impact or the devolution which the proposal will bring about in the sharing of powers in the Canada of the future, in the new Canada, which goes well beyond the question of whether or not the proposal is flawless.

I refer my hon. colleague to the definition given before the joint committee in Ottawa by former Prime Minister Trudeau when he said, "Meech Lake leaves Canada to be governed by federal units". I would be very interested in the comments of the Hon. Member on that assessment.

Mr. Tobin: Madam Speaker, I appreciate the question of the Hon. Member for Davenport (Mr. Caccia), because I know that he takes very seriously the question of the Meech Lake Accord, as do I. I can tell him that I have had to agonize about how I would vote on this Accord. Indeed, it has only been in very recent hours that I wrestled with the question and that I decided that I could put aside my reservations and vote for it.

However, let me tell the Hon. Member that I go forward and support the Meech Lake Accord because of my belief that Quebec must be part of the constitutional family of Canada. I do it believing that in particular the Party of which I am a Member—and I hope it will be so with other Parties—will go forward in future years and generations with constitutional conferences seeking to improve the document. I hope that we will take those areas which have been identified as flaws or weaknesses in this Accord and address them as a mandate or a platform for future constitutional improvements.

I say to my colleague that I acknowledge that it will be much more difficult in the future than it is today to recognize flaws and to correct them, because of the nature of the amending formula which is of itself part and parcel of the Meech Lake Accord—unanimity. I am not certain whether or not future constitutional amendment is even possible in the final analysis. However, presented with a *fait accompli*, the Meech Lake Accord, and presented with the reality of Quebec, I have to believe that it is possible.

Mr. Caccia: Madam Speaker, would the Hon. Member be very surprised to learn that for all practical purposes Quebec is part of the Constitution right now?

Mr. Tobin: Madam Speaker, for all practical purposes Newfoundlanders are part of Canada right now in the same way as are Ontarians. However, unemployment in Ontario, where the Hon. Member lives, is 5 per cent or 6 per cent. Unemployment in Newfoundland is 30 per cent. Sometimes we have great difficulty believing that we are part of the same Canada.

Within the structures, laws, and tolerance of this nation we as Newfoundlanders seek to become even fuller partners in Confederation. What I am saying is that we cannot tell someone that technically in the law he is a Canadian when he is unemployed. We have to seek to create jobs where he lives. We cannot tell Quebecers that technically they are part of the Constitution when no Quebec Premier or Quebecer has ever voluntarily embraced the Constitution of Canada.

Mr. Waddell: Madam Speaker, I want to pursue that step by perhaps pointing out that I recall 65 or 70 Liberal Members of Parliament from Quebec voting for the 1982 Constitution in the House.

I want to ask the Hon. Member about an interesting point which he raised, that is, that perhaps the debate is premature and in fact it should be after the provinces have considered the Meech Lake Accord. I think we both share the feeling that we are proposing amendments here which will not be accepted, but that they are ways of making it better, by changing it. However, the situation seems to be that the Government is not prepared to accept them. In any event, it was not prepared to accept that from the beginning. It is like a spider web. If you cut a little bit of it it will all fall down. Does the Hon. Member accept the notion that this thing is so delicate that it cannot be amended as the Government said right from the beginning and as it is doing in this House and demanding in the provincial legislatures?

• (1230)

Mr. Tobin: Madam Speaker, I am sure the Hon. Member listened attentively to my speech as he always does whenever I rise to speak. He heard me begin my remarks by lamenting the fact that indeed we are proceeding in this Chamber, the nation's Parliament, in advance of hearing what has occurred and what is being said in the provincial assemblies. Of course I lament that.

It is the process itself and the undue haste with which we have proceeded with this matter that has made it extremely difficult for me at the end of the day—and it has been extremely difficult—to come to the conclusion and to say that, notwithstanding all of that, I am prepared to support the Meech Lake Accord. It is my view, as I said it at the top of my remarks, that the process could have been much better served. I suspect, frankly, that a number of Members in this House, who are today saying they shall vote against Meech Lake,

would have been prepared to endorse it, provided they had seen the process examined in every house with the possibility of amendment provided for in every house and finally, with full knowledge of what occurred in the assemblies, a debate here in this House. That was a concern to me, a big one. However, at the end of the day, as I said, for reasons I expressed a few minutes ago, I have come to the conclusion that I shall support the Meech Lake Accord, with regret.

Mr. Binns: Madam Speaker, I wish to make a brief comment. I know the Hon. Member has wrestled with his position on the historic agreement and has come to the conclusion that he will support the Meech Lake agreement. I want to give him credit for taking that decision. It is a bold one for him and I like to give credit where credit is due. I am sure in his reflections he will realize that this is an historic agreement which our Government has initiated and which would not have happened were it not for the tremendous leadership of the Prime Minister of Canada (Mr. Mulroney). We appreciate the support the Hon. Member is giving to the Accord.

Mr. Tobin: Madam Speaker, the Hon. Member could not resist a comment on such a statement.

Some Hon. Members: Oh, oh!

Mr. Tobin: First, let me thank the Member opposite for his kind words and let me say to him that the duty of any Prime Minister, including the current Prime Minister of Canada, is to seek consensus, particularly in the case of the Constitution, consensus because Quebec was out, and to that extent I congratulate the Prime Minister. But I hasten to add that I think today as we stand here—that is why we proposed amendments—a tremendous opportunity is being lost to fill in some very important—not gaps—holes in the Constitution called native people, the Territories, women, spending power and real Senate reform. Those kinds of challenges are open to us and I regret that the Prime Minister has not provided leadership to ensure that the document lived up to the potential that have been attained with more courage and vision.

The Acting Speaker (Miss Champagne): Resuming debate with the Hon. Member for Edmonton West (Mr. Dorin).

Mr. Murray Dorin (Edmonton West): I want to thank you, Madam Speaker, for recognizing me in this historic debate on the fundamental law of our land. So far we have heard much in this debate about what this Accord means for Quebec and how it has been a great accomplishment for Quebec and for Canada. That is certainly the case. However, I would like to consider this Accord in light of what it does for the nation and for all of the provinces, in particular, my own Province of Alberta, and how it is part of a long evolving process in developing a Constitution which truly reflects our country.

We all recognize that our Constitution has been and will continue to be amended. A constitution must reflect the society over which it applies. Our national mood is increasingly one of national reconciliation. Our fundamental laws must reflect our desired harmony.

It has been about six years since Quebec rejected the 1982 constitutional agreement thereby isolating itself from the rest of Canada on constitutional matters. Its lack of full and active participation weakened the federation. Alberta, and of course the other provinces, felt that it was important that Quebec return as a full partner. We would not welcome a partner that would receive unlimited benefits compared with other provinces. We do welcome a partner which receives fair treatment and a partner willing to work toward a fairer Confederation.

The 1987 constitutional Accord does much more than reunite Quebec with Canada. It creates a new representative confederation. It gives new hope to the provinces and new opportunities to ensure that all Governments of Canada will have their concerns heard by the central Government and that governments will reflect on the concerns of their partners.

The Accord also marks an end to the style of federal-provincial relations based on the assumption that to maintain equilibrium, the federal Government must pit one province against another. The Prime Minister (Mr. Mulroney) and the Premiers have directly rejected the notion of confrontational confederation. There is no doubt that the 1987 constitutional Accord reflects a more decentralized view of Canada than the 1982 Constitution Act. It considers the rights and powers of governments and sets a measure of institutional reliance on federal-provincial co-operation.

I would like to repeat a comment made by the Hon. Eric Kierans to the joint committee which examined this Accord to further this thought. He said this Accord is:

> Simply the closest that we have come to following the original intent and meaning of the British North America Act since Confederation itself. It reflects more accurately the view of what the original Fathers of Confederation thought that they were agreeing to . . . Above all else, they knew that a centralized Canada would not work.

The Fathers also knew that when discussions of centralism and decentralism arose they could not be addressed in terms of winning and losing. We must reject absolutely the notion advanced by some opponents of the Accord that one government won at this negotiation and another government lost.

When a particular project or program begins, the beneficiaries of a program are all citizens. If a federal Government program is implemented, those served by it are Canadians. They may also be Albertans, Quebecers or Manitobans. They are also Canadian taxpayers. The reverse is also true. When a program is implemented by a provincial Government or, for that matter, a municipal Government, the beneficiaries are residents of that province or municipality. Its supporters are provincial or municipal taxpayers. Those people are also Canadians. To say that a particular government won something and another government lost something is an absurdity because it is to say that the Canadians who won are the same Canadians who lost. It is also to say that a program supported by money collected by the federal Government is somehow

better or worse than a program paid for by money collected by a provincial Government. We are all citizens of a province and a country. We do not gain or lose anything when powers or programs are transferred. To suggest otherwise is nonsense.

I would like to consider the provincial and national implications of the Accord a little further. Because we each live in a region as well as within the country, we each have a set of particular symbols and particular styles which reflect our regional and national views. To deny that western Canadians and western Canada are different from Maritime Canadians or central Canada would be to deny a natural state of affairs within this country. We all know that it is indeed possible to be a strong Albertan and a patriotic Canadian. The two are not mutually exclusive because the Canadian federation is not a test of strength between different governments. The fact that one can be loyal to one's province does not mean that one cannot be loyal to one's nation. Conversely, to be loyal to one's nation does not mean that one cannot recognize that there are distinct units within it.

We Albertans have long been arguing that we are distinct. We have repeated over and over that we do not want our economy and our resources managed by bureaucrats in Ottawa. We maintain that Canada is too large for centralized operations and that westerners should be looking after the economic and regional issues that are especially important to the West. There is no difference between our wish for self-management and the wish of those who want special considerations for language and culture. Albertans have long said that they are distinct. We cannot argue that other provinces may also consider themselves distinct.

• (1240)

We can acknowledge that Quebec is distinct in its history, its laws, its language and its culture. Quebec has a distinct interest in *la francophonie* while other provinces are more closely aligned with the Commonwealth. Quebec has a different view of history and of this country's development than does English Canada. The Quebec legal code and its jurisprudence have roots which are distinct from those of other provinces. Quebec has holidays, ceremonies, traditions and works of art which are not part of the English tradition.

These are statements of fact and of the purely obvious and we have acknowledged them for centuries, even before Confederation itself. The constitutional Accord finally acknowledges them in a legal sense. More practically, we have included this important sociological phrase at no constitutional expense to other provinces.

Does the interpretive clause hurt the citizens of Alberta or of any other province in terms of what they can do within their provinces? It does not. Does it mean that Albertans are not true citizens of Canada because they are not distinct? It does not. The provincial Government of Quebec must act within a constitutional status that is not different from that of other provinces. It must follow the division of powers that is outlined for all provinces, yet it will consider its distinct society when acting on the political stage. This merely confirms an existing state of affairs.

This constitutional Accord maintains the equality of the provinces. What Quebec demanded before entering Confederation every province received. The Accord recognizes that the provincial Governments and their creative input are essential to an effective Confederation. It is legitimate, even necessary, for provincial Governments to bring regional views to the national level. As a result, we can look forward to increased provincial involvement in immigration, in Supreme Court appointments, in national programs, in economic management and in future amendments to national institutions. We are finally agreeing to rely on the historically proven and invaluable tool of federal-provincial consultation and co-operation.

That co-operation was not possible until Quebec was an active supporter of the Constitution. Western Premiers realized that. They realized that issues of constitutional concern to them were not likely to be addressed when the Constitution itself was not yet a truly national document. The Premiers recognized that they must first work toward ensuring Quebec's participation before they could work toward a fairer Constitution.

The danger was that constitutional fatigue might overwhelm the momentum, giving way to a permanent state of incomplete participation and the eventual erosion of constitutional and political legitimacy in this nation. Indeed, sentiments have been expressed that as a country we have devoted an inordinate amount of time to constitutional matters to the detriment of other social, economic, national and international goals.

To be sure, the process to recognize that Quebec was treated as an equal partner in Confederation has been a long one. This Constitutional Accord is the most recent step in the process which began before 1867 of developing a Constitution that is true to all parts of the country.

The issues dealt with in this constitutional Accord have been fully debated by politicians, academics and interested Canadians for more than a century. I would like to mention some of the more recent milestones in that debate with a view to understanding how this Accord is the proper extension of our constitutional history.

In 1931, the British Parliament passed the Statute of Westminster giving legal recognition to Canada's independence while reserving the British Parliament's rights on constitutional matters. In retrospect, I find it amazing that Canadians accepted a constitutional package which said that they were masters of their own future but at the same time granted decisions over constitutional matters to another sovereign state. Furthermore, that British statute was essentially the constitutional law of the land for the last 50 years.

In 1968, constitutional discussions began at the initiative of Prime Minister Pearson to examine the questions of a Charter of Rights regional disparities and the timeliness of a general

review of the Constitution. At their meeting in February, the Ministers agreed to give priority to finding an amending formula and patriating the Constitution.

At a meeting in Victoria in June of 1971, the First Ministers drew up a draft charter embodying the consensus reached at the February meeting. They agreed that the text was important enough to require the approval of all legislatures.

For those who suggest we are proceeding with undue haste, I want to draw to the attention of Hon. Members the difference between the Victoria Charter and the 1987 constitutional Accord. Although the First Ministers agreed on the proposal, there was a fundamental difference in the process. Provincial legislatures were given 12 days to reflect on and to approve a new Constitution. We have debated and studied the 1987 Accord for at least 10 times as long as the time provided by the Victoria Charter.

The unanimity achieved on June 3 would not have been possible without ongoing debate since 1968 on many elements characterizing this Accord including Canada's linguistic duality, Quebec's distinct society, the amending formula, spending power and provincial participation in Supreme Court and Senate appointments. The Accord is built on the work of the constitutional review of 1968 to 1971, the constitutional exercise of 1975 and 1976, Bill C-60 in 1978, the Quebec referendum in 1980 and subsequent discussions and the effort of 1981.

Constitutional renewal reached a milestone with the Constitution Act of 1982. It gave us patriation, an amending formula, recognition of aboriginal rights and our multicultural heritage, a commitment to reinforce our regional strengths and the extension of provincial jurisdiction over natural resources. These accomplishments are not to be taken lightly, but they were fundamentally flawed by the exclusion of Quebec.

In 1984, the Prime Minister set out his commitment to seek Quebec's return to the constitutional fold. It was his view that Canadians needed to come to terms with Quebec's place in the Constitution. Canadians agreed because they gave him an overwhelming mandate to achieve national reconciliation.

Quebecers also gave their provincial leader the mandate to achieve national reconciliation. They elected a Premier who outlined his desire to opt in, not drop out, of Confederation. When the Quebec Liberals took office in December, 1985, the five conditions they had outlined became the provincial Government's program.

In August of 1986, the Premiers met in Edmonton under the chairmanship of Premier Getty. They agreed unanimously that their top constitutional priority was to seek Quebec's return to the Constitution. They agreed also that other areas of concern to them, like Senate reform, would not be linked to the Quebec round but would be addressed at subsequent constitutional discussions.

In November, the Premiers again unanimously agreed that discussion could be intensified and expanded. They had considered Quebec's five proposals for inclusion in the Constitution and thought that they would be the appropriate basis for discussion. Discussions were indeed continued.

The following April, discussions progressed as far as they could without the inclusion of the First Ministers. The rest is well known. The Ministers announced the unanimous agreement to the principles they had discussed at Meech Lake in April and they put their signatures to those principles in June.

Over the summer, the Accord was scrutinized by supporters and opponents alike. Joint hearings were held by the House of Commons and the Senate. The committee heard from Canadians from all walks of life. The cross-section of Canadians who testified was impressive and included academic authorities, constitutional lawyers, current and former practitioners of inter-govermental and constitutional negotiations, representatives of the aboriginal peoples, representatives of women's groups, human rights specialists and individual Canadians. The committee heard from these people and synthesized their diverse views on the Accord. The committee's unanimous recommendation was that the Accord should be adopted without amendment.

I would like to comment on some of the remarks made by witnesses who appeared before the committee, because many groups did not support the acceptance of the Accord. Generally, however, such groups did not support the Accord either because they felt that they had not been included in it or because they had lobbied for additional amendments which did not come at this time.

These concerns are valid and, indeed, I think all Members should take time to consider them. However, any cultural groups who do not feel that they can turn to the Constitution as a document which represents their interests have overlooked one thing. They assume that because they are not explicitly mentioned in this Accord that they are not part of the Constitution. They forget that the Accord is part of a much larger document, one which recognizes our multicultural heritage and instructs the courts to interpret the Charter accordingly.

• (1250)

Any group which does not support the Accord because it accomplishes less than they seek have overlooked the fact that the constitutional process is not complete. Settlement with our aboriginal peoples, reform of the Upper House, and inclusion of our territories as full provinces are now goals which can be discussed with some hope of resolution. Until we had passed this hurdle, any talk of such things was hindered by the fact that the Constitution itself, the document we would amend, was not itself complete.

If there is anything that can be said about the Canadian constitutional process, it is that we do not conceive our amendments in haste. It is also true that we attempt to address one or a few issues at a time. We have addressed the stated first priority of all of our provincial leaders. Now, with

Quebec's participation, we can begin to address the issues that have been so important to the West for so long.

Senate reform is one such issue. Under our current system the Governor General, on the advice of the Government of the day, exercises the discretion of appointing Senators. Those selected must fulfil only the geographical and other qualifications for appointment. Until we can develop an Upper House which more carefully examines important regional considerations, candidates for senatorship will be referred through provincial lists. With the Meech Lake Accord we have Senate reform not only affirmed as a national imperative, but it is the first item on the agenda of a series of First Ministers' Conferences.

Those who would argue that Senate reform is inhibited by this Accord have the onus of demonstrating how Senate reform could have ever taken place without this Accord and without Quebec. We have already seen how difficult it was to secure amendments and additional considerations with the failure of the conference dealing with aboriginal rights. An amending formula designed for 10 provinces works badly when only nine are there. I do not see the fundamental differences that would make Senate reform possible where other efforts have failed.

We must remember that under circumstances other than those made possible by this Accord, the First Ministers' discussions on Senate reform might never have taken place. We might never have had the opportunity to make our views known on an issue so close to our hearts. More important, for the first time in Canadian history all Governments are talking about Senate reform because westerners demanded that it be considered. Alberta has also long demanded that the provincial and federal Governments work together to address specific regional economic problems and opportunities. This has been done in this Accord.

Also long overdue is an effort to ensure an administration of federal programs acceptable to each province. One level of Government cannot legislate in respect of matters over which another has exclusive legislative authority. However, the Government of Canada funds many programs in exclusive provincial jurisdiction. Some are direct grants and others are through transfer payments. With this Accord, if a province chooses to provide its own program compatible with national objectives, it can receive compensating funds.

I and many other westerners are hopeful that this Accord will be a basis for reconciliation of all parts of the country. We hope the welcome hand and sense of importance given to the Province of Quebec in writing the final page of this chapter of our constitutional development will be extended to other provinces who, though they may be legally a part of the country, do not always feel they are treated fairly within it.

In closing, I would like to share a quotation which summarizes this improvement to our fundamental laws. Lord Tweedsmuir, speaking in the 1930s, said:

> Law—should be regarded as an elastic tissue which clothes the growing body. That tissue, that garment, must fit exactly. If it is too tight, it will split, and you will have revolution and lawlessness, as we have seen at various times in our history when the law was allowed to become a strait-waistcoat. If it is too loose, it will trip us up and impede our movements. Law, therefore, should not be too far behind or too ahead of the growth of society, but should coincide as nearly as possible with that growth.

The Meech Lake Accord is a plan to alter the garment to fit a new and reconciled Canada. I might add that it is a garment that I and all Canadians can be proud to wear.

The Acting Speaker (Mrs. Champagne): Questions or comments.

Mr. Caccia: Madam Speaker, I have a brief question for the Hon. Member for Edmonton West (Mr. Dorin) whose interesting speech, coming from a Member from Alberta, prompts an inquiry of this nature. He must be aware of the desire of the Premier of Alberta for a Triple-E Senate. After this resolution comes into force will the Hon. Member care to tell us what is the likelihood of that becoming a reality?

Mr. Dorin: Madam Speaker, I think I referred briefly to that in my speech. Certainly I think with respect to those who suggest there could have been Senate reform without Quebec, the onus is on them to demonstrate how that could have happened. The fact is that with the adoption of this Accord and this constitutional amendment we will now put to the next matter of constitutional business the issue of Senate reform. That brings it to the top of the national agenda. It will be discussed within a year. That gives the hope we can achieve an elected Senate.

A Triple-E Senate means a lot of things to a lot of people. I am not sure it has been adequately defined. Certainly all the concepts put forward are desirable and what most Members of this House seek to achieve. We have provided an opportunity to address those issues now that we have completed this Accord.

Mr. Prud'homme: Madam Speaker, I have not yet participated in the debate and I do not know if I will, but I would like to say that I listened to the Hon. Member's speech and, coming from Alberta as he does, I would like to doubly congratulate him. He has shown an understanding of what we have been trying to say for years and years—you can be very different and yet remain a good Canadian. His understanding of what Quebec is all about is highly refreshing. He is a new Member of Parliament and the way he has expressed himself on this issue is very refreshing. It shows an openness and understanding of what this country is all about.

Needless to say, if I have a chance to participate in the debate, as I probably will, I will certainly take some of the intelligent words he has been using to describe what we are all trying to do here.

I know it is not easy for some of my colleagues, including the one who just questioned the Hon. Member and my hon. friend and colleague from Saint Henri—Westmount. I hope some of my colleagues will understand. Yes, indeed, we went through great agony in 1982, at least some of us because not

all of us voted for it, in voting for something that did not include the Province of Quebec. However, because there were certain important elements in the 1982 pact, they did so, regardless of the fact that "I am excluding myself." That was a much greater agony than that which some of my colleagues are going through now. Yet Quebecers voted for it at that time. They knew they were not voting for a perfect pact or perfect entente. Yet they did so, as some of my colleagues will do so today. It is a step, as only Canada knows how to take. Step by step by step you create a country. We are in the process of making a country and every generation is making its own effort. Surely we are not going to deny the efforts made by the Prime Minister of Canada (Mr. Mulroney) in his desire to continue building this country. I would therefore like to join with you in congratulating the Hon. Member.

The Acting Speaker (Mrs. Champagne): The Hon. Member will have the opportunity to reply when the House resumes.

It being one o'clock I do now leave the chair until two o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

MARINE SAFETY

CLOSURE OF BRITISH COLUMBIA LIGHTHOUSES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, on October 2 the Minister of Transport (Mr. Crosbie) said that the closure of lighthouses off the coast of British Columbia is "proper, sensible and reasonable". He went on to say, "I hate to see the closure of lighthouses, but the world changes and the world moves on".

The Minister did not say, and we have now learned from Transport Canada documents, that the Department of Transport is closing the lighthouses because, according to it, a human life is only worth $500,000 and the lighthouse keepers off the coast of British Columbia only have the potential to save one life every 16 years.

How can the Government say that the number of lives saved off the British Columbia coast does not meet bureaucratic cost-benefit standards? That is absolutely sickening and outrageous. If you could come down from your seat, Mr. Speaker, I am sure that you, as a Member for British Columbia, would share that view.

If the Minister of Transport will not save the British Columbia lighthouses for their beauty, heritage, and what they do to protect our coast, I call upon him at least to keep them open to save the lives that may be lost. Sailors will always be lost at sea, but they should never be lost because the Government cannot find the money to save them and reduces the quotient of human life to a bureaucratic cost-benefit study.

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INDIAN AFFAIRS

BENNETT DAM VICTIMS—LAND COMPENSATION CLAIM

Mr. Jim Fulton (Skeena): Mr. Speaker, 20 years ago the water rose behind the W. A. C. Bennett Dam to form Williston Lake. Over 150 native British Columbians were flooded out of their homes at or near Fort Graham. Some of these families moved, without compensation or assistance from the federal Government, to Finley Fork and on to Fort Ware. Others moved to Ingenika, some to the Parsnip Reserve, where six homes were built without proper heat or running water, and some to McLeod Lake. In these 20 years the federal Government has done nothing to provide a home, a reserve, or compensation to those flooded out by the Bennett Dam.

The Carrier-Sekani tribal council met with the Prime Minister (Mr. Mulroney) in Quesnel on Sunday, July 12, 1987, to bring their plight to his attention. They have asked for three small plots of land; 300 acres at Ingenika Point, 200 acres at the mouth of the Finley River, and 1,000 acres up the Messilinka at Black Pine Lake.

In March, 1977, I wrote about this tragedy in *B.C. Today*. Four Prime Ministers have had this matter before them and have chosen to do nothing. The Minister of Science and Technology (Mr. Oberle) has represented this area for over a decade and has done nothing.

Now is the time to act. These people are not squatters. They are the original owners and occupants of the land and are treated as beggars in their own land by Parliament. Perhaps the November showing of W-5 will help to awaken the Prime Minister to the reality of the Sekani people.

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TRADE

PRIME MINISTER'S MEETING WITH BUSINESS COUNCIL ON NATIONAL ISSUES

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, on Tuesday the Prime Minister (Mr. Mulroney) had dinner with members of the Business Council on National Issues. It is important that Canadians know which are the major companies behind the Business Council on National Issues. Amongst them are Honeywell, Bell, Ford Motor, Shell Oil, Wood Gundy, Du Pont, International Telephone and Telegraph, Sears, American Express, Bechtel Engineering, British Petroleum, Cargill, Celanese, Continental Can, Control Data,

General Foods, Goodyear, IBM, Exxon, Kodak, Lloyds Bank, 3M, Merrill Lynch, Mobil Oil, Nabisco, Quaker Oats, Texaco, and Union Carbide.

The head offices of these companies are outside Canada. These companies finance the Business Council on National Issues. These are the companies which set the agenda for the Business Council on National Issues. It is no wonder then, that the Business Council on National Issues supports this so-called free trade agreement with the United States, which is a code word for this economic union.

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TRADE

CANADA-UNITED STATES TRADE AGREEMENT—POSSIBLE INCLUSION OF AUSTRALASIAN COUNTRIES

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, without a doubt the free trade agreement between Canada and the United States will result in increased prosperity for both nations. Canada will thereby avoid being isolated from the world's trading blocs.

However, let us spare a thought for Australia and New Zealand, countries economically and culturally similar to our own. They could very well face isolation. Once free trade between Canada and the U.S. begins to prove its worth, maybe we could invite the Australasian countries to join also. This would be both to their and our mutual advantage.

I commend this idea for further study by the four Governments involved.

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GENERAL AGREEMENT ON TRADE AND TARIFFS

DUMPING OF SUBSIDIZED BEEF ON CANADIAN MARKET

Mr. Gordon Taylor (Bow River): Mr. Speaker, the GATT administration has called the countervailing duties, which Canadian cattlemen won the right to impose last year, after the EEC had dumped more than 50 million pounds of subsidized beef on our market, a violation of existing trade rules.

• (1405)

Canadian cattlemen have been hit below the belt again. The EC argued that beef and cattle were not the same thing, and that the application should have been made by the packing plants and not the cattlemen, a pretty weak technical point, but the administration accepted it and ruled against Canada. Unless another international trade committee in Geneva later this month overturns this decision, Canada could see millions of tonnes of European subsidized beef again pouring into our country. There is still hope, as GATT reports must be approved by both sides and the EC has in the past refused to agree to some panel GATT rulings.

This ruling is most damaging to our cattle industry and Canada cannot afford to let it stand. Canada should say no, no, no, a thousand times no. It is indeed an excellent opportunity to let the world know that we vehemently oppose the heavy subsidization of agriculture carried out by the European Economic Community.

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EXTERNAL AFFAIRS

NICARAGUA—CRITICISM OF UNITED STATES FUNDING OF CONTRA FORCES

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, the visit of the Nicaraguan Vice-President is an occasion for all of us to reflect on the obvious sincerity of the collective will for peace which now exists in Central America and which led to the Arias Peace Plan.

The Nicaraguan Government, for its part, has shown good faith through the reopening of *La Prensa* and Radio Catolica, through unilateral ceasefires in some parts of the country, and through amnesty initiatives. Some of these were either not strictly required by the peace plan or were accomplished earlier than required.

It is now time for the Reagan administration to realize that it must act for peace and drop the idea of continued funding for the Contras. If President Reagan fails to do so and decides that his will is to prevail over the collective will of Central America's political leadership, then all the world will know, as many have long suspected, that it is not freedom the Contras fight for but the stubborn and dangerous reluctance of the United States to permit people it has long dominated finally to determine their own future.

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POLITICAL PARTIES

ENERGY—POLICY OF NEW DEMOCRATIC PARTY

Mr. William G. Lesick (Edmonton East): Mr. Speaker, we must respect the New Democratic Party's standing in the polls, and their newly found sartorial splendor. However, let us consider just what kind of Canada awaits us should Canadians grant them the privilege of governing.

To quote from the NDP's 1980 energy policy paper it says: "With respect to (Alberta's) claim that since ownership resides in the provinces they ought to be able to derive maximum benefit from their sale, (the NDP believes) that in energy . . . there is a national interest which overrides a 'what the market

will bear' philosophy. There is little doubt that Alberta has already gained substantially from price increases".

If but that were true, Mr. Speaker, the fact is that Alberta lost $60 billion of revenue during those dark days of the Liberal-NDP National Energy Program, a lot of money that could have supported our economy during the lean years of the oil industry and helped to prevent bankruptcies.

Yesterday's newspapers featured a two-page letter signed by NDP Vice-President Bob White, which stated that one of the evils that has resulted from a so-called special relationship with the United States has been the dismantling of the National Energy Program. Some tragedy! That is the kind of bad luck that we Albertans could take any day of the week.

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TRADE

PRIME MINISTER'S MEETING WITH BUSINESS COUNCIL ON NATIONAL ISSUES

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I stand as a Member of Parliament who only two nights ago was denied entrance into a private meeting between the Prime Minister (Mr. Mulroney), the representatives of the BCNI and American people who will be running the Canadian economy.

The Prime Minister had a private briefing with some Chicago businessmen and CEO's from the BCNI. I want to say that there is not a single woman who is a representative CEO on the BCNI. Will we allow the Government to ram through a so-called free trade agreement which is nothing more than economic union, and deny Members of Parliament the opportunity to participate in the same kind of briefings that are given to businessmen from the United States? I think it is shameful.

I believe it is understandable that when the Government puts out its free trade document it has the Canadian flag in red, white, and blue because that is where we are heading as a country. The only way we will stop it is if we as a people mobilize on the streets of Canada to let the Government know that this deal will not be rammed through. The business interests will not take precedence over the working people. We will fight it right into the next election.

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ADMINISTRATION OF JUSTICE

TIGHTENING OF BAIL AND PAROLE SYSTEM URGED

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, the brutal murder of Wanda Lee Woodward of Medicine Hat has again focused attention on Canada's bail and corrections system. One suspect was on bail pending trial on a murder charge. The other was serving time for murder and escaped custody while enjoying a birthday visit to the West Edmonton Mall. This latest incident is but one of many which cause Canadians frustration and anger.

The only punishment available in this particular case will be to deny an already convicted murderer his birthday trip to the mall next year. That is not good enough. In fact it is an insult to the victim, her family and to all Canadians.

• (1410)

I am heartened to note that the Justice Committee is beginning hearings which Canadians have every right to expect will lead to a thorough overhaul of our bail, sentencing and parole provisions. Tightening up on bail and parole for violent offenders will be too late for Wanda Woodward and others. Hopefuly, reform will come in time to save other innocent lives.

* * *

TRADE

FREE TRADE—STATEMENTS ATTRIBUTED TO MINISTERS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I have some remarks about free trade made by leading Canadian citizens which I would like to read into the record. They are quoted in *Maclean's* magazine:

> Unrestrained free trade with the United States raises the possibility that thousands of jobs could be lost in such critical industries as textiles, furniture and footwear. Before we jump on the bandwagon of continentalism, we should strengthen our industrial structure so that we are more competitive.

I quote another:

> Its silly. Canada must improve relations and trade with the United States, of course. But our natural destiny is to become a global leader, not America's weak sister.

Agreeing with that, I have another quote:

> Bilateral free trade with the United States is simplistic and naive. It would only serve to further diminish our ability to compete internationally.

Who said those quotes? Our present Secretary of State for External Affairs (Mr. Clark) made the first statement. The Secretary of State (Mr. Crombie) made the second statement and the third statement was made by our present Minister of Finance (Mr. Wilson). Glory to them!

* * *

TRADE

POSITION OF NEW DEMOCRATIC PARTY LEADER

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, my constituents who depend on the sale of fish and forest products to the United States are astounded at the hyprocrisy of the New Democratic Party Leader (Mr.

Broadbent). The Hon. Member for Oshawa is against the removal of tariffs that are impinging on our freedom to sell fish and forest products into the United States. At the same time he supports the Auto Pact which gives his constituents in Oshawa secure access to the U.S. automobile markets. A double standard, Mr. Speaker?

The NDP Leader is also against foreign investment, so he says, but does he tell the thousands of people in his riding, who work for the big bad multinational General Motors, that he wants GM kicked out of Canada? You bet he does not. We are tired of the hyprocrisy of the New Democratic Party.

Nova Scotians are entitled to the benefits of freer trade with the United States. Those benefits are enjoyed by auto workers in Oshawa. If free trade is good enough for Oshawa, it should be good enough for Atlantic Canada. We need to trade our products, our fish, our pulp and paper, to keep our plants open, and we intend to trade them.

* * *

[*Translation*]

EMPLOYMENT

REQUEST FOR REINSTATEMENT OF WORKERS' RETRAINING PROGRAM

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, this Conservative Government is again attacking our senior citizens, especially those who are still working.

After having tried to de-index the Old Age Security pension, after having denied single, separated or divorced people the benefit of spouse allowances, after having cut unemployment insurance benefits paid to older workers, this Conservative Government has announced, through its Minister of Labour (Mr. Cadieux), that it had eliminated the so-called Workers' Retraining Program, which was actually a pre-retirement scheme. Since August of last year, the Government has cut this program which was available, within designated areas, to 85 per cent of the older workers employed in the textile and footwear industries, and 85 per cent of them were Quebecers.

Since August, the Government has negotiated with the provincial authorities a new but less generous program; the Minister responsible for Income Security has indicated in the National Assembly that he could not agree with what the federal Government had done, claiming that "it should have maintained the former program". Now, because the Government has eliminated this program, 400 working men and women in Canada are on welfare.

Mr. Speaker, I strongly urge all Conservative Members to stand up, defend older workers, and ask the Government to re-establish the WRP, a program which made pre-retirement possible for older workers.

S. O. 21

PHARMACEUTICAL PRODUCTS

BILL C-22—POSITION OF FEDERAL LIBERALS

Mr. Gabriel Fontaine (Lévis): This coming weekend, Mr. Speaker, the federal Liberals will be having an economic conference in Montreal. The Montreal community should ask those federal Liberals why, in their caucus meetings with their leader, they supported the Senate's position against the Patent Act; why they prevent Montreal from getting 1,300 new jobs; why they stop pharmaceutical companies involved in research and development from investing $700 million in Montreal; and why they oppose two unanimous decisions of the Quebec National Assembly which is in favour of the Patent Act?

Why do the Quebec federal Liberal Members, most of whom represent Montreal ridings, oppose what would be good for Montreal?

The Liberal Leader's Quebec deputy, a former Minister of Finance in a Quebec Government, will have to tell Montrealers why, as his Leader's Quebec deputy, he is unable to convince his federal colleagues and deliver to Ottawa the clear message from the Quebec National Assembly, the Quebec Government, and the Quebec Premier.

* * *

• (1415)

[*English*]

TRADE

FISHING INDUSTRY—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. George Henderson (Egmont): Mr. Speaker, the Canadian fishermen and the fishing industry have been neglected in the Prime Minister's (Mr. Mulroney) trade deal with President Reagan. Our fishing communities could be devastated by the omnibus Trade Bill now before the U.S. Congress.

As Hon. Members know, in the groundfish countervail case of March, 1986, the U.S. Department of Commerce ruled that seasonal UIC benefits for fishermen were not a subsidy. However, the proposed U.S. Trade Bill would drastically change these laws and, in future countervail actions, the UI Program could be defined as a subsidy.

There will be a line-up of American fishing lobbyists with countervail petitions. The consequences would be absolutely frightening.

Imagine if you will, Mr. Speaker, the impact of a 15 per cent duty on our fish exports. Why did the Government fail to get protection from this American legislation which could be passed before the free trade agreement even takes effect?

Oral Questions

POLITICAL PARTIES

NEW DEMOCRATIC PARTY'S POSITION ON CANADA-UNITED STATES TRADE AGREEMENT

Mr. William C. Winegard (Guelph): Mr. Speaker, it is interesting to hear the comments made by some of our colleagues in the New Democratic Party, comments as they refer to the free trade arrangement with the United States. They want to return to the good old days. They do not want foreign investment in Canada, they say. They want a return to FIRA. Yet, of course, they are quite happy to approve of $2 billion of foreign investment in the riding of Oshawa.

Here is what *The Globe and Mail* reported this morning:

> In few industries is foreign investment more critical than in autos—the turf of the Canadian Auto Workers Union. But Mr. Broadbent and CAW President Robert White (who is also a vice-president—

Some Hon. Members: Order!

Mr. Winegard: I am quoting, Mr. Speaker—

Mr. Keeper: Have some respect for the rules of the House.

Mr. Speaker: The Hon. Member perhaps could be more careful in the reference to a person. I know it is a quote and sometimes in those cases, if it is not creating a disturbance, the Chair might let it go. However, it was creating a disturbance.

Mr. Winegard: Mr. Speaker, with any luck the whole thing will create a disturbance.

> —of the NDP) stoutly oppose Canada's free trade arrangement with the United States.

Some Hon. Members: Hear, hear!

Mr. Winegard: How do they reconcile their bitter opposition to Ottawa's positive policy on foreign investment with their own dependence on the same fact, expressed by a highly emotional defence of the Auto Pact as is? Why is foreign investment so good for auto workers in Ontario especially, and so threatening for the rest of the country?

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EXPORTS OF U.S. SUBSIDIZED GRAIN

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, six times yesterday the Secretary of State for External Affairs said that American actions to harm Canadian farmers by stealing our traditional grain markets abroad do not violate the Government's trade agreement. Then he added twice that they may violate the spirit of the agreement, but that that was not the same thing at all.

I want to refer the Secretary of State for External Affairs to the final paragraph of the agreement signed between the two countries, which states:

> Accordingly, both Parties understand the need to exercise their discretion in the period prior to entry into force so as not to jeopardize the approval process or undermine the spirit and mutual benefits of the Free Trade Agreement.

That is an absolute categorical contradiction of what the Secretary of State for External Affairs told the House yesterday. The official document states in its final paragraph that any breach of the spirit of the agreement pending the final signature is a breach of the agreement itself.

Why did the Minister mislead the House of Commons? Why did he not admit that the Americans have broken this agreement signed between his Government and the Government of the United States?

Some Hon. Members: Hear, hear!

• (1420)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I did not mislead the House of Commons. I welcome the late blooming interest of the Leader of the Opposition in the situation of Canadian farmers.

He would know—he might be able to find a farmer in his caucus or, if he cannot, he might be able to find a farmer somewhere in the country who supports him—that the Export Enhancement Program has been threatening Canadian agriculture for some time. We are fighting it.

As a matter of fact there has been no new action taken. The story which was widely quoted yesterday in the House was somewhat misleading. There has been no new action taken under the Export Enhancement Program of the United States.

Nonetheless, I intend to make use of the record of debate in yesterday's *Hansard* in my conversations on Saturday with Secretary Shultz to indicate to him how much we oppose—

An Hon. Member: We?

Mr. Clark (Yellowhead): —we, Canada, oppose the application of the Export Enhancement Program and how much we expect that the United States will not seek to use this kind of measure to seek traditional Canadian markets.

Mr. Turner (Vancouver Quadra): When the Minister is speaking with the Secretary of State of the United States, he should use the questions in yesterday's debate and not his answers.

[*Translation*]

POSSIBILITY FOR UNITED STATES TO BYPASS AGREEMENT—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have the impression that no member of this Government read the agreement with the United States before it was signed or has read it since.

I shall therefore address my question to the Deputy Prime Minister. Will he now admit that the United States has violated not only the spirit of the agreement, but also its letter by threatening unfairly Canadian grain sales in other countries, and will he now tell us what is the use of having such an agreement if the United States can break it whenever they like without being penalized?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I have just replied to this question in English, but in the bilingual spirit of our country, I am willing to reply also in French since the question has just been repeated by the Right Hon. Leader of the Opposition.

There has been no violation of the agreement, but I believe that it is very important, if we want to protect the interests of Canadian farmers, that we express our concern to the American officials about the constant use of a program which has long threatened our markets.

[*English*]

In so far as his suggestion is concerned that I quote both the questions and the answers in the House, he would be surprised to know how many times we have quoted his statements in the House of Commons to Americans and others around the world, causing disquiet as to the alternatives which exist in this country.

Mr. Turner (Vancouver Quadra): Mr. Speaker, the Secretary of State should recognize that his slick answers do not carry in the House and that they look even worse when we read them the next morning in *Hansard*.

EXTENT OF OBLIGATIONS—REQUEST THAT AGREEMENT BE SCRAPPED

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the paragraph which I cited has as its heading "Standstill". In other words, there is to be a standstill agreement between the United States and Canada during the further drafting and further negotiation of the definition of "subsidy" so as not to prejudice the spirit or intent of the agreement.

Some standstill agreement! The Government stands still why the Americans steal our markets.

We asked for a standstill agreement during the negotiation of this agreement. That was supported by the then Premier of British Columbia. We had lumber and potash taken away from us. The Americans took advantage of us despite the negotiations and throughout the negotiations. Even after the standstill we are having markets taken from us.

I want to refer the Minister to the paragraph in the agreement entitled "Extent of Obligations". It reads:

> The Parties to this Agreement shall ensure that all necessary measures are taken in order to give effect to its provisions, including their observance,—

It has not taken the United States long to prove how much that paragraph really means. I want to ask the Secretary of State for External Affairs and his colleague, the Deputy Prime Minister, if the United States takes these two paragraphs as seriously as it appears to be taking them, namely, not at all, why doesn't the Minister scrap the agreement because the United States is not living up to the spirit of it?

• (1425)

Mr. Gustafson: We have a Government that says it will sell our grain.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the premise of the question of the Right Hon. Leader of the Opposition is that Canada's markets have been lost. As I have indicated to him already in this House, that is false. His premise is false and his question is consequently irrelevant.

MINISTER'S POSITION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Right Hon. Secretary of State for External Affairs and it is supplementary to the answer that he has just given. If the Minister is telling us now that this whole activity on the part of the Americans is not in breach of the spirit of the agreement or the agreement—and we believe it is in both cases—how can he reconcile that with his own statement of yesterday when he said:

> I don't think it's consistent with the spirit of the understandings entered into and I'll make that point to him.

Is it unfair to quote him using his own words? Can the Minister tell us which version is correct, today's or yesterday's version?

Right Hon. Joe Clark (Secretary of State for External Affairs): Both, Mr. Speaker, and they are consistent.

QUERY CONCERNING CANADA-UNITED STATES CONSULTATIONS

Mr. Don Boudria (Glengarry—Prescott—Russell): I have a supplementary question for the Right Hon. Secretary of State for External Affairs. In today's latest propaganda piece that we got in our office entitled "Canada-U.S. Free Trade Agreement Overview" it says:

> The two Governments have, therefore, agreed to consult more closely with each other; to take account of each other's export interests when using export subsidies on sales to third markets—

Can the Secretary of State for External Affairs tell us whether he was consulted pursuant to this paragraph in his own document that he sent to us today? If he has not been consulted, is that a breach of the agreement, or will he change his mind about that tomorrow?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, for the third time there have been no new sales. There is no new American program. There is, nonetheless an outstanding American program, the Export Enhancement Program, known to many of us, which we have

been fighting and which creates a potential threat to the traditional markets of Canadian grain farmers.

As a matter of fact because of the excellence of Canadian grain farmers and the effectiveness of the Canadian Wheat Board we have not lost any of those markets. Indeed, we have increased our proportion and our share. Nonetheless, that threat is there. We have opposed it before. We will continue to oppose it. As I said in response to his Leader earlier today, I intend to make use of the lively debate that a misunderstanding of the American position, as reported in the newspapers, caused in this House to help make the point that all Canadians, I believe, want to be made when I meet the Secretary of State. I will be trying to have Canadian farmers removed from the threat of the Export Enhancement Program which has been in place for the last couple of years.

UNITED STATES EXPORT ENHANCEMENT PROGRAM

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question which won't surprise the Minister on the same subject. He has just told the House that the Americans have not obtained new sales. Of course, what he did not say is that they have been spending $1.5 billion in the last couple of years for the existing program. They are using that program to go after new sales that are Canadian sales now, and it is that to which the Canadian farmer objected last year and objects to now. That is the point.

The Minister said that the current program in the United States, the Export Enhancement Program, is not in violation of the agreement. Given what the agreement says on page 35 in the last clause, will the Minister please just tell us in straightforward language why it does not violate the agreement?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I do not know where the Leader of the New Democratic Party has been, but the Export Enhancement Program has been in place for the last couple of years. It is still in place and we have been fighting it.

EFFECT OF PROGRAM ON AGREEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I really find it consoling that the Minister has told the self-evident truth. We know that. We know that the Prime Minister made a commitment in the context of the free trade talks to get rid of those programs. Some Canadians, including Canadian farmers, thought the agreement signed by the Government got rid of those programs.

Again, is the Minister telling Canadian farmers that the existing Export Enhancement Program, already having committed $1.5 billion in the past year with substantial increases coming, is fully consistent with the agreement? The Americans, with this agreement, will be able to continue to go after Canadian markets to the detriment of Canadian farmers. Is that what he is saying?

• (1430)

Right Hon. Joe Clark (Secretary of State for External Affairs): In a word, no, Mr. Speaker, that is not what I am saying. I am saying that the Export Enhancement Program has been in place for some time. It has been a threat to Canadian farmers. We have been protesting the application of that program. The threat has not in fact reduced the proportion of world markets available to Canadian farmers because of the effectiveness of our marketing agencies and the Canadian Wheat Board as well as the excellence of Canadian agriculture. Nonetheless, this is a measure we want to have removed. We have tried to get it removed before, and the fact that there is now a trade agreement initialled between Canada and the United States will not cause us to stop our efforts to try to get this Export Enhancement Program removed.

As I understand the position of the New Democratic Party, they are saying that because an old subsidy program of the United States continues to threaten our farmers, we should abandon the new trade agreement. That would be as sensible as saying that because we are still being threatened by the agricultural subsidies of France, Britain and Germany, we should get out of GATT.

UNITED STATES FARM SUBSIDIES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, it has been a long time since I have heard such a phoney argument. We have just heard from the Minister, not from this side of the House, that this wonderful new agreement he has signed will not protect Canadian agriculture one bit. That is what the Minister has admitted.

Instead of this hocus-pocus that he is trying to pass on to the people of Canada and to farmers in particular, will the Minister kindly get to his feet and say to the people of Canada that this agreement will not stop the American Government from massively subsidizing its farmers who are in direct competition with Canadian farmers? Is he prepared to admit that, and if he is, why did he ever agree to such an absurd agreement?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, let me if I can in very simple terms explain to the Leader of the New Democratic Party what in fact we are talking about. We are talking about what was formerly known when it was first introduced as the BICEP, the Bonus Incentive Commodity Export Program. That program came in in June of 1985. Subsequently, its name was changed to the Export Enhancement Program in December of 1985. That program has been in effect for a little over two years.

The Hon. Member talks about taking away Canadian markets. In the first year of the program's operation, Canada sold over five million tonnes to the Soviet Union. The United States sold 153,000. The same year in China—

Mr. Broadbent: Because we had to force our price down. What about the prices?

Mr. Mayer: I am trying to give the Hon. Member a substantive answer. In the first year of its operation, Canada sold over 2.5 million tonnes to China. The United States sold about .5 million tonnes. We sold five times as much.

This Government has been very supportive of the Canadian Wheat Board. That is why we ran a $200 million deficit in the pool accounts. It was to support the Canadian Wheat Board in its efforts to sell grain on behalf of Canadian farmers. We have been very successful in maintaining our markets, and in fact in increasing our markets in spite of the Export Enhancement Program.

* * *

[*Translation*]

FINANCE

DEMANDS OF SEPT-ÎLES CITIZENS CONCERNING EXEMPTION FOR INVESTMENT CREDIT—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is for the Minister of Finance. He will know that, in 1984, the electoral slogan of his Prime Minister in Manicouagan was: "Hope has a name: Brian Mulroney." We also know that there now is a new slogan in Sept-Îles: "Despair has a name: Brian Mulroney." My question to the Minister of Finance is this: After three years of hearing the representation of the social, economic and political interests in Sept-Îles to obtain an exemption for the investment tax credit, can the Minister of Finance now tell us whether he will be able to give an answer to the people of Sept-Îles before they take to the streets on October 31?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Government has been reviewing the economic situation and outlook in the North Shore and that has been a matter of ongoing concern of my Department as well as of the Department of my colleague, the Minister of Industry, Science and Technology. We are looking at options here, and when it is appropriate to make an announcement, one will be made.

[*Translation*]

REQUEST FOR GOVERNMENT ACTION

Hon. Jean Lapierre (Shefford): I have a supplementary for the Minister of Finance, Mr. Speaker. Three years ago he gave the same answer to the people of Sept-Îles. They want more than just concern, they want action. What I want to ask the Minister is this: Doesn't he think that after three years of studies and reviews and promises by the Minister's predecessor at Regional Industrial Expansion, of promises by the Prime Minister's office and promises by just about everybody, that it is time to do something? Is it going to be another case of waiting until people feel they have to demonstrate and take to the streets to make you see reason?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I can inform the Hon. Member it was one of the first municipalities I visited after taking over my present duties.

Mr. Malépart: Stop those visits and do something!

Mr. de Cotret: Mr. Speaker, I have met with local authorities—

Mr. Malépart: It is exactly the same in Montreal East!

Mr. de Cotret: Do you want to hear the answer or keep on shouting? Mr. Speaker, my Department, as it promised the Setp-Îles business community and community groups, is preparing a plan for the development of the North Shore, including Sept-Îles. And as my colleague, the Minister of Finance, just said, the investment tax credit is being discussed as part of this plan which sould be released very shortly.

* * *

[*English*]

TRADE

UNITED STATES EXPORT ENHANCEMENT PROGRAM

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is for the Secretary of State for External Affairs. A few minutes ago in the House the Minister said that for the last two years the Canadian Government has been protesting the U.S. Export Enhancement Program. That program spent some $1.5 billion subsidizing American exports in the last two years. Despite that protest, the Americans, starting next month, will be spending $2.5 billion, more than tripling the budget, to subsidize their exports in the next year. Is that how effective this Government's protests are? Is the Government telling us that, within the free trade agreement, the United States can spend some $2.5 billion to subsidize exports to many of these countries that are traditional Canadian customers?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, we have been saying consistently, and if the Hon. Member wants to be fair, he will know, that the Export Enhancement Program is not a new program. To say it again, it is one that has not worked in terms of increasing over-all sales. It has driven down prices and we have been very explicit in saying that we think it is a counterproductive program in terms of helping world grain prices. We not only have protested that at every level possible, we have also taken the protest to a wider context which includes the Europeans.

Again, if the Hon. Member wants to be fair about it and put it into context, he will know that the Europeans are guiltier than the Americans of subsidizing exports. We have taken that action on behalf of Canadian farmers and just recently tabled our proposal for improving those kinds of situations at the GATT.

GOVERNMENT POSITION

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, the more they protest the program, the more money the Americans put into it. The Minister of State for External Affairs said there was a misunderstanding about the American initiatives. Since July 30 the Americans have started some new programs in places like Colombia, Brazil, Iraq, the Philippines, Bangladesh, China and Sri Lanka, to subsidize the export of grain. Many of these countries are traditional Canadian markets. How can the Government sign an agreement when under its very nose, at that very time, the Americans were taking new initiatives in many countries that are very important to Canada? Is there no shame whatsoever in this Government? How can there be this massive sell-out to Ronald Reagan? Why doesn't the Minister stand up for Canada for a change?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, quite simply, the Hon. Member is a total phoney. He comes from a farming community. He is not a farmer himself, but he represents farmers or at least he purports to represent them. He will know, if he talks to them once in a while, that the producers he represents exported a record amount of wheat last year. He will also know, if he talks to them, that we are further ahead in moving grain out of his constituency this year than we were last year. Surely he should give us some credit because in a very difficult time we have not backed away from the market.

• (1440)

We said we are in the market to stay. We have matched the Americans in sales and beat them in quality and in our reliability as a supplier. That is why we have increased sales to our customers around the world.

Some Hon. Members: Hear, hear!

[*Translation*]

SOCIAL PROGRAMS—UNEMPLOYMENT INSURANCE BENEFITS FOR FISHERMEN

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, my question is directed to the Minister of Finance. Yesterday, when answering a question by the Hon. Member for Egmont, the Minister said that social programs such as unemployment insurance had not been included in the free trade talks. An omnibus bill now before the U.S. Congress may change the definition of a subsidy so that unemployment insurance would be considered a subsidy to the fisheries industry. Why didn't the Minister take advantage of the free trade talks to protect the fisheries from this new U.S. legislation that may brand unemployment insurance as a subsidy to the industry? Where is that protection? Fishermen are very concerned, and the answer the Minister gave yesterday was certainly not reassuring.

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me again make it quite clear that social programs are not—repeat, not—a part of the agreement tabled in the House October 5. That is very clear.

As to the omnibus Trade Bill, let me also be clear that this Government has been fighting various parts of that Bill. It has not been passed and there is a very real question about whether it will be. I repeat what I said to his colleague the other day. What he has been saying about the results of that Bill is speculative. I think he should accept that position.

[*Translation*]

GOVERNMENT POSITION

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, I have a supplementary. The Minister now admits there is no exemption. I wonder why the Minister is trying to spread a false sense of security throughout the fisheries industry, and especially among fishermen. Why did the Minister leave our Unemployment Insurance Program open to attack by the new U.S. bill? Is the Government trying to do what it failed to achieve with the Forget Commission?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me again make it very clear. Unemployment insurance and social programs are not a part of the free trade agreement. Period. Full stop.

WHEAT EXPORTS—SELLING PRICE

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, my question is directed to the Minister responsible for the Wheat Board. Last March during the free trade debate the Prime Minister said his Government's goal was straightforward. He said it was to help Canadian farmers by increasing the predictability and security of access for exports by the farm sector.

Why is the Government signing a deal which leaves the Canadian farmer at the mercy of the U.S. Treasury? If you give away our wheat, we are bound to keep our markets. I want an answer which takes into consideration the price to and income of farmers, not the volume.

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, the Hon. Member is a good farmer and knows there are more exporters of wheat than just Canada and the United States. He will know Canada has about 20 per cent of the world market for wheat and the U.S. about 40 per cent. If you do the simple arithmetic that means 40 per cent of the market is accounted for by others.

The Hon. Member's Leader laughs. Maybe he is not aware of some of these points. I am trying to explain it to him as simply as I can.

Mr. Jelinek: He understands only subsidies to General Motors in Oshawa.

Mr. Crosbie: The General Motors ombudsman.

Mr. Broadbent: Keep it up, Charlie. It is very good.

Mr. Mayer: Let me make this point. Canadian farmers are very appreciative of the fact that for a change we have a Prime Minister who is interested in agriculture and is willing to take their problems to the highest councils in the world.

Some Hon. Members: Hear, hear!

PROTECTION OF FARMERS' INCOME

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, despite the considerable amount of gobbledegook in that answer, nothing in the agreement secures any market for Canadian farmers, particularly our traditional markets. Why was the farmers' income not protected in this agreement?

Hon. Charles Mayer (Minister of State (Grains and Oilseeds)): Mr. Speaker, let me say again that the Export Enhancement Program is not new. It has not come into effect just since the beginning of October. Despite all the figures the NDP quotes, I am not so sure they are accurate with respect to the amount of money being spent.

The Hon. Member talks about gobbledegook. This Government is committed to spending many billions of dollars on agriculture, an increase of over 350 per cent in the first three years of this Government. I think Canadian farmers will greatly resent the fact that the Hon. Member refers to that kind of support as gobbledegook.

* * *

COLUMBIA RIVER TREATY

CANADA-UNITED STATES TRADE AGREEMENT—POSSIBLE CONSEQUENCE

Mr. Bob Brisco (Kootenay West): Mr. Speaker, my question is directed to the Right Hon. Secretary of State for External Affairs. He will recall that I had a brief conversation with him immediately after the announcement of the free trade agreement. A 1964 protocol clarified certain terms of the Columbia River Treaty, one of which was that Canada would sell into the U.S. its entitlement to downstream benefits for a period of 30 years. Since those benefits will be up for renegotiation in about seven years, and since my constituency contains within its present and future boundaries the bulk of the Columbia River Treaty territory, will the Minister inform my constituents and the House what impact, if any, the energy sector of the free trade agreement will have on the Columbia River Treaty and Kootenay West?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the trade agreement initialled with the United States will have absolutely no impact upon the Columbia River Treaty—

Mr. Fulton: They will be sold down the river.

Mr. Clark (Yellowhead): —or upon any subsequent negotiations. Those are the facts. They may not be part of the briefing that the NDP received from Bob White and Shirley Carr but those are the facts.

The consequence that may occur is that this agreement may help B.C. Hydro gain access to transmission lines of the Bonneville Power Authority which are now denied it. This would increase access by B.C. Hydro to U.S. markets.

* * *

[*Translation*]

TRADE

INQUIRY WHY GOVERNMENT DID NOT SUCCEED IN PROTECTING EMPLOYEES' JOBS IN CLOTHING, FOOTWEAR, AND TEXTILE INDUSTRIES

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Finance, the defender of Canada's financial community, and it concerns the Free Trade Agreement he negociated with the Americans. I am pleased to see that on page 15 of the Agreement, the Government managed to protect jobs in the beer industry and in bottling plants in Quebec, whose products are sold in our grocery stores.

However, I met representatives of Canada's 150,000 workers in the textile, footwear and clothing industry, and they would like to know why you let those jobs go. Why couldn't you protect between 130,000 and 150,000 workers in the textile, footwear and clothing industry, the same way you did workers in the beer industry?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, if the Hon. Member had talked to a broad range of people in that industry he would find there are a number of people who see great opportunities for the clothing and textile industry in the U.S. market. They, as do others in a wide range of industries across the country, see this as a market growing from 25 million people to 260 million people. There will be great opportunities for expanding the business base and therefore expanding employment and job opportunities here in Canada.

[*Translation*]

INQUIRY WHY TEXTILE EMPLOYEES ARE NOT PROTECTED

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, the answer given by the Minister of Finance does not surprise me, because we don't move in the same circles. His friends are the bosses in our major industries. In the textile industry, only one company out of 5,000 will make more money. The 4,999 others will have to close down. These workers who will lose their jobs want to know why you did not protect them instead of just protecting the rich and the more fortunate. Why didn't you protect all workers in the textile industry under this Agreement?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I could answer the Hon. Member's question directly. There are many small businesses in my riding, and among the many businesses that congratulated us on the Free Trade Agreement, two textile companies employing less than 100 employees told us quite frankly that the Agreement meant their survival, not just during the next few years but during the next 10, 20 or 30 years, and a chance to expand their markets internationally.

• (1450)

[*English*]

UNITED STATES EXPORT ENHANCEMENT PROGRAM

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. On page 14 the agreement says that each party has agreed to take into account the export interests of the other party. Page 35 talks about the stand-still arrangement saying that each party will not undermine the spirit of this agreement.

If that is the case, how is it possible that the Americans can spend $2.5 billion on the Export Enhancement Program in the upcoming year when they have spent only $1.5 billion over the last two years? Does that not break not only the spirit but the letter of this agreement?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, for the sixth or seventh time today, there has been no new program introduced by the United States. The Export Enhancement Program has been around for some time. The Member of Parliament for Yorkton—Melville is now suggesting that it has been expanded. Figures have already been mentioned on the floor of the House of Commons showing how ineffective that program has been in the past.

With regard to traditional Canadian markets we believe that that program, like a number of other subsidies practised by the United States, Europe, and other countries, is detrimental to fair trade in agriculture. That is why we played such a major role in the Cairns Group. That is why we played such a major role in negotiations under the GATT on agriculture. That is why I will be raising the question of the Export Enhancement Program with Secretary Shultz again on Saturday, as we have done before. We intend to continue to keep up that pressure.

I am afraid that the New Democrats will have to go back to their script-writers in the Canadian Labour Congress for another farm issue because this one will not wash.

Mr. Murphy: Mr. Speaker, as a Member of Parliament from western Canada I can say that no one believes that gobbledegook any more. This question was not written in Oshawa or Windsor. It was written in western Canada.

EFFECT OF UNITED STATES PROGRAM ON CANADIAN FARMERS

Mr. Rod Murphy (Churchill): Mr. Speaker, will the Minister explain how he can say that the American Export Enhancement Program has been ineffective when, year after year, it has driven down the price of our exports? It has hurt our farmers and farm families. What does this agreement mean when the lives of Canadian farmers are being destroyed?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it has been abundantly clear since this debate began that, while the voice may come from Churchill, Manitoba, the directions are coming from the Canadian Labour Congress wherever New Democratic Party policy is concerned.

Some Hon. Members: Oh, oh!

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HOUSE OF COMMONS

PRESENCE IN GALLERY OF RECIPIENTS OF PERSONS AWARD

Mr. Speaker: I wish to draw to Members' attention the presence in our Gallery of the recipients of this year's Persons Award. They are Margaret Catherine Harris, Jacqueline Laprise-Demers, Frances Laracy, Kay Macpherson and Norma E. Walmsley.

Some Hon. Members: Hear, hear!

* * *

TRADE

FISHING INDUSTRY—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, my question is for the Acting Minister of Fisheries and Oceans. Can the Minister outline to the House the tariffs that are now restricting the export of Canadian fish products to the United States and how the recently signed trade agreement with the United States will impact on our fishing industry?

Hon. John C. Crosbie (Acting Minister of Fisheries and Oceans): Mr. Speaker, 70 per cent of Atlantic Canada's exports of fish go to the U.S. At the present time they are subject to a tariff of up to 15 per cent depending upon how much value-added there is. Over the next five years those tariffs will be removed under the free trade agreement which will help the 55,000 fishermen in Canada whose jobs depend on processing and catching the fish that is exported to the United States. This will give Canada a competitive edge over Norway, Denmark, and our other competition.

Gordon Cummings of National Sea Products and Victor Young of Fishery Products International have hailed the agreement. It is a great step forward and will lead to great growth in the manufacturing of value-added products here in Canada. Those who have faith and confidence in Canada greet the free trade agreement with a great deal of excitement and hope for the future.

Some Hon. Members: Hear, hear!

* * *

PHARMACEUTICAL INDUSTRY

BILL C-22—SENATE COMMITTEE'S REPORT

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is for the Minister of Consumer and Corporate Affairs. The Senate Committee examining Bill C-22 has reluctantly accepted the principle of the Government's Bill C-22. However, it has have asked that included in the legislation be a mere confirmation of the Minister's statements made across the country with regard to job guarantees, expenditures on research and development, and consumer protection.

Why does the Minister refuse to include in the legislation those guarantees which he preaches across the country? Why is he afraid of including that in the legislation?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the legislation which was passed by this House twice is a compromise, a balance between conflicting interests, which will ensure greatly enhanced research and development and health research while protecting the consumers.

Ms. Copps: Put it in the legislation.

Mr. Andre: The amendments proposed by a committee of the Senate which are not yet adopted by the Senate do not improve the Bill in my view, and in that of the House, after much debate here and discussion in committee.

The question becomes—

Ms. Copps: Job guarantees.

Mr. Andre: —whether in fact it is the judgment of the non-elected Liberal Senators down the hall or, as the Member's Leader pointed out, in the final analysis a situation in which the will of the House of Commons must prevail. That is the question.

MINISTER'S POSITION

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I will direct my supplementary question to the same Minister. It is very clear that the will of the Government is to accept the word of the multinational corporations bypassing the word of provincial Governments, consumers, and senior citizens.

If the Minister believes in the truthfulness of the statements he made across the country, why is he now afraid to place his word in legislation? What is he afraid of? Why does he not put up or shut up?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, if the Hon. Member had kept his ears open and his mouth shut while this was being debated in committee he would know the answer to those questions.

Built into the legislation are safety valves, if you will, of review by Government and review by Parliament at appropriate times which will allow—

Ms. Copps: Put it in the law.

Mr. Andre: It is in the law. If the Hon. Member for Hamilton East would keep her ears open and mouth shut, she might learn something.

Some Hon. Members: Oh, oh!

Mr. Speaker: Order. The Hon. Member for Kamloops—Shuswap.

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TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON AGRICULTURE

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also directed to the Secretary of State for External Affairs and is about a very serious matter which is being discussed today. It is really a matter of trust and I would appreciate a frank response to the question I am about to ask the Hon. Minister.

We are concerned about the possible serious losses to farm families in western Canada caused by the prices which farmers are able to get on the foreign markets for their grain. Does the Minister concur with an expert who recently said:

> Bilateral free trade with the United States is simplistic and naive.

Does he agree with that?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, that would depend upon what the rest of the sentence says, who uttered it, when it was said, and whether this is a Kamloops translation of some other statement.

It is certainly the view of the Government that bilateral negotiations alone are not enough. That is why the Government has been proceeding very vigorously, not only in negotiations with our largest trading partner which has protectionist forces which pose a real and immediate threat to Canada now, but also in the GATT and in direct conversations with countries which are not now members of the GATT but can have some effect upon international trading patterns.

• (1500)

We are working to improve multilateral trade and trading situations on all fronts. We intend to continue to do that.

Mr. Riis: The quote that bilateral free trade with the United States is simplistic and naive was a quote in *Maclean's* magazine of June 13, 1983, by the present Minister of Finance.

Some Hon. Members: Oh, oh!

Mr. Riis: If the Government had listened to that advice it would not be in this mess in western Canada right now on this particular deal.

EFFECT ON JOBS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, perhaps it would be more appropriate to quote the Secretary of State from the same article in which he states:

> —free trade with the United States raises the possibility that thousands of jobs could be lost—

Was he referring to the jobs and the farms of western Canada?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, since we are in the business of trading quotes, let me quote from the New Democratic Party policy which I believe was renewed this year. It states:

> Expansion of our trade with any and all countries willing to trade on a fair and equitable basis will benefit both ourselves and them.

Some Hon. Members: Hear, hear!

Mr. Nystrom: More, more.

Mr. Clark (Yellowhead): It goes on to state:

> Careful planning is needed to adjust our production to the trade requirements of a fully employed economy. Tariffs are outmoded patchwork attempts to protect domestic industry; they restrict trade while giving less and less protection to the home industry.

Mr. Broadbent: Thanks, Joe. More.

Mr. Speaker: This will be the last question. The Hon. Member for Windsor West.

SALE OF SUBSIDIZED U.S. WHEAT TO SOVIET UNION

Hon. Herb Gray (Windsor West): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. I understood him to say that no new subsidized export sales of wheat had been carried out by the United States since the U.S.-Canada trade agreement had been announced.

Is it not true that on October 15, 1987, the United States announced a subsidized export sale of wheat to the Soviet Union? Will the Secretary of State explain this contradiction, or does it not show that he does not know what he is talking about?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, as I have been saying all day, whatever actions the United States has been carrying out, they have been carried out under the Export Enhancement Program. That is a program that we believe is unhelpful to the achievement of fair trade in agriculture. We have been opposing it. We will continue to oppose it. However, it is a program that existed before the free trade arrangement was in place between Canada and the United States. Surely that simple fact is understandable to the House Leader of the Liberal Party.

May I ask him, if he believes that the existence of the Export Enhancement Program is reason enough for us to throw out the free trade agreement, does he also believe that the existence of subsidies by the European Community is reason for us to get out of the GATT?

Mr. Gray (Windsor West): Mr. Speaker, I want to remind the Secretary of State that for the time being he is still the Government and he should be able to answer the questions. He did not answer my question.

MINISTER'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, let me give the Secretary of State for External Affairs one more chance. Why did he say earlier in the Question Period that since the signing of the U.S.-Canada trade agreement there have been no new subsidized sales of wheat by the United States when the fact is that such a sale to the Soviet Union had been announced on October 15? Does it not prove, first, that he does not know what he is talking about and, second, that he and his Government made a very poor deal with the United States that harms not only Canadian farmers but all Canadians?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I have no doubt about why the Hon. Member is in opposition and why we are in government. We are in government because we are prepared to take bold decisions such as the free trade decision which will serve the interests of Canadians far into the future, while the Liberal Party is not only mired in the past, but is involved in deep

tearing disputes about what part of the past it wants to embrace.

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PRIVILEGE

STATEMENT BY PRIME MINISTER

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question of privilege arises from a statement made by the Prime Minister (Mr. Mulroney) as reported at page 10184 of *Hansard*. He made a commitment to me that he would pass along a copy or transcript of a speech that he was about to give to a select group of businessmen. That promise was made in the House during Question Period.

Subsequent attempts to receive such a transcript from the Prime Minister's Office have not been successful. We have been informed by the Prime Minister's Office that no transcript will be forthcoming and no copy of the actual speech will be forthcoming.

I suggest that my privileges as a Member of Parliament have been breached because the House cannot function if the Prime Minister is permitted to mislead the House and Members during Question Period. If you find that there is a prima facie case of breach of privilege by the Prime Minister in his refusal to provide me with a transcript of his private meeting with these businessmen from Canada and the United States, I would be prepared to move the appropriate motion.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I doubt very much whether that is a question of privilege. However, I will look into that matter and get back to the Member.

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BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to ask the Deputy Government House Leader to give us the customary statement about the business which the Government intends to call for the coming week.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, we will continue to debate the Meech Lake Accord resolution today. It is my understanding that the debate will possibly continue into tomorrow. There is an expectation that it will end tomorrow and the back-up legislation for Friday will be Bill C-53.

It is our understanding that the vote on the Meech Lake Accord will be at 6 p.m. on Monday. I would also advise the House that Monday will be an allotted day.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed consideration of the motion of Mr. Hnatyshyn on the *Constitution Amendment, 1987* (p. 9422)

And the amendments of Mr. Turner (Vancouver Quadra) (p. 9585), Mr. Broadbent (p. 9586), Mr. Caccia (p. 9644), and Mr. Allmand (p. 9644).

Mr. Speaker: When the House rose at one o'clock, there were five minutes remaining in the question and comment period following the speech of the Hon. Member for Edmonton West (Mr. Dorin). The Hon. Member for Edmonton West is not here at the moment. Continuing debate.

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, it is a great privilege to be able to stand in the House of Commons and speak in this debate. In my view, this Meech Lake Accord is so flawed that in good conscience I cannot vote for it. As well, the process of agreement and approval of the Accord has been rushed and is incredibly undemocratic.

I am well aware that my Leader and my caucus have taken a different position, which I respect deeply.

On September 6, 1939, J.S. Woodsworth, the first Leader of the CCF, the forerunner of the NDP, rose in this House in dissent from his Party and had this to say:

> The position of the Co-operative Commonwealth Federation will be stated at the earliest possible opportunity by one of my colleagues. I say frankly, that with part of that policy I heartily agree, with some portions of it, I cannot agree. Yet I was never so proud to belong to the group with which I am associated.

Grace MacInnis, former Member for Vancouver—Kingsway, in her book about her father, J.S. Woodsworth, had this to say:

> Here was a man who recognized the right to make the decision for the group, yet who insisted on the right of the minority, even a minority of one, to express its own opinion.

So, in my dissent I am following a democratic tradition in my Party.

In my constituency, some 5,000 kilometres from Ottawa, there is a sizeable body of opinion, both within and beyond the New Democratic Party, and in the rest of British Columbia, and indeed Alberta and throughout Canada, which shares my views. I also believe that the Accord of Meech Lake goes well beyond the resolution of the New Democratic Party Convention of 1987 to which I am bound.

Let me begin by saying that I too believe it is important to get the signature of the Quebec Government on the Canadian Constitution. However, it is not sufficient a priority that nothing else matters. The real priority is a good and sound Constitution for Canada.

• (1510)

The Prime Minister (Mr. Mulroney), wanted a deal at any price, and he got one at a great price to the future of Canada. It was not a negotiation. It was in fact a power grab by the provinces. I want to analyse very briefly the result and then go on to some general matters.

First, the Senate of Canada within 14 years will become a provincially controlled body through the power given to the premiers to name the Senators. Either this will be an ineffective process, the new amendment, by the federal Government holding out until it gets its own person on the list, or it will be effective, in which case the premiers will come to love the patronage. It will then be impossible to reform the place or to abolish it.

Eugene Forsey, one of Canada's foremost constitutional experts, and a great Canadian, wrote to me and I want to quote from his letter:

> Also, the "temporary" arrangements for the Senate which can be changed only by unanimous consent of the provinces, is, in fact, all the Senate reform we are likely to get. It will give us a much stronger Senate than the present one, as it will have all the present Senate's legal powers, notably an absolute veto over all legislation, and it will have a political clout the present Senate does not possess. It may mean a shift of power from the House of Commons to the Senate. Is this what we want?

The Supreme Court of Canada, which is like a constitutional referee between the Ottawa Government and the provinces, becomes in effect appointed by one of the parties, the provinces. Remember, this is the court that will get new terms to interpret as a result of the Meech Lake Accord such as a "distinct society" as well as old matters such as the extent of the Charter of Rights and the full definition of native rights we put into the 1982 Constitution.

People in British Columbia are waiting to see what sort of names Premier Vander Zalm will put forward. Will they be of the same calibre of the late Chief Justice Bora Laskin or British Columbia's own present judge, Mr. Justice William McIntyre? I believe not. I cannot find a practising lawyer in Canada, not to mention the Canadian Bar Association itself, that likes this provision of the Constitution. This is not the participation in selection of the Supreme Court by the provinces of which the Bar Association spoke, nor what the New Democratic Party policy had in mind. This is the provinces in effect selecting the court.

The Meech Lake Accord constitutionally entrenches a First Ministers' conference, so again power is shifted away from Parliament, the provincial legislatures and the people, to a new super level of government; the 10 provincial barons and the board chairman, the Prime Minister.

Northern Canadians are discriminated against. They will not get a voice in the Supreme Court. They will not appoint Senators. They cannot form new provinces without unanimous permission; of whom? Of the other provinces. There is now a new amending formula requiring unanimous approval of all provinces for reform to federal institutions such as the House, Senate and Supreme Court. Surely this is too rigid.

Many Members in this debate have suggested we could get onto further reform after we hold our noses and pass the Meech Lake Accord. Do they really understand how rigid and permanent it is? All provinces will now indeed have a veto. Women's equality rights, so hard fought for in 1982, have been put in danger. "A distinct society", put in the interpretation as part of the Constitution, is not in the preamble, as we proposed in the NDP congress in Montreal. This could override the Charter of Rights.

Once again we have shut out the aboriginal peoples. Any move to native self-government in the Constitution will now require unanimity of those very provinces that resist the struggles of the native people, or interpretation by a provincially appointed court, the Supreme Court. Let us not lie to Canada's native people and tell them, as Clause 16 of the Meech Lake Accord does, that nothing here affects them. Five years of conferences for the natives, and no luck. Two days for the Premiers and they carve up Canada. Is it any wonder that Canada's original, aboriginal leaders feel a particular sense of betrayal? Jim Sinclair the Métis leader from Saskatchewan correctly predicted last March when he said, "You will look after your own".

Where is the constitutional recognition of the multicultural nature of Canada? Not in the Meech Lake Accord. Provincial power over immigration could result in a checkerboard of immigration policies across Canada and it is being put into the Constitution after little debate and less thought. In the end this could emerge as a sleeper, one of the most radical and controversial changes of them all.

The Accord says that any province can opt out of an amendment, transferring power from the provinces to Parliament and be compensated by Ottawa. I believe this could make such a future power shift in the national interests, for example, broadening the federal authority over financial institutions, less likely.

Of even greater concern is the new power of the provinces to opt out of future federal spending programs in areas of provincial jurisdiction with compensation. Many experts and commentators have said, as well as all the material in the committee, that such legislation as the Canada Health Act, which forced the provinces to stop extra billing by doctors, could not have passed if this Accord had been in effect at the time.

Michael Walker of the Fraser Institute of British Columbia, no friend of the working people, writes gloatingly:

> This sort of decentralization is apparently directly anticipated in the Accord and is meant to deal with the coming policy regarding child care.

The federal Government would say it wanted to start a national system of child care. Several provinces would say they intended to opt out. The federal Government would then negotiate with them to try to persuade them to stay in. Thus the provinces would get a big share in setting the national objectives of child care, or we could see a hodgepodge of provincial social programs. Either way, Parliament and the federal Government again lose power and the provinces and the courts gain. And who will determine the national objectives? Really, the courts. And who will effectively appoint the Supreme Court? The provinces.

Members should read carefully the brief of the National Association of Poverty Organizations published in April. I used to be a store-front lawyer and acted for this group. There is a group of poor people, and these poor people, especially in my Province of British Columbia, have looked to the federal Government for fairness and help in national social programs. They distrusted the provinces which often take the money and spend it on things other than helping poor people. The poor people know that. They know that instinctively.

Again, the federal Government, in my view, could lose the capacity to deal with effective social programs. This has been given to Canadians as a sort of divine edict, to use Senator Forsey's words, by 11 men who met for two days. Parliamentary hearings were held in Ottawa at the height of the summer, in August, and we are told the whole thing is so fragile, for some unexplained reason, the Government would accept no amendments.

The Prime Minister in his book *Where I Stand* said that there should be no sessions behind closed doors. He said that Canadians should see and judge those who have been elected to serve them and determine if in the interest of a more generous country they have really answered an urgent and irresistible call to grandeur. If it was true then, why was it not true last summer?

Surely constitutions, which are to last for a long time, should not be made in such haste. Madam Solange Chaput-Roland, in an eloquent plea to the Joint Parliamentary Committee said, "say yes to Quebec". In reality, of course, Quebec is already legally part of the 1982 Constitution and, or course, has been part of the Canadian Confederation since 1867. But I ask you, Madam Speaker, and I do not believe this has been raised in the debate, have the other provinces really said "yes" to Quebec? Or have they just grabbed at power over federal institutions and ran away with those powers?

The provinces received substantial increases in power without a corresponding commitment to uphold the real distinctiveness of Canada, which is a bilingual and bicultural country built on the foundation of the aboriginal people and lately complemented by a multicultural presence. That is Canada. People ask is it not wonderful that Mr. Vander Zalm and Mr. Getty and others have moved a long way from opposing French on corn flake boxes? They are now prepared to recognize Quebec as a distinct society. I say, Madam Speaker, that leopards do not change their spots so easily. I believe the opposite is true. Francophones outside of Quebec got nothing, no commitment from the provinces to include their rights. Because of the principle of duality recognized in the Meech Lake Accord, the Vander Zalms can say to the francophones outside of Quebec, "Go home. Go back to Quebec because it is French in Quebec and English in the rest of Canada". That is a tragedy for Canada.

I favour the recognition of Quebec as a distinct society in order to protect the language and culture of Quebec. But the Meech Lake Accord goes beyond Quebec's distinctiveness. This is the essence of the Accord for me. The price paid was to give all the provinces rights in federal powers and institutions: the Senate, the courts, immigration, this broadly-based premiers' conference, the opting out and the spending power. We have weakened the federal Government which, according to Sir Wilfrid Laurier, also has a role in protecting Quebec's distinct society and the French fact in Canada. That role is not just the role of the National Assembly in Quebec; it is also the role of the Parliament of Canada. That was the vision of Sir Wilfrid Laurier.

• (1520)

I have heard that we will have harmony now in federal-provincial relations. I would like to point out that conflict in federal-provincial relations is inevitable in our system and can, if it is handled right, be creative. It was not just Trudeau who struggled with the provinces. We can blame it on the personality of the former Prime Minister, as I have heard many people do. But we should be honest. Sir John A. Macdonald, Laurier, King, Pearson and Diefenbaker, all those Prime Ministers, as well as a future Prime Minister, will have to deal with the same thing. It is in the nature of our system.

Meech Lake in fact rejects the basic assumptions of the 1982 Constitution, as well as the 20-year policy of bilingualism and biculturalism. That is why it goes to the fundamentals of Canadian society.

We should think about it in human terms. I have a constituent who I spent some time with last week who is a friend and who has AIDS. He said to me last week, "You know, I am lucky". "You're lucky", I said, "Why are you lucky?" He said, "Because I live here. I have medicare. I have some social acceptance. We have a tolerant society. I have civil liberties. I have a pension from the federal Government which is going to give me a disability pension. I am lucky. I live in the best country in the world if I have to have this horrible disease".

Socialists and social democrats, should look at the whole recent emerging pattern and add to it the decentralization of the Meech Lake Accord to the anti-labour legislation such as Bill 19 in British Columbia, the recent Alberta labour laws, privatization and deregulation, the cruel new immigration laws and, finally, free trade with its north and south continental outlook, especially in energy and in investment. They will see that the Canada that we know, when we look at the totality,

the Canada that we love, the Canada that we fought for, the Canada that we worked so hard to create, is being destroyed. Through the Meech Lake Accord and these other Acts we are creating a different sort of Canada, a less humane Canada. That is why this debate is so important.

I believe working Canadians, if they really had the time to analyse and understand the Meech Lake Accord, would reject it because it is not their vision of Canada. I put it another way. I said, look, it is not Team Alberta with Wayne Gretzky or Team Quebec with Mario Lemieux that beat Team Russia, it was Team Canada. This is what working Canadians, ordinary Canadians, feel about this country. Canada is not a country of 11 equal governments or a community of communities as this Accord implies.

Some Hon. Members: Hear, hear!

Mr. Waddell: That vision was rejected in 1982. There is a greater vision, a greater loyalty to a larger entity—Canada. There is a dream of a bilingual Canada where French and English can share this country, or any part of it, anywhere, as equals. This is the dream of Laurier and his tolerant society. It is in the writings of Henri Bourassa. It is the dream of Tommy Douglas who in his speeches said, "But the whole basis of national unity is founded on the principle of equal treatment for all and special privileges for none". That is our dream.

Wake up Canadians. Wake up. Do not be robbed of this vision by some greedy premiers or some wheeling and dealing Prime Minister. Canadians know that. There has been a conspiracy of silence, I have to say, by the other political Parties. Let us be honest with ourselves and fair to working Canadians and their families. In my view they reject a radically decentralized federal Government. They share a greater loyalty to Canada than the sum of the loyalties toward the provinces. That is the flaw in the Meech Lake Accord and that is why it has to be rejected.

Some Hon. Members: Hear, hear!

Mr. Scott (Hamilton—Wentworth): Madam Speaker, I listened with great interest and emotion to what the Hon. Member has just said. I think he made, perhaps unconsciously, a very real point. He said that this is not just Team Alberta, not just Team Quebec, that it is Team Canada.

I listened earlier to what the Hon. Member for Humber—Port au Port—St. Barbe (Mr. Tobin) said. I publicly congratulate him here. As a Newfoundlander he came to a decision, he wrestled with a decision, but he wrestled with a decision in favour of Canada. That is what every single Member of Parliament in his or her seat is doing right now and will stand up in his or her place to vote for on Monday at six o'clock. That is Canada. That is what the Prime Minister was saying. The speech the Prime Minister made in the House yesterday will ring down through history, through generations of school children who will know the importance of what he was saying.

I would ask the Hon. Member this. As the Hon. Member for Humber—Port au Port—St. Barbe pointed out, democracy is not tidy; democracy is not perfect. There is no document that has ever come before the House that cannot be amended in some way, that cannot be fine tuned in some way to make it a little more perfect than the imperfect nature of democracy. But I would ask the Hon. Member, and I ask him most sincerely, this. In the interests of a better and stronger Canada, which is obviously supported by the great majority of all Members of Parliament from all sides of the House of Commons, when push comes to shove does he not believe in one Canada, not two solitudes, not three Canadas, not a multitude of Canadas? Does he not believe in one Canada? Will he therefore not have the guts to stand up in his place in this House at six o'clock on Monday evening and vote for Canada?

Mr. Waddell: Madam Speaker, I believe passionately in one Canada. That is why I gave this speech. I believe that people should feel at home, whether they are French or English, anywhere in Canada. I do not think this is one Canada. When I heard the Prime Minister end his speech by talking about one Canada I did not understand it. This is not Diefenbaker's view of Canada, or Trudeau's view of Canada, or Macdonald's or Laurier's view of Canada—

Mr. Scott (Hamilton—Wentworth): It is the view of all Prime Ministers of Canada.

Mr. Waddell: I do not think it is. I think it is kind of a wheeling-dealing view of Canada. I must say with respect. I think it is a view of Canada, which I tried to say in my speech, which is fundamentally flawed because it allows what I call an abnegation of the federal power. It allows the provinces into the very federal institutions where there should be regional representation, perhaps in the Senate, the court, and so on, but it should not hand the provinces this kind of power. I think that will be worse for Canada. It will lead to a Canada that, as I said in my speech, is radically different.

I am not any more courageous than any other Member for speaking out. I do not have the answers either. I am no guru on this particular matter. I respect what the Hon. Member for Humber—Port au Port—St. Barbe said. I respect the Members of my Party who hold their views just as deeply and passionately as I hold mine, as the Hon. Member from Hamilton does, and I know him.

One of the things that bothers me is when the Hon. Member asks me about amendments. I ask him if he will stand up to support amendments when they come forward. I do not think he will. I think he will not because there is a kind of thinking that we have to get this thing through, although it is imperfect, and Member after Member has said that it is flawed and imperfect. I said in my speech that it will be hard to change the darn thing. It will be hard to amend it because of the rigidity in it and because of giving the plums to these provincial premiers who are not going to give them up easily. Those are my concerns.

I know the Hon. Member is putting his views as passionately as I am putting mine and that he believes in them as deeply. I guess we fundamentally disagree on this matter.

• (1530)

Mr. Caccia: Madam Speaker, in his lucid and impassioned speech, the Hon. Member for Vancouver—Kingsway (Mr. Waddell) made reference to the possibility that the Accord would lead to a less humane Canada.

He mentioned that he had experience in the anti-poverty movement. It would be very helpful to have from him some elaboration of the thought or notion which he raised in his speech as to what would be the social implication. I suppose he was referring to the spending power of Canada if and when the agreement were to be adopted.

Mr. Waddell: Madam Speaker, there was a notion advanced by some Hon. Members of the House that this would in fact increase federal power because spending power is in the Constitution. My reply to that is no, because it is in the common law and it would have been adopted by the courts if it had been litigated. I do not think we can argue that it is increasing federal power.

However, we can argue that there is a possibility that it may be decreasing federal power and putting future social programs in jeopardy. Jack London, a distinguished Dean of Law at the University of Western Ontario, made that very point. Also, academics have made the point that in fact we may get a hodgepodge of social programs or social programs which cannot be implemented, and that the national objective, as I said in my speech, could be determined by the provinces.

What I was trying to say as a lawyer was that people feel that instinctively. In bad times they look to the federal Government as the equalizer. Western provinces do that too; that is the irony. They look to the federal Government as the kind of over-all thing which will bring equality to Canadians. When they are in need, they know that the federal Government is there. I think they trust the federal Government more than they trust their own particular Governments. Quebecers also look to the federal Government. That is the point I was trying to make.

I gave the example of the new child care program. We will have to see how it develops. However we are putting in jeopardy some social programs, which will hurt poor people and play into a Conservative agenda.

Mr. McDermid: Madam Speaker, I listened with great interest to the speech of the Hon. Member for Vancouver—Kingsway (Mr. Waddell). We discussed the matter briefly in Vancouver, and I know that he went through a tough time making the decision he has made. I admire him for standing up for what he believes in.

However, I want to understand his thought processes. In 1982 he and his Party supported the Constitution and the Charter of Rights and Freedoms. At the time it was brought into the House and voted upon, we left out a third of the country. Today we are bringing that third into the Constitution—

Mr. Caccia: We didn't leave it out. Lévesque was in power. Have you forgotten?

Mr. McDermid: Madam Speaker, I am speaking to the Hon. Member for Vancouver—Kingsway, not to the Hon. Member for Davenport (Mr. Caccia), who continually speaks from his seat.

I have a serious question for the Hon. Member. I understand the flaws and I understand his concerns. However, how could the Hon. Member have supported and voted for a constitutional agreement which left out a third of the country and this time, when we are bringing that third in,—and let us put aside the warts—he can rise and vote against it? I just want to know his thought processes.

Mr. Waddell: Madam Speaker, it is an excellent question. The Hon. Member and I always fight and heckle, but we both respect each other.

I remind the Hon. Member that I believe he voted for the 1982 Constitution as did I. Obviously at the time we felt that it was worth doing. Maybe he voted against it.

Mr. McDermid: I voted for it, but I am voting this time too.

Mr. Waddell: In any event his Party voted for it. However, he should be careful with his choice of words. He said that it "left out a third of the country". I was in Quebec this morning where I am living now. Business was going on. People were living. People were paying their taxes, those who cannot afford wealthy tax lawyers. Everything was happening normally in Quebec.

We must remember that it was a separatist Government in Quebec. Did he really expect them to sign? I do not think anyone expected René Lévesque to sign. We keep forgetting that there were Quebec Members of Parliament in the House and a great majority of them supported it.

Mr. McDermid: And they are supporting it now.

Mr. Waddell: All right, they are supporting it now. However, it was not entirely without Quebec, and I would say that Quebec was legally bound.

It is a good question because it is one of the keys. I suspect—I cannot speak for them; they speak for themselves—that that is the determining factor for many of my colleagues and friends. They are voting for it because they want Quebec in.

The Hon. Member says that I should put aside the warts. I cannot put aside the warts. The warts are too big. To me the whole thing is a flawed vision of Canada. I have been presented with a Hobson's choice on whether or not I want Quebec in.

Of course I want Quebec in. I said that in my speech. However, I think we could have Quebec in at a far lower price than this. I think we could have Quebec in without giving the provinces' right to the federal Government. I think we could have Quebec in without fundamentally changing the constitutional nature of Canada as Meech Lake has done, and that is why I am opposed to Meech Lake.

Mr. Langdon: Madam Speaker, I rise on a point of order. I would not want this opportunity to pass without a member of the Hon. Member's own Party having a chance to say that we appreciated and wished to congratulate the Hon. Member on his well put speech—

Mr. Prud'homme: That is not a point of order.

The Acting Speaker (Mrs. Champagne): The Chair does not see how that is a point of order. An Hon. Member from the New Democratic Party had the floor for the better part of half an hour. I allowed other Members to question him and to make comments.

I will now recognize another Hon. Member on debate.

[*Translation*]

Mr. Marcel Prud'homme (Saint-Denis): Madam Speaker, I am taking part in this debate as it is drawing to a close. I think I may even be the last speaker for the Party I represent in the House. We all know—

Mr. Gauthier: And not the least!

Mr. Prud'homme: I thank my Whip, and I take this opportunity I have, Madam Speaker—

[*English*]

Since today is the birthday of my esteemed Whip, I hope every Hon. Member will join with me in applauding him.

Some Hon. Members: Hear, hear!

Mr. Prud'homme: He is young and going strong.

I prefer to start with a smile because I have seen so many people experiencing so much pain as if Meech Lake were to be the end of this great country of ours.

I cannot do otherwise but remember the great courage of the Right Hon. Lester B. Pearson. He very kindly invited me to accompany him to Winnipeg in 1964 where he spoke to the Royal Canadian Legion. The legionnaires had expected another kind of speech than the one he delivered that day. He told them that the time had come to have in Canada a truly distinctive Canadian flag. He was booed by the entire crowd, with the exception of Mrs. Pearson, myself, Mary Macdonald, his able secretary, and a few legionnaires.

I would say that 98 per cent of them received his speech very badly. According to these people, and if we listened attentively to the speeches in the House of Commons then, the Canadian flag was to be the end of Canada. It was going to destroy the country. It was going to divide the country forever. I say to you, Madam Speaker, and to these young Pages—because when I give speeches I always talk about the Canada of tomorrow—is there anybody in this country today who would dare say, "Let's revert back and abolish the Canadian flag"? The flag we have today is not the flag that Mr. Pearson proposed. Instead of two red bands there were two blue bands representing Canada's two oceans. The white portion represented the North. Instead of one maple leaf it had three maple leaves, as we see here in our Chamber. As we look up, the maple leaves are there. We can see maple leaves in the Senate Chamber on its ceiling. People seem not to have eyes when they talk about Canada. But there were three maple leaves to represent the three groups of Canada.

Today, Canada is stronger than ever. To believe that the Meech Lake Accord as some colleagues of mine and others have said, will destroy this country is to have no faith in Canadians. Canadians are much stronger.

• (1540)

Mr. Fennell: I agree.

Mr. Prud'homme: The Chief Government Whip has just said that he agreed. He knows, as I know, that all across this land of ours people will always stand up for one Canada, but a different Canada, a different kind of Canada.

I have seen some of my colleagues agonizing over the Meech Lake Accord because there is a clause that talks about Quebec being a distinct society. This morning, the Hon. Member for Edmonton West (Mr. Dorin), spoke. I congratulated him. He has a better understanding of what Quebec is all about than do many colleagues from other parts of Canada and from other Parties. We are putting into the phrase that Quebec is a distinct society only what is known. I speak now in English, but you know that I come from Quebec. You see from the way I express myself that we really are a distinct society, but I am trying to convey these feelings in English and I will do so in French later on. I see colleagues who are passionately, passionately disturbed as though a distinct society were to lead some Quebecers someday to say, "We will use the term 'distinct society' in order to put up our flag at the United Nations". If that were to be, then I would denounce those words. I would fight again if some people thought that by using the words "distinct society" they could create a new country in the United Nations. There can be only one voice for Canada to speak internationally, and that is Ottawa's. But Canada can have that flexibility and that understanding. The clause is there to take away the fear about disappearing. I know it is difficult for many of my colleagues to understand that feeling. Some Quebecers have no other country. Some came from France 300 years ago and claimed Canada to be their country.

They want to be at ease in Canada, but they fear. They are not chicken. They are not afraid. They fear because there is an ocean of people speaking only English surrounding them. They

want some kind of assurance. If they are given that assurance, they will become better federalists and they will become better Canadians. That is what I see in this clause.

This morning a dissident voice in the New Democratic Party said, "I will vote against the Meech Lake Accord." Maybe there will be two or three. Maybe some will be absent.

Mr. Keeper: I hope.

Mr. Prud'homme: A colleague says he hopes. In any event, the truth will come out. But let me not be distracted. In 1982 the Liberals from Quebec voted yes for the agreement, but very reluctantly. Why did they do so? Why did the majority of us do so in 1982? We did it because it was a step forward again in the Canadianization of our institution. It was to be the end of having to go to Great Britain. We had to amend our Constitution. It was a step in that direction. We were caught between two sentiments. One to say "Yes, I am voting for it". But my province did not vote for the agreement. As a federal Member, a proud Canadian, I voted for it because it was a step like designating my Canadian flag, like designating my national anthem, a step toward being myself, a true Canadian. That is why we said we would vote yes in 1982.

There was another step forward, the Charter of Rights. In our minds the question was whether to vote against that step because Quebec did not or because there were two great new elements. The first was that we had to go to Great Britain to beg its Government to amend our Constitution. The second was the need to have a Charter of Rights. We had to evaluate whether that was more important than the fact that Quebec did not vote yes to the agreement.

The majority of Liberals from Quebec had to make that choice. Yes, it was agonizing I can tell you, Madam Speaker. Yes, we went through long debates. But the agony that most of my colleagues went through then was much greater than the agony that some people are going through today. We had to vote against our own province which did not participate. What helped was a Government there which did not believe in federalism. That made our task easier, I must say. But we paid a price for it. We were accused of being traitors to our own people. It is not the kind of feeling that you like to get every day, but we did vote for it because we believed it was in the best interests of Canada.

As you know, Madam Speaker, my Party has introduced amendments. We do not believe that by voting for that this agreement is perfection or that it is the greatest thing on earth. In no way it is, but it is a step forward, Madam Speaker. We would prefer to have these amendments included.

[*Translation*]

Who am I, me, Marcel Prud'homme, *Canadien-français*, Marcel Prud'homme—

[*English*]

—a Canadian of French-speaking background. Not Marcel Prud'homme, French Canadian because I am not a French Canadian. When will the rest of Canada learn that I am a *Canadien-français*, not French Canadian? I did not translate that into English. In French we all call ourselves *Canadiens-français*. That has been translated by French Canadians so the emphasis seems to be more on the word "French" than "Canadian" in English. While in French we willingly say *Canadiens-français*—so I did not translate. But who am I, Marcel Prud'homme, *Canadien-français* to deny to the native people their own distinctiveness? After all, my ancestors took this land away from the natives. The natives should be recognized. That is why our amendments make sense. I will repeat it in French so people cannot say that we switched something in English that cannot be said in French.

[*Translation*]

Allow me to ask the question in my own words: Who are we, as French-speaking Canadians living in Quebec, to deny our native people the same recognition that we demand for ourselves? And that is why, even if the Liberal amendment is not included, we wish, together with Quebec, once fully integrated into the Constitutional Act, they will support the efforts made by our First Ministers, including the Prime Minister of Canada, whoever he may be, whether he is the present incumbent or my own leader, when he calls a federal provincial conference on native rights. Then, you will have one major province that will generously support our natives and make it possible for them to obtain their rights just as we are seeking our own. I regret, therefore, that our amendment is not there. I just cannot understand that people do not realize it would be important. It is not included.

• (1550)

[*English*]

Mr. Trudeau himself was a great Prime Minister whom I served loyally from 1968 to 1984, even though I came to the House of Commons before him in 1964. Even he did not get all of what he wanted in 1982. He did not get all of what he wanted in 1970 in Victoria. That would have solved the problem. He played a great part. He did what Mr. Pearson did with the Canadian flag and the Charter of Rights. He did what Mr. Louis St. Laurent did when he abolished the last appeal at the Privy Council in London. That was not anti-British or anti-English, that was pro-Canadian.

This is always that sentiment which I do not understand. As soon as we are pro-Canadian, we look as if we were anti-French or anti-British. I am neither because I respect both. Today, I am proud to rise in the House of Commons under a British parliamentary system. I have always defended that system as being one of the best political systems.

My colleague, the Chairman of the IPU, knows of the feeling I express here today, the same feeling I express around the world when I accompany him to meetings of the Interparliamentary Union. I believe in the British parliamentary system. It is part of my Canadian heritage, but I believe also in

la culture française. That is why I feel richer. I have the best from these two great cultures.

People are afraid that the provinces will be consulted on the appointment of judges to the Supreme Court. But, Madam Speaker, I ask you, what is Canada about? Canada did not start with the federal Government. Canada started because of the wish of the provinces to have a superior Government to speak internationally.

I do not despise provincial bureaucrats. I am not scared of provincial Governments. Let's call a spade a spade. I know that some people despise the provincialists. It is as if we were like "father knows best" here in Ottawa and we knew what is good for every part of Canada.

I believe very strongly that Canada is a modern, unique country with provinces which like to be important and with a federal Government that must be important, but there is only one voice that speaks for all of Canada outside Canada. I am not afraid of provincial participation, because that is how Canada was built. It was built because of the wishes of the provinces to have a federal Government and not vice versa.

I am not afraid of the provinces participating. How scandalous would it be if the provinces were to recommend someone for the Supreme Court? Would they recommend dummies because they are the provinces? They will have to be responsible for the people they recommend. They will have to recommend prominent people in their own provinces. I am not afraid of that kind of participation.

I wish we had written this Accord. As my Leader said, if he had been the Prime Minister, he would have negotiated differently. Of course, he is not the Prime Minister. He will go alone Monday night at the time of the vote to give his agreement and I will vote with him.

I would prefer it to be different. I do not like to see the agony some of my colleagues are going through, and I believe them to be totally, absolutely sincere. I am not calling them names or saying they are brighter. I am no less a Canadian, and I say this in English, because I will vote for the Accord than those who will vote against it because they think the federal Government is in danger.

I did not come here to reduce the power of the federal Government. If I had wanted to have a provincial career, I would have stuck with provincial politics and tried to make a career there, but I believe in Ottawa. I believe that we can have that ability, that understanding, that comprehension, between the federal and the provincial Governments together.

We have put forward amendments that will respect the multicultural aspect of Canada. Again, this is what is so unique about this country. These provisions will come. I repeat, for the attention of some of my colleagues, who can deny the immense contribution that has been made by new Canadians?

We must understand the evolution of Canada. A land that was not ours was taken by the French settlers, who were then defeated by the British settlers. That is the evolution of Canada. It was a French colony and then a British colony. We had no flag of our own, no national anthem of our own, no Supreme Court of our own. This is the beauty of this country. Without killing each other, without fighting each other, we went through a certain evolution.

I want to commend greatly one of my colleagues, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand), and my two colleagues—

[*Translation*]

Francophones from outside Quebec have their champions, and I mean first the Hon. Member for Ottawa—Vanier (Mr. Jean-Robert Gauthier) who is celebrating his birthday today and the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria). I can appreciate in all friendship the concern expressed by my colleague from New Brunswick about the survival of the Acadian people. If he feels it is in jeopardy, I share his concern. I can understand what it means.

But I must say—

[*English*]

I would like to repeat in English that I am a passionate believer in a multicultural Canada as it is well defined. Multiculturalism does not mean that there is a division, but one brings to Canada one's heritage to show that Canada is more civilized than any country in the world. We are bilingual not because French and English are nicer than Italian and Portuguese, but because we have French and English for historical reasons. Because we are more civilized than others, we do not want others to lose their cultures. We think it is enriching for the country.

We will be better Canadians and better internationalists if we give respect to people who do not look like us, who do not have the same colour, language or religion. We think this respect is of immense benefit to Canada. Multiculturalism should be part of the Accord, but it will come, as will native rights. It will come, it must come.

• (1600)

Please, let us not believe for a moment that by giving our assent to this we are giving in to the Prime Minister (Mr. Mulroney). I am not giving in to anyone. If we want to be partisan, I will say that my Leader spoke first. He opened the door to depoliticization. My friend is smiling, but it is true. My Leader in his great interview in *Le Devoir*, opened the door to allow the Prime Minister to say: "I can go forward because this man has depoliticized the debate". That is a contribution that we should remember.

[*Translation*]

Well, Madam Speaker, thank you for—

[*English*]

The Acting Speaker (Mrs. Champagne): Does the Hon. Member have unanimous consent to conclude his remarks?

Some Hon. Members: Agreed.

[*Translation*]

Mr. Prud'homme: Thank you, Madam Speaker, for asking my colleagues. I will conclude, for I do not like to overtax the Hon. Members' patience. But I want to tell them that all those amendments we are hoping for, but which will not pass, will be part of the future. What is not done today will be done tomorrow. Another Prime Minister will have an opportunity to make his contribution to Canadianization and protection. And I would like to repeat that Mr. Trudeau in 1982 was not the happiest man in the world because he did not get all he had set out for, but he gets credit for that gesture of Canadianization. He severed that last British link to allow for constitutional amendments. He gave us a Charter of Rights. That was a tremendous move forward. But Quebec was not there.

An Hon. Member: Yes, but Quebec was there legally.

Mr. Prud'homme: There is a colleague there who says Quebec was there legally.

[*English*]

I do not want Quebec to be in legally only. It does not lead to a constructive participation in the Canadian affair.

[*Translation*]

In that way, we believe, we can be wrong. I do not question my colleagues' sincerity. There are three here in my own Party who do not share my views. I do not want to have an acrimonious, a passionate debate. I am passionate, that is normal, my country is involved. It is natural that I should be passionate, but I do not want them to believe I am insulting them by having a different view. If it were still possible to convince them that a vote for this will not be such a disaster, if I could still convince them somewhat, maybe our amendments will be put to the vote, we will probably vote for them, and if the amendments do not pass, of course we could wait and abstain from voting. Hon. Members will decide on Monday. But I want to thank you and I want to add that I also would have preferred arriving at something different, but in human matters, one cannot always have everything one would hope for. But I can assure you, Madam Speaker, that when in casting my vote on this issue, I take to heart and keep in mind the feelings voiced by my colleagues on multiculturalism. I say so in French, because I am one of the great supporters, because I understand what multiculturalism means. I do so in Quebec, where this is not as popular as you might think.

[*English*]

I do not do that in English now. I am doing it in French. I believe in it.

[*Translation*]

I support multiculturalism. I believe in provincial participation. I believe above all that we should have that conference one of these days and make our first citizens, those who were here, Madam Speaker, before you, and I, and even before your ancestors and mine came here to America. Well, I would hope that sometime in the future we complete what we are now doing, as Mr. Trudeau tried to complete what was done by others before him. This is how we built this country. This is how we built Canada, everyone contributing in his time what was possible.

In conclusion, I would like to thank you, and I would like to say I am concluding on the same thought which I expressed at the beginning. If you think it was easy to have a Canadian flag, you should have been here. I was, as a young MP—I listened to all the speeches for months. People said it would be the end of this country. So I ask you to be confident, to have confidence in Canadians and confidence in this country, the same confidence I had when I travelled all over western Canada to convince westerners that a basically Canadian flag would not be the end of Canada. So perhaps by Monday, if we discuss these issues a little more, we may be able to convince some of our colleagues to take a different view. However, I can assure them, especially those in my own Party, that they have my full and unqualified respect, whatever their decision will be. They are just as good Canadians as I am.

[*English*]

I want them to believe that I am as good a Canadian as they are even though we may vote differently next Monday.

The Acting Speaker (Mrs. Champagne): Questions or comments.

[*Translation*]

Mr. Clinch: Madam Speaker, I want to congratulate the Hon. Member. I have a short question. The Hon. Member knows that I represent an Acadian constituency in New Brunswick. There is now some concern in New Brunswick about the new Liberal leader, the Premier elect Mr. McKenna, who has expressed some reservations about the Meech Lake Accord. I have before me a copy of an interview Mr. McKenna gave to Maclean's magazine, in which he said that he had some concerns about women's rights, the rights of anglophones in Quebec and the rights of francophones outside Quebec. I listened to the Hon. Member's comments, and I have a great deal of respect for what he said in the House today. If he had a chance to speak directly to the Premier elect of New Brunswick, Mr. McKenna, about his concerns—and what about the Acadians in New Brunswick, in the Acadian peninsula I represent, what should we tell them today?

Mr. Prud'homme: I thank the Hon. Member. I know Mr. McKenna personally, and I discussed these issues with Mr. McKenna. He has some concerns and so do I. I am concerned about the fact that our native people are unhappy. They are not included in the Meech Lake-Langevin Accord. That is how

things turned out. I don't want to second-guess Mr. McKenna but I think he will advise his fellow Premiers of his reservations. I hope Mr. McKenna will not only inform his colleagues of his concerns, as the Hon. Member just said, but will also try and persuade them to make some changes at the next federal-provincial conference, to complete what is being done today. For instance, I am sure Mr. McKenna, like myself and many of us at the federal level—I am sure the Hon. Member would like to see his Party add the word "promote" to the "preserve" clause, or at least the federal Government could easily persuade the provinces that—

[*English*]

—not only to preserve the two languages but to promote them. Why would the provinces disagree with that? That would be another step forward. That is my kind of Canada and that would be the kind of Canada of Mr. McKenna. I am sure that at the least he will want to be assured that we will tackle his rightful apprehensions.

• (1610)

We must congratulate New Brunswick because it is the only province which has accepted—

[*Translation*]

—the rights entrenched in the Charter and the only province to declare itself officially bilingual.

[*English*]

Let us look at what is happening in New Brunswick now. The social climate is much different now than it was 25 years ago when I arrived here as a Member. If I could choose what I were to be in life I would identify very much with the Acadians. Although I am from Quebec, I have always been extremely active in *La Fédération des francophones hors Québec* whose champion has always been the Hon. Member for Ottawa—Vanier (Mr. Gauthier). My colleague is a young Member and could join and become the champion of—

[*Translation*]

—the rights of Acadians.

[*English*]

I say that in English especially—

[*Translation*]

—because it must not have been easy for Acadians to survive and to make themselves understood in New Brunswick. Yet, my colleague is now here as an Acadian and he must recognize that the situation has improved because Mr. Robichaud and Mr. Hatfield took some action. The fact that Mr. Hatfield has just suffered a crushing defeat does not mean that we should not pay him the homage he deserves for having understood the Acadians. All this is cumulative. I wish to share these thoughts with you, my hon. colleague and friend from New Brunswick, who are a proud Acadian, because it makes me feel a bit more Canadian myself to see people outside Quebec who share certain things with me, such as my colleagues for Ottawa—Vanier (Mr. Gauthier) and for Glengarry—Prescott—Russell (Mr. Boudria) and yourself.

This is why Quebecers should not be narrow-minded. We have to understand that there are a million others like ourselves outside Quebec, and we have to show sympathy and understanding for these people and be able to help them. Quebecers have not done much in the past to help French-speaking Canadians outside Quebec. I can see that the Government Whip seems surprised that I would be so frank, especially in French. This is virtual political suicide. However, it is true. We, Quebec francophones, have not been that generous in helping French-speaking Canadians outside Quebec to survive. They fought proudly without much assistance, and the federal Government should now accept not only to protect them, but also to promote their development. Perhaps Mr. McKenna could agree quickly with his provincial colleagues to try to convince the Government to add the concept of promotion to that of protection in this clause. The Prime Minister would agree to this and so would I, and it could be approved very easily and quickly in this House, but it seems that this is not possible at this stage. In that case, let us get on with this stage and begin immediately to work on the next one which will be to try to reconcile my friends about multiculturalism and about the matter of women, who also feel that they do not have the protection they should have.

In any case—

[*English*]

It is all very beautiful and generous for women of Canada from outside of Quebec to believe that they should protect their little sisters in Quebec. Well, their little sisters in Quebec are way ahead and do not need any protection. They are strong and can defend themselves. I dare the provincial Government to touch the rights of the women of Quebec. I can assure you that no provincial Government in the Province of Quebec would dare to tamper with the rights of women in Quebec. Let us call a spade and spade in both languages. I thank the Member for his question.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The period for questions and comments is nearly over. The Hon. Member for York South—Weston (Mr. Nunziata) had already indicated his wish to speak. I am at the disposal of the House. If the House wants us to continue questions and comments for a few minutes, I am quite willing to proceed in that way. I shall recognize the Hon. Member for York South—Weston (Mr. Nunziata) and come back to the Hon. Member for Gloucester (Mr. Clinch) afterwards.

[*English*]

Mr. Nunziata: Madam Speaker, I would like to commend my colleague for his passionate speech, notwithstanding the fact that I disagree with him fundamentally on whether the Meech Lake Accord is supportable in its present form.

The Member said something a moment ago with regard to women in Quebec. It is not only the women in Quebec who ought to be concerned about the Meech Lake Accord. Women throughout Canada ought to be concerned that the Charter of Rights and Freedoms is being adversely affected by the Meech Lake Accord. I know the Hon. Member disagrees with me on that point.

I know that the Member is passionate when he speaks about multiculturalism. He understands what multiculturalism is all about. However, I am afraid that there is a general misunderstanding in Canada about what multiculturalism is.

Would the Hon. Member not agree that multiculturalism means more than only those who have come to Canada from other countries? It means more than people who have origins other than English and French. Would he not agree that multiculturalism includes anglophones and francophones in Canada and people from all parts of the world rather than being restricted only to those who are neither French nor English?

Mr. Prud'homme: Madam Speaker, I will not abuse the time of the House. Some day there will be a Prime Minister whose major preoccupation will be what concerns the Hon. Member. This is the subject of my life, it is the only reason I stay in Ottawa. This country is so unbelievable. It continues to be built every day. Each generation makes an imprint. Some day there will be a Prime Minister who will see that the time has come. The difficulty will be to put it in legal language.

My friend will likely be the Minister of Justice in the next Liberal Government. His preoccupation will be how to put the sentiments of multiculturalism in legal language in the Constitution. I hope to be here when that time comes, and I do not think it will be that far in the future. That will be the next gesture of government. There is no doubt in my mind that the next gesture of government should be to make the natives happy and to repair the immense damage that we have caused them in the past. I am not opposed to this at all, but it seems that now is not the time.

With regard to Mr. Trudeau, he wanted to get a lot more but took only as much as the times permitted him. I know that he was not happy, but he took what he could, knowing that someone else would finish the job, as someone else will finish the job begun today using our amendments as the beginning of their thinking for future amendments and future conferences.

Mr. Clinch: Madam Speaker, with a great deal of respect, the Hon. Member has expressed concerns about specific things. However, the bottom-line recommendation which the Hon. Member would make to the Premier-elect of New Brunswick is that there may be some things which can be improved in the future but that the Meech Lake Accord must be signed in the interests of Quebec and all of Canada.

• (1620)

Mr. Prud'homme: Madam Speaker, I am well aware of his sentiment. If I vote for it on Monday it is because I believe we should do so.

I hope the colleagues of the provincial Premier, Mr. McKenna, and the Prime Minister of my country (Mr. Mulroney), will listen to what Mr. McKenna proposes and attempts to do this eventually, sooner than later, but not necessarily at this time.

The Acting Speaker (Mrs. Champagne): At this time, the Chair would like to take the opportunity to tell all Hon. Members that I feel very privileged to have been able to listen to all of the speeches that have been made throughout this debate. It is very heart-warming to know that Canada is in very good hands.

Mr. Nunziata: Madam Speaker, I rise on a point of order. I just want to indicate that I think it is important for the House to note that it is the fifty-eighth birthday of the Hon. Member for Ottawa—Vanier (Mr. Gauthier). I am sure all Hon. Members will join me in congratulating the Hon. Member.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mrs. Champagne): It has been done in French and English. The Chair joins with all Hon. Members in offering best wishes to the Hon. Member.

Mr. Brisco: Madam Speaker, I rise on a point of order. In acknowledging the birthday of the Hon. Member for Ottawa—Vanier (Mr. Gauthier), since he and I were classmates at college, I believe there must be a profound error in the years attached to both of us.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

• (1630)

[*Translation*]

The Acting Speaker (Mrs. Champagne): Pursuant to the order of Thursday, October 1, 1987, the Whips of the Government and the Official Opposition have asked me to defer the vote for 48 hours. The vote is therefore deferred to six o'clock next Monday. The bells will then ring for no more than 15 minutes.

* * *

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed from Friday, September 25, 1987, consideration of the motion of Mr. McMillan that Bill C-74,

an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I must admit that it is somewhat of an anticlimax for me to rise after such an emotional and passionate debate as that on the Constitution. We are now discussing Bill C-74, an Act respecting the protection of the environment and of human life and health, a very important measure which has thus far given rise to a very serious debate to which I now want to make a modest contribution.

After three years and some months in power, the Conservative Government has finally brought forward for second reading a Bill on the environment.

Before this Bill was introduced, the House and the Canadian public will recall, I hope, that environmental issues had only been debated on so-called opposition days, that is on the days when the Opposition, whether the Official Liberal Opposition or the NDP, propose a debate dealing with the environment.

As we ourselves raised such issues on various occasions, I would like to recall briefly the issues on which we proposed debates in this House. We raised the issue of the budgetary restrictions at the Department of the Environment. Hon. Members will recall the many questions that we asked the Government about the cutbacks in certain services, such as the Wild Life Service and the testing done on birds' eggs to determine the level of dioxin and other toxic substances. Then, there were major negotiations on acid rain with the Americans, and we urged the Government to settle the matter as soon as possible to allow us in Canada to maintain our quality of life, our forests, our freshwater lakes, our aquatic fauna which is threatened by toxic emissions from the industrial centres and smokestacks furnaces emitting thousands of tons of toxic substances each day which then fall in the form of rain on Canada and pollute and poison our environment.

We in the Liberal Party have urged the Government to solve the problem of toxic substances dumped in the St. Clair and Niagara rivers as well as in the St. Lawrence, our largest river. I personally asked why we are still allowing the dumping of industrial toxic substances in the beautiful Ottawa River which runs not too far from here and which has been used for a long time as an open sewer by some municipalities. On opposition days, again, we have pressed the Government to support and approve international reports, to support world commissions on the environment and development so that here, in Canada, some positive steps could be taken.

You know, Madam Speaker, the disastrous record of the Conservative Government as regards toxic substances. In November, 1984, as I said earlier, the Government made cuts in the Canadian Wildlife Service, depriving it in particular of its capacity to study the impact of substances on wildlife in order to assess the effects of those products on Canadian health. In November, 1984, the Government cut funds from the Guelph Toxicological Research Centre in Ontario. The Minister of the day, who fortunately has been removed, had prevented experts from telling the truth to Canadians regarding contamination by toxic substances. The most striking example is the controversy around the contamination of the St. Clair River. The Government stopped publishing *Storm Warnings*, an important publication which described the movement of toxic substances through air, soil, water, all the way to our food products.

We in the opposition wanted to debate with the Government, here in the House, the Great Lakes Water Quality Agreement and the need to hold public consultations on that issue, on the fact that those huge fresh water reservoirs are becoming more and more polluted by reason of carelessness and neglect.

• (1640)

Thus, Madam Speaker, as I said earlier, this is a very important and timely Bill. I am not an expert, an engineer nor a biologist, but a chiropractor. I made a career in that profession. I always have taken a great interest in health, and I still do. I am aware that—

Mr. Brisco: Hear!

Mr. Gauthier: I see my colleague from Kootenay West with whom I studied in 1949 and, as he said earlier, we have been working together for a long time. I remember having studied such important subjects as nutrition and toxicology, which are both matters of national concern. If I am wrong, I stand to be corrected, but the number one concern of Canadians is the quality of life and the environment. Thus, it is not only appropriate but essential that this House pass a Bill with teeth, a Bill that will give us the tools required to clean up our environment and our waters and to get the quality of life that we are all aiming for.

I would like to use this occasion to give an overview of the pollution situation especially as it affects my riding, Ottawa—Vanier. I will talk about the Ottawa River in which toxic wastes still are discharged today. Tons and tons of those substances are dumped in it every year. Sometimes, I watch the Rideau River which flows through my riding and which admittedly is no longer very beautiful to look at today because of all those waterweeds. The phosphates carried by the rain waters which wash or drain the farm lands where large amounts of fertilizers are used contribute to the growth of weeds which deprive the water of its oxygen, asphyxiate the river and cause it to die biologically.

I remember that as recently as two or three years ago, it was discovered by accident on Leeds Avenue, in my riding, that tarry substances had been buried away in the days when natural gas was made from coal. The residue had been buried in the ground. And when the time came to build roads and structures, workers suddenly came across a sticky and terribly polluting mass of coal tar, chemical products and toxic substances that had to be removed at a cost of several million

dollars. The same thing happened on King Edward Avenue where a Bank of Canada building was erected on the site of the old Bank of Canada, and when they decided to renovate the building, they found, there again, toxic substances which had to be removed to clean up the environment.

All of this, Madam Speaker, is to indicate that we are quite concerned about the environment and we want powerful means to prevent not only the private sector, but also governments, from polluting. Who does not remember trial where federal Government agencies and departments, the Bank of Canada and five or six other departments and agencies were charged with having dumped—I finally have the list here—last May 12 it was. And I raised in the House the legal proceedings facing the Bank of Canada, the National Research Council, the federal Department of Transport, that of Supply and Services, which had dumped toxic products such as paint strippers, solvents, pigments, hardeners and lacquers into the Ottawa River, in my riding. When they, were brought to justice, they claimed they could not be prosecuted because that area was regulated by provincial legislation. And the judge said: Indeed, the federal level of Government is not subject to provincial environmental laws. If the private sector to which this Bill C-74 will apply . . . and the main purpose of that Bill, if I remember correctly, is to put the burden on polluters and make them pay for damages to us, Canadians, and to society.

Therefore, if the private sector is subject to that legislation, should our governments, including the Canadian Government, not also be subject to the most elementary pollution laws? It is quite normal in my view that the federal Government should be subject as everyone else to measures that prevent and deter polluters and that will chastise, and I repeat chastise the federal Government for those actions that I find absolutely unacceptable, for breaking such a fundamental law as the Environmental Protection Act.

At the time, the Minister answered in this House that the problem would disappear as soon as Bill C-74 was passed by the House. If that is true, Madam Speaker, I am pleased that finally we will have a law with teeth.

But if he had assumed his responsibilities at the time as Minister in charge of Environment, he would have told his colleagues responsible for the Bank of Canada, responsible for the agencies I have mentioned, Supply and Services and others, the National Research Council—our main research body that was polluting with removers, paints and dilutants and other toxic substances—the Minister of the Environment (Mr. McMillan) should have told those people: Do not do that, because if you do I will slap your fingers. He did not say: Stop that. No, he simply suggested: Wait, Mr. Member for Ottawa—Vanier, be patient. When the Bill is passed we will see to it that those errors are corrected.

Madam Speaker, these are incidents which took place in my constituency that I find sad and worrying.

I want to speak very briefly about the background of the Act. I know that second reading deals with the principle of a Bill. As I said earlier, the principle of Bill C-74 is to protect the environment and to protect human life and health. This is a rather large Bill that, in my opinion, entails serious responsibilities.

In doing some research about the Bill, I noted that the Act has been amended since 1981. The main concern is that it is not tough enough to allow the identification and assessment of new chemicals before they are used and released in the environment.

The objectives of the amendment, as they were then defined by Environment Canada, were the following: first, identify new chemicals in Canada, because new ones are created almost daily. Second, make it mandatory for users, manufacturers and importers of new chemicals to provide information allowing an assessment of their potentiel environmental and health effects. Third, give the Government the authority to regulate or ban dangerous chemicals.

I want to stress here that that applied not only to the production, here in Canada, of these dangerous chemicals but also to their exportation. Madam Speaker, I know we are not supposed to study the Bill clause by clause on second reading, but if I read the Bill correctly, there is no provision in it that would prevent a Canadian corporation from exporting dangerous chemicals. My colleagues will correct me in committee if I am wrong but I think I read the Bill correctly, and it would allow Canadian companies to produce toxic chemicals in Canada not for use in this country but for export.

The Minister, reacting to those concerns, made all kinds of promises. Everything would be corrected if only we were a bit patient. Madam Speaker, I can find nothing in this Bill that would help clean up the Niagara River, which is important to us, or the St. Clair River. There is nothing in there, that I know of, that would oblige anyone to clean the river up or to reduce air pollution by industry.

In December, 1986, the Minister tabled a Bill or rather a preliminary Bill which had more teeth. The second reading of the Bill was moved on June 11. It was a first step, Madam Speaker. I see that my time is almost up, but I was just starting my remarks.

I will conclude, Madam Speaker, but I am sorry I do not have more time. I would have liked to talk more on a matter of great importance for the quality of our life in Canada. This Bill should be a positive step albeit small, in the right direction. I think that we will support this Bill, but we should realize that it is not the answer to our problems. This Government should not hesitate to move as quickly as possible and show leadership. We would support more important steps in order to clean up our water and give Canadians the clean environment they are entitled to and a proper protection of their life and health against pollutants and toxic substances.

• (1650)

[*English*]

Mr. Redway: Madam Speaker, I listened, as I always do, with interest to the Hon. Member for Ottawa—Vanier (Mr. Gauthier). He usually presents a clear and factual picture in dealing with any problem about which he is talking or to which he speaks in the House. So this time, Madam Speaker, you can imagine my surprise and my concern when I heard his comments respecting the Government's record in the area of toxic wastes.

The Hon. Member neglected to refer to the fact that within the last year there has been an agreement between the Government of Canada, the Government of the United States, the State of New York, and the Province of Ontario in respect of dealing with chemical dumps along the American side of the Niagara River, which is a major source of toxic waste flowing into the Niagara River and Lake Ontario. Under that agreement there is to be a reduction by one half of the toxic wastes flowing into the Niagara River by the year 1996.

In addition, he did not refer to the funds and efforts made by the Government this year in respect of cleaning up the tar ponds in Nova Scotia. Of course he did not refer to the funds made available and the efforts of the federal Government this year in terms of the clean-up of the Windermere Basin in Hamilton Harbour.

He failed to refer to the fact that right now there is being negotiated—or it has likely been negotiated, subject to the approval of the federal Government and the United States Government—another water quality agreement respecting the clean-up of the Great Lakes themselves.

There has been a very substantial number of steps taken in respect of these matters which the Hon. Member failed to address.

Having been given this opportunity, I am sure he would want to rise now to correct the impression that he has left and to praise and laud the Government for all the steps it has taken to date. I am sure he knows full well that this is only the beginning of efforts by a Government which has only been in office for three years.

When we have been in office for 20 years, as was the case with the former Government supported by the Hon. Member, of course we will have a record which will be some seven times to ten times as good as our record now and thousands of times better than that of the former Government.

The Acting Speaker (Mrs. Champagne): I am sure the Hon. Member for Ottawa—Vanier (Mr. Gauthier) will take the next opportunity to answer the Hon. Member's question.

Mr. Gauthier: I assure you, Madam Speaker, that I will.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE RAISED

The Acting Speaker (Mrs. Champagne): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Davenport (Mr. Caccia)—Environmental Affairs—United States transboundary acid rain emissions/Canadian position; the Hon. Member for London—Middlesex (Mr. Clifford)—Road Safety—National safety code for trucking.

It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

• (1700)

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

SMOKING CONTROL ACT

MEASURE TO ENACT

Mr. Patrick Boyer (Etobicoke—Lakeshore) moved that Bill C-209, an Act to control smoking in public buildings and facilities, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, in the next 20 minutes I hope to explain, first, why I introduced this Bill, a Bill which aims to control smoking in public buildings and facilities; second, why it is a difficult area in which to get legislative action because of all the competing and vested interests, both private and public; third, to turn in some detail to the nature of my Bill and look at its provisions; and fourth, to look at some of the other initiatives which have also been under way this year on this very important front of dealing with Canada's number one health problem. By the use of that phrase, Canada's number one health problem, I have already indicated the reason that I felt it was important to have legislation such as this before Parliament.

The figures estimated in this country are that 35,000 Canadians die each year from tobacco-related causes. If 35,000 Canadians were dying each year because airplanes were crashing and taking that number of lives, or if 35,000 people were dying from some other disease—and I refer to several which have recently been much featured in the public media for whom the number of fatalities is gratefully so much smaller—you would think that on the floor of this House there would be a tremendous outcry and demand for action. Yet action has been slow in coming.

In 1982, the federal health Department warned that non-smokers are being subjected by smokers to far greater risks than previously believed, including one of the worst cancer-causing substances. The majority of non-smokers seem blissfully unaware of the health hazards due to exposure to tobacco smoke. That was a statement in 1982 of a federal health Department bulletin on chronic diseases in Canada. As a consequence, smokers do not receive enough negative feedback from non-smokers to have a major impact on the problem.

One study of non-smokers in the working environment demonstrated that what is called passive smoking, the inhalation by non-smokers of tobacco polluted air, was equivalent to smoking 10 cigarettes a day. The air of rooms contaminated by tobacco smoke contains carbon monoxide, formaldehyde, many chemicals known to be carcinogens for humans and/or animals and many other noxious and toxic substances. An even greater danger than smoke exhaled by smokers is sidestream smoke that drifts directly from smouldering cigarettes. Smokers' lungs and cigarette filters have trapped some of the worst pollutants, but the so-called sidestream smoke contains those in full strength. The chemical NDMA, one of the most potent carcinogens known, is present in sidestream smoke at concentrations 50 times greater than in mainstream smoke, that is smoke exhaled by someone who is smoking a cigarette. It has produced cancer in all animal species tested by various methods of exposure, including inhalation of a single dose. A non-smoker exposed to air heavily contaminated by tobacco smoke inhales as much NDMA in one hour as a smoker does by smoking 15 non-filter or up to 35 filter-tipped cigarettes. That information was in a 1982 study done by the federal Department of health.

The figures continue to show that each year health-related illnesses in Canada due to tobacco use continue to be serious. As a result, on April 17 I introduced, in the first session of this Parliament, Bill C-287. That was, in fact, the first legislation introduced in the 33rd Parliament to deal with this issue. It was shortly thereafter followed by another Private Members' Bill and a government Bill.

In October, when the second session of Parliament got under way, I reintroduced a Bill, which is in the present form that is before us. Although the other legislation has served in this House and in the legislative committee as a vehicle carrying much of the debate and public discussion of this number one health problem, I wanted to have a further opportunity this afternoon to give Members a chance to debate the merits of this legislation that I have proposed.

This will also give me a chance to put on public record my continuing deep concern about this issue and, indeed, to note that, because of many initiatives taken from different quarters by other Members as well as myself, there is some real progress coming. I say some real progress because—and I come to my second main point—that is an area where it is difficult to get action because of competing interests. There, of course, is the difficulty that Government itself faces with the Department of Agriculture looking out for the well-being of those in the farming community who are growing tobacco and over the years have received financial assistance from Government to that end, while at the same time the Department of National Health has a large portion of its budget allocated to the health needs of Canadians who are suffering as a consequence of smoke inhalation, direct or indirect. A third vested interest in this on the government side is the Department of National Revenue, which busily raises, through taxes on tobacco products, many millions of dollars that are used to pay both agricultural subsidies and health care costs.

Just as within Government, it is not an easy issue on which to focus because of those conflicts, in the private sector as well. I refer, for example, to an article written last month, in *The Globe and Mail's Report on Business* magazine which stated that where there is smoke there are profits. The writer goes on at length to talk about the ability of the tobacco industry to stay healthy while its customers get sick. He describes that as being one of the most amazing marketing feats of all time.

There are many millions, indeed billions of dollars, involved in this area. We have arts and sports groups that are worried because they receive in this country some $10 million worth of corporate sponsorship every year. At the same time, there was an advertisement on October 6, again appearing in *The Globe and Mail* and other papers, organized by the Non-Smokers Rights Association, in which a number of other people speak out on behalf of Bill C-51, people from the arts community. So there is a division there.

Earlier this year in June, a committee of this House of Commons reported that some 500 Ontario tobacco farmers might be forced out of business in the next two years. They recommended that Ottawa divert some of the annual $1.6 billion collected here from cigarette taxes to help producers switch to alternate crops.

• (1710)

I will not take any more of my time going on in that vein. I think you, Mr. Speaker, and others here readily appreciate that it is a very mixed field that we are walking across, with many interests, all strong, all sincere in their points of view, all quite eloquent and articulate in putting their points forward. Yet, in the face of that, there nevertheless remains what I believe to be the important public interest of getting on with some action to deal with the control of smoking in federal buildings and facilities. That is the nature of the Bill I introduced, the one I now want to discuss.

Bill C-209 is not moralistic legislation, it is not puritanical or punitive legislation, it is health legislation. I am looking at this issue in terms of the health consequences on our country. I am trying to deal with the issue in a reasonable way, a way that can evolve toward a better balance between those many interests.

The provisions of the Bill would apply to federal Government premises including buildings, aircraft, trains and the Parliament Buildings. The general rule contained in this

legislation is that smoking would not be permitted in any federal workplace or area to which the public has access unless one of the exemptions applied. I contemplate three exemptions: First, when the terms of a collective agreement actually provide for smoking; second, smoking in specified areas designated for smokers; and third, places where non-smoking areas could not be provided because the cost would be prohibitive or major structural changes would be required. In those extraordinary cases, a ministerial certificate granting the exemption would have to be issued on those grounds.

I think this represents a reasonable blend of the interests of all parties concerned: The health needs of everyone, the concerns of non-smokers, the position of those who do smoke, and the financial and physical restraints involved in the Government converting public premises to non-smoking areas. This is what I call the doctrine of reasonable accommodation.

I write my legislation with the doctrine of reasonable accommodation at its core because I think it is important that this kind of legislation succeed. I am mindful of the lesson of the prohibition era, which is that legislation that is drafted too restrictively can in fact be counterproductive. We all know what happened during the prohibition era. The law was just unrealistic and unenforceable in the real world and had consequences that went far beyond what was ever contemplated by the people who initially addressed the health concerns they had about the abuse of alcohol.

Yet health concerns and the public interest do require that we start making some real progress in this area. That is why I wanted today to have this chance to look at some of that progress. There has been a lot of action on this front this year. I will conclude by referring, as I said I would, to some of these other initiatives.

Certainly the introduction by the Minister of National Health and Welfare (Mr. Epp) on April 30 of Bill C-51 was significant. This legislation would prohibit the advertising and promotion of tobacco and it also deals with the labeling and monitoring of tobacco products. In all frankness, I can say that unlike many people who are active in this area, I do have some reservations about that. As someone who believes fundamentally in the importance of democratic rights and particularly in the freedom of expression, I am concerned that we would prohibit the advertising of a product which itself is not illegal. I put that on the record because I am not adamant on all fronts on this matter and I think there are serious philosophical concerns about such an approach.

I have no problems with the provision in Bill C-51 for stronger and more visible health warnings so consumers will be more fully informed about the serious hazards of using tobacco products, nor do I have problems with other parts of the legislation. The efforts made by the Minister of National Health and Welfare to promote the national program to reduce tobacco use carried out with the co-operation of the provincial health ministries and national voluntary health agencies are very much the way to go in this area.

There has been some real action on a couple of other fronts. Bill C-51 has yet to return to the House, but meanwhile, the Minister of Transport (Mr. Crosbie), the President of the Treasury Board (Mr. Mazankowski) and the Minister of Labour (Mr. Cadieux) have, for their own part, been taking very positive steps, and I think it is important to put those steps on the public record.

For example, back in May, the Minister of Transport sought comments about the prohibition of smoking on aircraft flights of two hours or less, and that has led to some action. I have here a copy of *The Canada Gazette* dated September 10, 1987, containing these new regulations which prohibit smoking during flights of less than two hours. These new regulations will be in place before the new year as they can come into effect within 90 days after appearing in *The Canada Gazette*.

Very simply, the regulations state that no person shall smoke any combustible material on an aircraft operated by a Canadian air carrier on a flight carrying passengers which has a scheduled duration of two hours or less. There are a few qualifications about flights originating outside the country, but that is the main thrust of it. It is also worthy of note that under these regulations, where a crew member is aware that a person is smoking on a flight of two hours or less, the crew member shall—

Mr. Waddell: Throw them off?

Mr. Boyer: The Hon. Member says he will throw them off. The regulation states that the crew member shall request the person to stop smoking, the reasonable approach, and if the person does not immediately stop smoking, the air carrier shall cause the person to leave the aircraft, but at the next point of landing. That goes some way toward what is already contemplated in Bill C-209.

I would also point out that the private sector is responding as well. Canadian Airlines International, on October 5, banned smoking on most of its North American flights. This decision followed a four-week trial period. Eight out of 10 passengers, states the airline, preferred a smoke-free environment. Passengers reported that the healthier fresh air made the flights more enjoyable and more comfortable.

There have also been certain initiatives on the Hill. In June of last year, under Mr. Speaker Bosley, there was a designation of non-smoking areas on the Hill. A number of other steps have been taken including initiatives by the Minister of Agriculture to see that farmers who grow tobacco crops can be assisted by the Government in switching to alternate crops.

I wanted to put those initiatives on the record because I think they are all part and parcel of the spirit of my Bill C-209. It is not that one day, one act or a single step has changed the whole situation. This is part of a shift to focusing essentially on the health concerns of Canadians to try and find a way of overcoming the problems and vested interests in a way acceptable to all, and the sooner the better.

• (1720)

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, on behalf of the NDP I would like to reply to an excellent speech given by the Hon. Member for Etobicoke—Lakeshore (Mr. Boyer). I wonder where that is. Could that be somewhere in the west part of Toronto, down near Browns Line, where Mimico, Longbranch and New Toronto used to be?

Mr. Boyer: Alderwood.

Mr. Waddell: Alderwood.

Mr. Boyer: Where the Hon. Member is going to run.

Mr. Waddell: I do not know. I tell the Hon. Member that some people were asking me to run in the next election there. While I grew up there, and that is why the Hon. Member and I know a little bit about it, I do not know about that.

Mr. Boyer: You are welcome to run.

Mr. Waddell: He welcomes me to run. That is interesting.

I rose to speak on the Member's Bill and I must say I think it is a good Bill and we in the NDP will support it. I liked one of his lines. He quoted someone, and not being Joseph Biden he acknowledged the quote, that the tobacco industry stays healthy while the customers get sick. It is true. It really is a problem but it is being tackled consistently, bit by bit, step by step.

The Hon. Member referred to airlines. MPs do a lot of travelling, especially when you are from the West Coast, and it is a pleasure to be on a smoke-free airplane. I admit it must be tough for those who smoke. I am lucky that I am not a smoker but I feel for them a little bit when they cannot smoke for two hours. I guess through a little law and a little peer pressure they are being forced to give up smoking.

I want to say a few things about the Bill and the general issue. Many Canadians suffer from conditions exacerbated by environmental tobacco smoke. Among those are 5 per cent of Canadians who are asthmatic, who suffer from other lung complaints, who have rhinitis, or who wear contact lenses. Anyone who wears contacts can detect the smoke on the lense and it is a problem. It is of course more serious for those who have asthma or other similar diseases. Smoke is responsible not only for irritation of these complaints but also but because it causes death among non-smokers. I had the Library of Parliament get together some studies on this issue and I want to read from that brief.

Smoking became an issue for non-smokers with the publication of two studies which found that the spouses and children of smokers have an increased risk of serious health problems. One study found that children with parents who smoke experience much higher rates of respiratory illness, including colds, influenza, bronchitis, asthma and pneumonia, as well as reduced lung capacity. A recent federal Health and Welfare study concluded that the risk of lung cancer is as much as 3.4 times greater for non-smokers married to smokers than for non-smokers who are not exposed to cigarette smoke. The same study published in *The Canadian Medical Journal* found that one in five Canadians has a serious medical condition such as asthma, emphysema, heart disease or angina aggravated by exposure to cigarette smoke. A non-smoker exposed to second-hand smoke in the workplace for 20 years suffers the same ill effects as a person who has smoked 10 cigarettes a day during that period. That is really quite remarkable.

The authors of the report describe airborne tobacco smoke as an occupational health hazard that should be banned or restricted to well-ventilated buildings, but apparently only 10 per cent of the air in most buildings is fresh while the rest is recycled. This means that smoky air is being circulated throughout most office buildings, exposing non-smokers to high levels of toxic and cancer-causing chemicals. Second-hand or sidestream smoke contains higher levels of cancer-causing chemicals than smoke inhaled by a smoker. Unfortunately, air filters do not remove these toxic substances.

I am also informed that in October, 1985, there was a report from Health and Welfare Canada that noted 1,050 non-smoking Canadians die from lung cancer each year. Lung cancer is one of the most severe diseases, fatal most of the time, and caused by smoking most of the time. Yet over 1,000 people who do not smoke die from lung cancer, perhaps one-half of these because of second-hand smoke or passive smoking. The evidence is there that non-smokers who inhale second-hand smoke also suffer and their rights need to be protected.

The initiative by the Hon. Member is the only way to go. The Government promised a comprehensive legislative approach last year and we did not get one. The Minister of National Health and Welfare (Mr. Epp) introduced a Bill which would ban tobacco advertising and most tobacco promotion, but never brought it back for second reading. This is just like the former Liberal Minister of National Health and Welfare, John Munro, who introduced a Bill in 1972 which died on the Order Paper. The Government announced a program but it includes no guarantee of smoke-free public or workplaces. The Treasury Board initiated a policy for the federal Public Service but that falls quite short of similar plans introduced by even the private sector. We think the Government should be ahead of the private sector on this issue. The government program does nothing for smoking in public places nor does it cover federally-regulated workers like bank clerks, telecommunications workers, the military or the RCMP.

My colleague, the Hon. Member for Broadview—Greenwood (Ms. McDonald), introduced a Bill similar in intent to this Bill. It restricted smoking in federally-regulated workplaces to separately ventilated areas. It would provide smoke-free public places, that is the lobby of a public building or bank or a military facility. It said that the workplace of a federally-regulated worker should be smoke-free.

I have only a short time left but this is an important initiative. It is part of a campaign by Members of this House. It is not easy. There is a tobacco lobby which opposes this legislation. That is why there have been delays in the past, probably, in government Bills and so on. However, we are seeing an interesting development in that this comes from a Private Member. It speaks a lot for our reformed House.

As I said, we in the NDP are pleased to support this initiative and I am personally pleased with the initiative put forward by my colleague, the Hon. Member for Broadview—Greenwood.

Mr. Terry Clifford (London—Middlesex): Madam Speaker, I looked forward to speaking to this Bill. I have spent 25 years working with young people concerning the effect of smoke and smoking on their lives and lifestyles. I have had some experience with young people and of course adults in that time and I know what it is like so far as smoking or not smoking in public places concerned.

Today I want to confine my remarks to this issue as it affects public transportation and the users of public facilities. There are some advantages and certainly some disadvantages in imposing legal constraints such as those proposed in this Bill. The legislation attempts to accommodate, in their place of work, within reason, both smokers and non-smokers who are employees in the federal Public Service. A problem exists in that some of the people in these public places are not federal employees but employees of the private sector. When the space is shared, it is very difficult to effect legislation which applies only to public sector employees. In such circumstances, legislation such as Bill C-209 could be difficult to enforce.

• (1730)

At present, Transport Canada has in place guidelines for managers and supervisors designed to minimize the harmful effects of tobacco smoke in the workplace. These will remain in place pending consultations with the Public Service unions that will result in smoking being restricted to designated areas by the fall of 1987. Hon. Members will be aware that the President of the Treasury Board (Mr. Mazankowski) referred to this objective in April, 1987, when the Minister of National Health and Welfare (Mr. Epp) announced his plans for new initiatives, including legislation, to reduce tobacco consumption by Canadians.

On that occasion it was also announced that there would be continued efforts to reduce smoking by Public Service employees during 1988, leading to a total ban by January, 1989, under a new regulation to be made under Part IV of the Canada Labour Code. It is hoped that these measures will serve as a catalyst and an example to other levels of government and to the private sector.

The Transport Canada guidelines were not intended to invoke a complete smoking ban, nor are they being applied in such a way as to interfere unduly with operational activities by segregating smokers from non-smokers. Instead, they suggest a number of measures which can be taken to minimize the harmful effects of tobacco smoke which we have heard much about today from the Hon. Member.

Above all, however, managers and employees, smokers and non-smokers, are asked to be guided at all times by practical considerations in the application of smoking restrictions, and by the important principles of consideration and courtesy between smokers and non-smokers. We are starting to see some good signs in this regard. We are starting to see voluntary constraint by the general public, which is becoming concerned about the rights of others. I have recently seen more mutual respect exhibited with regard to both primary and secondary tobacco smoke by Canadians in all areas than I have ever seen before in my 25 years of observing this.

The Transport Canada guidelines are intended principally to benefit employees whose work is carried out at a fixed location. Those who operate means of transport, notably the Coast Guard fleet, must deal with their conflicting interests somewhat differently.

The Treasury Board has implemented a policy which prohibits smoking at all service counters, desks, and wickets where the public is served. People are restraining themselves in that regard on their own initiative. They know that their smoke offends some people, and they are withdrawing. It is not unreasonable for the federal employer to require employees who smoke to be subject to certain restraints during normal working hours in buildings and workshops since they are free to smoke as much as they wish once they leave public facilities.

However, the majority of the Coast Guard fleet spend more time at sea than alongside, and it would be unrealistic to anticipate a total ban on smoking aboard Coast Guard vessels. After all, we must realize that the vessel becomes their home as well as their place of work. It is only reasonable that they should be allowed to do on board what they would do on shore.

With regard to transport terminals, restrictions on smoking in public waiting areas and facilities in federally-operated air passenger terminals were introduced in 1982. However, this is a complex issue which, in the case of airports and large railway stations, involves renegotiation of contracts in order to place restrictions in concession lease agreements for shops and restaurants as well as enforcement costs. In these places we are dealing again with agencies and their employees who are not federal employees even though they work in a federally leased space.

Similar considerations apply to railway stations serving other commercial purposes, although there are now some five rail passenger stations that have segregated smoking areas, and VIA hopes to increase the number significantly.

With regard to aircraft, Hon. Members will recall the Minister of Transport's announcement on November 17, 1986, of a proposal to ban smoking on all flights of two hours or less in Canadian commercial aircraft. The proposed new air regulations, which would govern smoking on both domestic

and transborder flights, were published in Part I of *The Canada Gazette* to solicit public comment on January 3, 1987. All comments received have now been reviewed, and publication of Part II is expected later this fall.

These new regulations have been supported wholeheartedly by the Canadian public. I am sure that my colleagues in the House, who travel the airways of Canada as I do, would agree that the smokers of Canada are exhibiting tremendous restraint. They realize that in the confined air space on an aircraft there is limited air circulation. They appreciate the fact that tobacco smoke affects all travellers, whether or not they are smokers. I believe that the entire traveling public is genuinely interested in complying with these new regulations in good spirit.

The flight to Ottawa from London, Ontario, is of one hour and a half duration and is a no-smoking flight. Virtually everyone on the flight knew that there was a Member of Parliament on board, indeed a Member who is also a member of the Transport Committee, and I did not hear one complaint. I, therefore, assume that Canadians now consider this to be part of their lifestyle and part of their obligation to their fellow citizens.

These new regulations will require Canadian air carriers to post signs prohibiting smoking on such flights and that crew members request any passenger who is smoking to stop. If a passenger does not stop smoking upon request, the air carrier, under the new regulations, will be required to have the passenger removed at the next available stop. I have never seen or heard of this happening. Because of that I repeat that I believe Canadians have accepted this and are working it out on their own. They do not need legislation to force them to do this.

In conclusion, while it is clear that tobacco smoke can be a serious source of annoyance and physical discomfort to non-smokers, as well as a health hazard to some, it is questionable whether legislation of the kind proposed by Bill C-209 would provide a practical solution to the problem.

I want to talk about self-regulation. We have seen a tremendous growth of this. The Canadian public should be congratulated on their own efforts to control their own lives and develop their own habits. Self-regulation and restriction based on consultations between employees and their managers have so far proved to be an effective means of accommodating both smokers and non-smokers in the workplace. Legislation at this time would probably diminish the context of mutual respect within which new initiatives leading to a total cessation of smoking in federal workplaces are now being adopted.

• (1740)

We should consider that people working this out among themselves are doing an admirable job. I am pleased that federal Departments and Ministers are interested in these matters, but let us not underestimate the Canadian public. Let them decide and work this out on their own.

[*Translation*]

Mr. Louis Plamondon (Richelieu): Madam Speaker, rising in this debate on the Private Member's bill introduced by my colleague, I should like to comment on the possible impact of tobacco smoke on non-smokers and their health. Needless to say, I agree with the previous speaker, perhaps laying more emphasis on the consideration the Government has been giving this issue over the past year and a half, and on the measures which have already been taken. They appear to be satisfactory for the time being and may very well pave the way for further measures which, if I may put it this way, would be more closely geared to individual capability.

It has often been said that tobacco smoke causes untold harm to the health of smokers and non-smokers alike. Canadians are growing increasingly aware of this fact. Scientific evidence concerning the smoke of other people was recently highlighted and explained by American Surgeon General Koop in an article or report on the impact of smoke on the health of non-smokers.

Tobacco smoke contains gaseous particles and products, including in excess of 60 substances likely to cause cancer or other illnesses. According to Surgeon General Koop's report, the smoke from the burning end of a cigarette contains more toxic products and cancer-producing substances than does the smoke inhaled or exhaled by the smoker. In fact, undeniable conclusions of a number of studies indicate that the risk of lung cancer for a non-smoker increases by about 30 per cent if he or she is exposed to the smoke of other people. Smoke from a burning cigarette combined with smoke exhaled by a smoker is a threat to the lives on non-smokers.

When the parents smoke, there are higher risks of pregnancy complications, including infants weighing less at birth and a higher risk of stillbirths. Children of smokers are also more prone to bronchitis and pneumonia than children of non-smokers. Not only do these children have respiratory infections more often, but they may have a greater risk of developing some type of cancer later.

In a recent report on air transport environment, the United States National Academy of Science describes the dangerous effects of smoke in airplanes and recommends that the United States Congress consider banning smoking in passenger airplanes. In a subsequent report, the Academy also concludes that the risk of lung cancer increases for non-smokers when they are exposed to tobacco smoke. The Academy also notes that children exposed to secondary smoke are more prone to respiratory and pulmonary infections.

Scientific research on tobacco smoke and the health of non-smokers leads to three general conclusions:

First, involuntary smoking causes disease, including lung cancer in non-smokers.

Second, children of smokers are more prone to respiratory illnesses and symptoms than children of non-smokers. The rate of lung development is lower for children of smokers.

Third, separating smokers from non-smokers in the same area can only reduce, but not eliminate the problem of secondary smoke exposure.

Since the Canadian public is informed about the dangers of tobacco and the risk incurred by passive smokers, they are asking for many changes as regards the use of tobacco products in public places. Throughout Canada, in public and workplaces, a special room is reserved to smokers. Municipal and provincial Governments as well as labour and management are taking active steps to change policies relating to smoking in a closed place. The smokers' rights are being questioned when smoke increases the risk of illness for those who share the environment.

At present, our Government subsidizes non-governmental organizations such as the Canadian Lung Association and the Canadian Cancer Society which are actively working for the promotion of a non-smoking society. In fact, those groups of health and public interest play a crucial role to change society's attitude regarding smoking. That is why, as a Government, we intend to continue supporting their efforts.

In October, 1985, the Department of National Health and Welfare, provincial departments of Health and many national non-governmental organizations have announced the implementation of the national program against smoking, another step that will improve the co-operation efforts for a non-smokers' generation. The program was first aimed at teenagers from 12 to 17 years of age, a vulnerable age when one is most tempted to smoke or to start smoking. The program will also deal with the ever-increasing use of tobacco among the youth, the effects of other people's smoke on non-smokers and the consumption of chewing tobacco or snuff. The program will also try to inform the public about the adverse effects of tobacco and its dependency factor.

Furthermore, new flight regulations proposed by the Minister of Transport (Mr. Crosbie) that would prohibit smoking on domestic and transborder flights of two hours or less, on aircrafts belonging to Canadian airlines, will become effective as of December 9, 1987. Most large Canadian cities have restricted smoking in public places and are gradually adopting increasingly stricter by-laws in this respect. For instance, a municipal by-law passed recently in Vancouver has in fact limited the number of areas where smoking is allowed in most public buildings in that city, including places of work. For instance, if people working in a given department cannot agree on smoking at work, their premises become non-smoking areas by default. Smoking is also prohibited in taxis, retail stores, at service counters and in queues.

This year, Quebec also passed a Bill restricting smoking in various public places. It is the first provincial legislation dealing with this question. The Quebec Bill consists of two parts. In the first part, smoking in government offices, hospitals, schools, public transit and many other public buildings is either prohibited or restricted to certain designated areas. In the second part, municipalities are authorized to adopt additional measures in this respect in their respective jurisdictions.

The scope of measures to restrict smoking in federal offices has intensified in the past two years. Since no air purifier exists that can filter out both the particles and the invisible toxic gases contained in tobacco smoke, the original plan, which consisted in restricting smoking to specially designated areas, has been changed. The plan is now to gradually prohibit smoking altogether. Consideration had been given to providing independently ventilated premises, but the expense would have been prohibitive. Consequently, the policy announced on April 22, 1987 provides that smoking in the workplace will be prohibited by 1989. During the month transitional period which started on October 1, 1987, smoking will be allowed only in areas specially designated for that purpose. In fact, since August 20, 1987, employees have had to refrain from smoking at all service counters, in waiting rooms, and in offices and at counters where they deal with the public.

No-smoking signs will keep reminding the public of the campaign against smoking.

I believe it is fair to say that most of us realize the difficulties smokers are facing as a result of these changes. I am confident that we will be able to find ways to achieve the goal set by the Government, which is to provide employees with better protection against involuntary exposure to tobacco smoke in most federal workplaces.

• (1750)

[*English*]

Mr. Bob Brisco (Kootenay West): Madam Speaker, I welcome the opportunity to speak on this Bill. Indeed, last night, in a period of an hour's relaxation with my family, I was reminded of the nature of this Bill. I am of that legion of people who are perhaps affected by legislation of this type in that I am, regrettably, a smoker. My wife has the unfortunate habit, in my view, of being able to have one cigarette a month. I find that frustrating. She may go for several months without having a cigarette. Last night in the presence of our nine-year-old she lit up a cigarette. I think my son demonstrated the unacceptability of that practice by saying: "Mom, you have lit a cigarette. Why?" he challenged her. Why did she do this? She did not need to and he did not like it. That is pretty pertinent. That strikes home, and I am comforted by the fact that children today have this awareness, particularly, in this case, my son Jason.

However, what I must do is to address the context of the Bill before us. Bill C-209 is intended to protect the health of smokers and those non-smokers who are forced to inhale the second-hand or sidestream smoke produced by smokers. Clearly, the best way of protecting smokers is to either kill or cure them.

This Bill was introduced in the House on October 7, 1986. The announcement made by the Government of Canada on April 22 concerning this issue has rendered this Bill redundant.

The Minister of National Health and Welfare (Mr. Epp), the President of the Treasury Board of Canada (Mr. Mazankowski), and the Minister of Labour (Mr. Cadieux) announced bold new initiatives which go much further than the goals of the Bill we are presently debating.

The Government's initiatives will offer increased protection of the health of all Canadians, not just the health of some of the workers under the federal jurisdiction, as this Bill would do. Let me describe briefly to the House some of the features of the program announced by the Government as they pertain to smoking in the workplace. The issue of workers' exposure to second-hand smoke is, of course, the responsibility of Labour Canada. That is the Department with the mandate to administer the Canada Labour Code, Part IV, which addresses all matters related to the safety and health of workers under the federal jurisdiction. Acting under this mandate, the Minister of Labour has requested all employees under the federal jurisdiction to restrict smoking in their workplaces to specially designated areas. That in itself, I must add, sometimes creates a problem in terms of specially designated areas because you end up with a collection of hardened and committed cigarette smokers all busy burning up their lungs and the oxygen in a very crowded environment, which perhaps in itself will serve as a disincentive to smoking. However, that is only the first step.

The Minister has also asked the review committee, which was established by Labour Canada, to carry out a full-scale technical review of the Canada occupational safety and health regulations, in order to develop a special regulation on smoking in the workplace. This committee is composed of representatives from labour, management and government. It has been asked to have a regulation ready for implementation in 1989.

Lending support to the initiatives taken by the Minister of Labour, the former President of the Treasury Board of Canada, now Minister of Regional Industrial Expansion (Mr. de Cotret), announced that the Government intends to ban smoking in all Public Service workplaces by January 1, 1989.

With over 200,000 employees, the federal Public Service is by far the largest employer under the federal jurisdiction. It seems to me that with this kind of support the Government's initiatives will surely reduce the risk from exposure to tobacco smoke in the workplace. I have no doubt that my hon. colleague, the Hon. Member for Etobicoke—Lakeshore (Mr. Boyer), drafted this Bill with the best of intentions. That is the nature of the man and the nature of his work. Unfortunately, it has some deficiencies which are not easy to remedy in a legislative sense.

The most serious deficiency I see is that this Act would not cover all employees who are presently protected by Part IV of the Canada Labour Code. While the word "employer" is defined to include all employers who are presently under the jurisdiction of Part IV of the code, both Section 3(1), which states the purpose, and Section 5(1), which states the application of this Act, would appear to exclude a large segment of employers. All banks would be excluded. Certain airlines, bus companies, ferries and so on would also be excluded. It seems to me that the logic or fairness of providing health protection to only some employees under the federal jurisdiction and not to others does not lend itself to full endorsement of the proposed Bill.

Another section that concerns me a great deal is Section 6. It is a short section and I shall quote it. It reads:

> This Act does not apply in respect of an employee and employer who, by written agreement, have stated that this Act shall have no application.

The meaning of this section is unclear. Does it mean that an employer can arbitrarily exempt any employee from this Act and permit that employee to smoke at his or her work-station even though that employee may be surrounded by non-smokers? If that were indeed permissible under this Act, it would defeat the whole purpose of enacting such a piece of legislation.

I do not want to leave the impression that I am against any legislation that would restrict smoking in the workplace. Neither am I saying that there are no worthy features in this Bill. On the contrary, I find the fact that it does not resort to complex and technical measures to solve the problem of smoking in the workplace as being noteworthy. All I am saying is that the Government has not only pledged but has acted upon its promise to take legislative action to restrict smoking in the workplace. I feel that that passage of the Bill before us today will only tend to plant seeds of doubt in the minds of Canadians in terms of whether it is the intention of the Government to proceed further. They will begin to wonder whether the actions taken by the Government are indeed adequate.

I am convinced they are adequate. I am convinced that the initiatives taken by the Minister of National Health and Welfare, the President of the Treasury Board and the Minister of Labour deal with this issue fairly and squarely. So I urge my hon. colleague, the Hon. Member for Etobicoke—Lakeshore, to bring his ideas on this issue to the attention of the Labour Canada review committee, which I mentioned earlier, and set aside his Bill.

I should like to conclude, if I may, by commenting on the subject of the airlines, which was addressed by two of the speakers in this debate. As do other Hon. Members, I have the need to travel back and forth across this great nation. Being a western Member, my flights are of four or five hours' duration. Quite frankly, I find that smoking or not smoking in a section designated for smoking is really quite unpleasant. If I decide that I do not want a cigarette, that I really do not need a cigarette, I find those around me who are smoking create an unpleasant atmosphere. If smoking were banned entirely on our major carriers, on long-distance flights across this nation, it really would not bother me one iota.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The hour provided for the consideration of Private Members' Business has now

expired. Pursuant to Standing Order 42(1), the order shall be dropped from the Order Paper.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

ENVIRONMENTAL AFFAIRS—UNITED STATES TRANSBOUNDARY ACID RAIN EMISSIONS/CANADIAN POSITION

Hon. Chas. L. Caccia (Davenport): Madam Speaker, it is to acid rain that I would like to draw your attention and that of the House tonight. In particular, I would like to draw to the attention of the House a statement made in the United States two weeks ago when Assistant Secretary of State John Negroponte in speaking on Canada-U.S. acid rain relations told the Senate Foreign Relations Committee, first, that emission reductions, which, in other words, means pollution control measures, cannot be defined at the present time; and, second, that the administration's analysis of the document published by a group called NAPAP in the United States shows that the administration in Washington and its understanding of the scientific issues continues to support the policy of the Reagan administration. Mr. Negroponte went on to say that to act now, that is to act by way of imposing pollution control measures in the U.S., could have serious and unnecessary social economic consequences.

Imagine, this is the message from a senior official in the American State Department. Therefore, the question that I have to ask tonight in following up one that I asked of the Secretary of State for External Affairs (Mr. Clark) a few months ago is whether he will actually admit that despite all the claims made so far by the Government of Canada he still believes that President Reagan will deliver on acid rain and meet Canadian expectations.

His expectations were whipped to an unusual high in this House last April by the Prime Minister (Mr. Mulroney) on the occasion of President Reagan's visit. His expectations, based on the statement here, have been shattered. What John Negroponte's statement does is this. It reveals that the administration's position on acid rain controls has not changed one bit. It has not changed in the past three years and, by accepting the acid rain envoys' report, the Prime Minister has given President Reagan an excuse for inaction. That was a fatal mistake.

It is worth while putting on record John Negroponte's statement since it reveals a number of things that Canadians in your province, Madam Speaker, in my province and in every province which is downwind to American acid gas pollution should know. In addressing the Senate Foreign Relations Committee on October 8, Assistant Secretary of State John Negroponte also made these remarks which I would like to bring to the attention of the House.

When President Reagan and the Prime Minister met for their third summit in Ottawa on April 5 and April 6 the President stated, "The Prime Minister and I agreed to consider the Prime Minister's proposal for a bilateral accord on acid rain, building on the tradition of agreement to control pollution of our shared international waters". "It should be emphasized"—and these are the words of John Negroponte—"that in making this commitment, the President agreed to a process, not to a specific outcome".

• (1805)

These are the important key words which must be understood by the Department of External Affairs. They must be understood by the Secretary of State for External Affairs by his Parliamentary Secretary, and by the officials here and in Washington. The Americans have said "Yes, we will consider", and "consider" means just that in English if one looks it up in the dictionary. It means that one considers or looks at a proposition. It does not imply acting on it.

I fault the Prime Minister for having created the impression, in the statements he made after the departure of the President, that the President had agreed to acid rain controls. That was the mistake.

The key words in John Negroponte's comments were that "the President agreed to a process, not to a specific outcome." Therefore, the State Department is leaving its options wide open to do anything that it wants to do.

What does it want to do? We have to look further in the document, issued compliments of the U.S. Embassy in Ottawa, to find the following:

> The administration's position is also clear. There is a significant long term concern, but, in view of our present understanding and remaining scientific and technical uncertainties, the need for or form of, additional emissions reductions cannot be defined at the present time.

Imagine that!

John Negroponte went on to say:

> The administration is prepared to take further action, as necessary, as the uncertainties are resolved. The recently released interim report presents the current state of knowledge about half way through the NAPAP's ten year scientific investigations of the problem. The administration's analysis of this document shows that our understanding—

"Our" meaning that of the State Department. He continued:

> —of the scientific issues continues to support our policies. To act now, in the face of these uncertainties, could have serious and unnecessary socioeconomic consequences.

Imagine, that is the thinking of the State Department. They are light-years behind what goes on out there in the environment. They do not understand the consequences to our ecosystem or our resources.

I will be very happy to hear the interpretation the Parliamentary Secretary would like to give us on this very significant and unfortunate statement.

[*Translation*]

Mr. Michel Champagne (Parliamentary Secretary to Minister for External Relations): Madam Speaker, obviously and in the mind of this Government there is no doubt that acid rain remains the most serious environmental issue between Canada and the U.S.A. The Prime Minister (Mr. Mulroney) made acid rain one of the principal subjects of discussion when President Reagan visited Ottawa in April. At the Prime Minister's urging, the President agreed—and all Canadians will agree—to consider the Prime Minister's proposal for a bilateral accord on acid rain.

The resolve and persistence of the Government have been amply and repeatedly demonstrated. The Hon. Tom McMillan, the Minister of the Environment, has spoken out on acid rain forcefully in the United States and Canada. The release by the United States of the unsatisfactory executive summary of the National Acidic Precipitation Assessment Program Report was met with a vigorous and firm response. In June, the Parliamentary Committee on Acid Rain, under the able chairmanship of the Hon. Member for Parry Sound—Muskoka (Mr. Darling), visited Washington and presented the Canadian case. From the beginning, our aims have been clear. We seek to remove a threat to the Canadian environment. We aim to achieve something, not just demand it.

Our objectives on acid rain have been clearly and repeatedly stated, but let me repeat them again for the Hon. Member. Canada wants a bilateral Accord that specifies targets and schedules necessary to prevent the damage caused by the transboundary flow of sulphur dioxide. Broadly speaking, we believe that a level of sulphur deposition which our environment can safely sustain will be reached when two things happen: Our national acid rain abatement program reduces annual Canadian-origin deposition levels in eastern Canada to no more than 2.3 million tonnes—an objective we should achieve by 1994; and the transboundary flow of sulphur dioxide from the United States is reduced to no more than 2 million tonnes annually.

Madam Speaker, there is nothing mysterious or hidden in any of this. We have an environment that needs to be protected; a scientifically sound target level at which the necessary protection will be achieved; a domestic abatement program to deal with that half of the problem which is of our own making; and a negotiating strategy to address the part of the problem that originates in the United States.

In discussions with American officials since the President's announcement in April, Canadian officials have enunciated our approach clearly. I can assure the House that the Government and its officials are resolved to pursue this opportunity as effectively as we can and to achieve something that answers the needs of the Canadian environment.

• (1810)

[*English*]

ROAD SAFETY—NATIONAL SAFETY CODE FOR TRUCKING

Mr. Terry Clifford (London—Middlesex): Madam Speaker, I am very pleased to be able to rise on this occasion and speak on behalf of the constituents of London—Middlesex—an area which is one of the transportation hubs of Canada—to talk about our concerns. It was very interesting, in fact enlightening when the Minister of Transport (Mr. Crosbie) answered my query about a national safety code when I was worried about killer trucks on the highways of the United States and the potential of them doing damage on Canadian roads. I wondered what his reaction would be and that of his colleagues, the Ministers of Transport in the provinces and the territories.

I was delighted when he answered that there would be a national safety code. The Ministers agreed to a national safety code which will be effective for Canada January 1, 1988. In fact, Madam Speaker, the Minister went further and said that the Ministers agreed to sign a memorandum of understanding committing themselves to the implementation of it and agreed to a timetable which would be phased in by 1990. Further, they gave their approval to a cost sharing formula for the development and implementation of the code, including the establishment of a national computer link which would permit all jurisdictions to take timely action against unsafe conduct of the operators of commercial vehicles regardless of where an offence is committed in Canada.

It looked like safety was well on its way to being looked after in Canada. However, I have one or two concerns from my question to the Minister and I would like to address them. It would appear to me and certainly to my constituents that the national safety code is dependent upon uniform implementation across the country. The truckers and those involved in this field of transportation in my riding feel that some degree of provincial flexibility might be desirable but, nonetheless, common sense must prevail.

If there are certain provinces which do not meet the time frame proposed in the Memorandum of Understanding, it will lead to the possibility that the federal law would prove invalid since it would not be applied equally across the country. It seems, therefore, that provincial co-operation is crucial in getting this program off the ground. My constituents feel that unless there is more co-ordination a great opportunity will be lost. The regulations would merely exist on paper and could not be enforced. In fact, my constituents have some very specific questions which they would like me to address to the Minister because they are inherent in what has to happen.

What is the current status of negotiation with the provinces? Will there be a significant level of uniformity across Canada? This is very important, Madam Speaker. How can we have

trade of goods from coast to coast if we do not have a transportation system and policies which will allow us to be competitive? We realize that there are different roadbeds with different carrying capabilities from province to province and we know there will be difficulties. We are not sure what that will lead to in terms of uniformity.

• (1815)

Some degree of uniformity is required from coast to coast. If there is no uniformity, it will be difficult to enforce the federal law. In fact, it may even prove to be unconstitutional. Are the provinces essentially pursuing their own regulations and resisting attempts to establish some common ground which a national code needs and in fact on which a national code is founded?

We realize that some provinces have very distinct problems with road designs and road widths and inclines which all affect the weight and the length of transports which can be applied to the roads in those provinces. We realize that there are great differences in the roads, but given that, what will happen to the ability of the provinces to have the required regulations put in place? How does this affect the national safety code's scheduled implementation date? Will this delay or in fact put to rest a uniform transportation system for goods and services from coast to coast?

This is indeed very important. It is just one aspect of the new legislation which the Government put in place under Bill C-19 which became law this fall. Canadians want safety on their roads, but they also want a very efficient transportation system.

The truckers, the people who provide this system for Canadians, want to be competitive with our friends south of the border. They do not want to have to give up their businesses to the Americans. They want to be competitive so they want to know what the National Safety Code is all about and if it will be applied uniformly in all provinces and therefore what they have to do to measure up.

I hope that the Minister can enlighten us on the national safety code, which was a great vision. Where is it today and what can Canadian truckers expect tomorrow?

Mr. Roger Clinch (Parliamentary Secretary to Minister of Communications): Madam Speaker, I am very pleased to respond to the Hon. Member for London—Middlesex (Mr. Clifford). The national safety code for motor carriers basically consists of two components. The first defines minimum safety standards and practices for drivers, carriers and vehicles. The second defines government standards which are necessary for enforcement purposes to ensure industry compliance with the national safety code.

The code will be phased in over a two-year period commencing on January 1, 1988, with full implementation expected by January 1, 1990. The phase-in approach is due to the provincial legislative requirements which are necessary for implementation of certain national safety code standards.

I would like to assure the Hon. Member that most parts of the code will be in place in most provinces by January of 1988. I would also like the Hon. Member to know that the federal Government contributed $24 million to the developmental costs of the code.

It should be noted that a number of standards are already in place today such as the single driver's licence concept, the classified driver's licence system and security of load, just to name a few. The federal Government and all provincial jurisdictions agree that a national safety code is paramount to ensuring that safety on our highways does not decrease as a result of regulatory reform. All concerned have committed themselves to continue their diligent work on the development of a uniform National Safety Code for Canada and to ensure that the timetable for implementation of the code is met.

The Acting Speaker (Mrs. Champagne): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.21 p.m.

HOUSE OF COMMONS

Friday, October 23, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

SUPREME COURT ACT

MEASURE TO AMEND

The House proceeded to the consideration of Bill C-53, an Act to amend the Supreme Court Act and to amend various other Acts in consequence thereof, as reported (with amendments) from a legislative committee.

Mr. Speaker: There are five motions at the report stage of Bill C-53, an Act to amend the Supreme Court Act and to amend various other Acts in consequence thereof, standing in the name of the Minister of Justice (Mr. Hnatyshyn).

All of these motions deal with the elimination of gender references and all were asked for my members of the legislative committee which considered this Bill.

[*Translation*]

I am given to understand that these amendments have been proposed at the committee stage. However the drafters of the Bill were not prepared to proceed at that time.

[*English*]

All of the motions are in order and will be debated together. If a division is required, a division on Motion No. 1 will be applied to Motion Nos. 2, 3, 4 and 5. The House will now proceed to debate Motion Nos. 1, 2, 3, 4 and 5.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved:

Motion No. 1

That Bill C-53 be amended in Clause 1 in the English version by striking out lines 10 to 15 at page 1 and substituting the following therefor:

"(b) by depositing with the Registrar, for each judge who has heard the case, a written opinion, a copy, signed by the judge, of the written opinion with which the judge concurs or a statement certifying the judge's concurrence".

Motion No. 2

That Bill C-53 be amended in Clause 2 in the English version by

(a) striking out lines 4 to 6 at page 2 and substituting the following therefor:

"from the delivery of judgment may sign a copy of the opinion with which the judge concurs or, where the judge has written an opinion, give the opinion to a judge"

(b) striking out lines 17 to 20 at page 2 and substituting the following therefor:

"ten an opinion may sign and deposit with the Registrar a copy of the opinion with which the judge concurs or a statement certifying concur-"

(c) striking out lines 24 to 26 at page 2 and substituting the following therefor:

"Registrar shall send notices of the deposit of judgment to the solicitors of record for the case or their agents."

Motion No. 3

That Bill C-53 be amended in Clause 5 in the English version by striking out line 10 at page 4 and substituting the following therefor:

"order, and if the appellant intends to limit the appeal,"

Motion No. 4

That Bill C-53 be amended in Clause 9 by striking out lines 8 and 9 at page 6 and substituting the following therefor:

"counsel, the Attorney General or the counsel may apply to the". Motion No. 5

That Bill C-53 be amended in Clause 13 by

(a) striking out lines 26 and 27 at page 7 and substituting the following therefor:

"counsel, the Attorney General or the counsel may apply to the"

(b) striking out, in the English version, lines 32 to 35 at page 7 and substituting the following therefor:

"appellant who is in custody and who desires to be present at the hearing of the appeal before the Supreme Court of Canada is intitled to be present at it."

(c) striking out, in the English version, lines 45 to 48 at page 7 and substituting the following therefor:

"unless rules of court provide that entitlement or the Supreme Court of Canada or a judge thereof gives the appellant leave to be present."

• (1010)

He said: Mr. Speaker, as I was saying, at the legislative committee, I had in fact undertaken to bring forward these amendments I have just moved to make the wording of the Bill gender neutral. There were some discussions in the committee with regard to the application of the interpretation Act in these circumstances but, notwithstanding that fact, I did believe that the gender neutral position was covered by the interpretation Act and I nonetheless agreed to facilitate this particular legislation by bringing forward these amendments. These five motions are the result of that. I think you will find unanimous consent to proceed without any dispute with respect to these amendments.

Hon. Bob Kaplan (York Centre): Madam Speaker, I would like to indicate that we support these amendments, but in

offering our support and our part of the unanimous consent required I would like the Minister to notice how easy these amendments were to achieve, and to remind him of the commitment which was made in connection with the statute consolidations that gender neutrality would be sought.

On behalf of the Liberal Party, I indicated that we recognize that there were cases where gender neutrality, because of the limitations of the English language and the rules of grammar, sometimes has too high a price and that in the revising of a statute, particularly a criminal statute, to remove the gender orientation of a pronoun sometimes makes the language so complicated that it is hard for a citizen to understand. I indicated for our part that we were sympathetic to that kind of problem and that we were not insisting that every "his" and "him" be removed.

The ease with which these changes were achieved in these five cases shows that there has been a half-hearted effort to apply the general policy of avoiding "his" and "him" in the language of legislation. It does not sound like a very big issue, whether "him" or "his" appear in a statute or whether that can be avoided in the English language.

[*Translation*]

And for francophones who may be interested, the problem does not arise because the grammar is different and the gender of the pronoun depends on the following noun rather than the subject.

[*English*]

For Anglophones, it is important. The Minister and some of his colleagues are supporting a conference that I attended last night, to which I was very glad to be invited, of the National Association for Women and the Law. The indignation which one feels over the situation of women under the criminal law in general is so immense, and there is so much substance to their grievance that this type of change we are considering today is hardly responsive. It is very small, yet it is important symbolically.

In agreeing with these changes, I want to criticize the fact that it was even necessary to mention them and that the Government was not following its policy of doing everything that could reasonably be done with the English language to avoid getting into this situation in the first place. These amendments have our support and we concur in the unanimous consent required to receive them at this time.

Mr. Ian Waddell (Vancouver—Kingsway): Madam Speaker, I am pleased today to speak on behalf of the New Democratic Party, being a critic of everything these days, expert on nothing. However, I am pleased to see that the Minister has cleaned up his sexist language. He called it "gender neutral", which I think is the proper term.

I note that the Minister had a little assistance, as usual, from the Hon. Member for Burnaby (Mr. Robinson) who when speaking in this House on September 14, 1987 said, as reported in *Hansard*, at page 8920:

> I was pleased to hear the undertaking of the Minister that he intends to support an amendment to delete those odious provisions. I made strong representations to the Minister on this point. I indicated that I intend to propose an amendment to delete this provision and I welcome his agreement to support my amendment and agree to the deletion of this very backward and regressive provision of the legislation.

I am pleased to see that the Minister, although he did not say so in his introductory remarks, is bringing forward our amendments. I would hope the Justice Department would not require, under its very able Deputy Minister, that the Minister be forced to rise to bring these amendments to this kind of legislation. As the Liberal critic said, they should know enough by now to bring that in in the first place, but we thank them for the fact that they did and I am pleased on behalf of our party to support these amendments.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motions Nos. 1, 2, 3, 4 and 5 standing in the name of the Hon. Minister of Justice (Mr. Hnatyshyn). Is it the pleasure of the House to adopt the motions?

Some Hon. Members: Agreed.

Motions Nos. 1, 2, 3, 4 and 5 inclusive agreed to.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved that Bill C-53, an Act to amend the Supreme Court Act and to amend various other Acts in consequence thereof, as reported (with amendments) from a legislative committee, be concurred in.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Gauthier: Madam Speaker, I believe there have been negotiations and we would like to proceed with third reading of this Bill right now.

Mr. Hnatyshyn moved that the Bill be read the third time and passed.

He said: Madam Speaker, I am pleased to have the opportunity to address the House today on third reading of Bill C-53. At the outset, I want to acknowledge the assistance of Hon. Members who have taken an interest in these amendments and in particular to express my appreciation to the members of the legislative committee who considered the Bill in a thoughtful and timely manner.

When I rose to speak on Bill C-53 at second reading, I indicated that I would be bringing forward amendments to the Bill to preserve the present practice regarding appeals as of right. That commitment was fulfilled at the legislative

committee and was supported by all members of the committee. I also brought to the attention of the committee certain statistics dealing with the current workload of the court in order to demonstrate the need for the provision in Bill C-53 regarding applications for leave to appeal.

Bill C-53 is a step forward in many respects. It will benefit counsel, litigants and the court itself through the changes to the Supreme Court Act dealing with the delivery of judgments and the time periods for bringing appeals and applications for leave to appeal. As well, the amendments which deal with fairness and security are positive changes. The legislation will now provide the Supreme Court of Canada with the authority to assign counsel to an unrepresented accused.

• (1020)

We must give our highest court the tools it needs to carry out its responsibility. We are, as I have stated before on several occasions, well served by the men and women who sit on the Supreme Court of Canada. Their ability and integrity is well known to all of us. They are faced, on a daily basis, with the challenge of interpreting our Constitution and with fundamental legal issues of national importance that affect all Canadians.

This Bill will be a help to the court in discharging its role and in marshalling its time effectively to address these matters of such great importance.

Hon. Bob Kaplan (York Centre): Madam Speaker, I also am very pleased to be able to support this Bill and to have it pass through the process of the House of Commons expeditiously and in a great spirit of co-operation. That co-operation included acceptance by the Minister not only of amendments this morning but important amendments in committee. It is certain that Canadians are very proud of the highest court in this land and that is a tribute to the calibre of people that sit on it, the way in which they work, and the support they have had from Governments of Canada, present and past.

When the amendment package was proposed it was important for us to be satisfied that it would improve the court. We were concerned, as I indicated, about some constrictions on access by Canadians to the highest court. We wanted to be certain that they were justified and necessary. It is true that this country's lawyers, through their organizations, indicated they were happy with the Bill the way it was.

The Minister told us as well that there had been consultations in the proper manner with members of the Supreme Court of Canada. He indicated in committee that they were content with the proposed changes. Of course, there is more to it than that. There is the point of view of the citizens of Canada and that is the job of this House. We accepted that the Bar was happy, the Bench was happy, but were the changes satisfactory from the point of view of the citizens of Canada?

We have dealt with the amendments on gender neutrality and I have spoken about those already. I am glad to see them included in the law. I would also point out that we were not happy with the restriction of the appeal by right which existed under the old law and which would have been taken away under the Bill proposed by the Government. Therefore we are glad that the Government agreed that this right would continue as before in at least a couple of respects. It means that someone who has had an adverse judgment and over which there was some disagreement among judges on the way up will have an appeal of right. This right was restored at our urging as well as the urging of a number of the media and public interest groups across the country, as I think the Minister would acknowledge.

We have before us a Bill which changes the rules somewhat. For example, it reduces to a certain degree the visibility of the Supreme Court of Canada because it will now be handing down written judgments rather than giving them orally in open court. Certain arguments for leave to appeal which were formally argued in open court and in front of the public and the media may now take place on paper without the necessity of an oral hearing. This will save money, yes; it will save time, it is true. However, it takes something away from the visibility of the court. On the other hand, the reason we supported these amendments was because we felt and continue to feel that the time of the court is a precious asset of the Canadian people and we have to be certain that it is used wisely and well.

[*Translation*]

So we were and we are still prepared to support the Bill as amended, and hopefully Canadians will accept the few restrictions imposed through this measure. But at the same time as we have so spared the precious time of the court—the most important in Canada—to safeguard our rights and freedoms, we readily admit that the Supreme Court of Canada has such a heavy workload and is under so much pressure that indeed an attempt must be made to save time and make better use of it. In conclusion I would say that we are quite pleased to support the Government by way of the amendments we have proposed. We hope the Bill will be sent to the Senate and that we will soon have the kind of legislation as envisaged in these amendments.

[*English*]

Mr. Ian Waddell (Vancouver—Kingsway): Madam Speaker, I would like to speak to this matter on third reading. I did not have the advantage of attending meetings of the committee but I understand the Minister of Justice (Mr. Hnatyshyn) is quite correct when he paid tribute to members of that committee. Indeed, this seems to be a good example of Parliament at work in the sense that some amendments have been accepted and some rejected. That is the way it should work.

I believe this is the first Bill to come before this House in a long time which deals in a substantive way with the Supreme Court of Canada. The court is very important, and right now very busy. I can see the court's problem and that of the

Minister of Justice because he is responsible for the administration of justice in that court. His problem lies in trying to bring in reform of an extremely busy court, reform which will not restrict too much the people's right of appeal.

All the cases that appear before this court are important. They are also very visible. The Thatcher case and the Morgentaler case are two examples. The Charter of Rights has made things even more difficult for the court. Of course, when the Meech Lake Accord goes through the court will have an even larger workload with which to deal. However, I will not get into that today.

To get back to the Bill, the amendments that the Liberal critic and the Minister spoke about, concerning not restricting the right of appeal if in fact a judge on the way up, as it was put, registered a dissent, restore that right of appeal to the highest court of the country. I think it was wise to allow that procedure to continue.

If the Minister will forgive me for a moment, I would just tell him that when I started in law I was a community lawyer in Vancouver. A woman came through my door one day. She was on bail, having been charged with the murder of her husband in Burns Lake, British Columbia. It was a very tragic case. She did not have a lawyer and asked me if I would take the case. I took the case. It was my first murder case. I went to Burns Lake for the preliminary hearing and to Prince Rupert for the trial where she was acquitted. The Crown appealed. I will never forget getting the notice on the twenty-eighth day. The case went to the Supreme Court of British Columbia where we lost, two to one. Former Chief Justice Ferris dissented. The great happiness of the acquittal in Prince Rupert turned into great sadness at the loss in the Court of Appeal in Vancouver. However, because there was a dissenter, we were entitled as of right to go to the Supreme Court of Canada. I am happy to tell the Minister of Justice that we won in the Supreme Court of Canada.

• (1030)

That is a concrete example of what I am talking about. Had this woman not had the right to appeal she could stand convicted of murder today or, at the very minimum, have gone through another long trial. I believe that justice was done in that case.

I acknowledge that there is a problem. The Supreme Court of Canada judges are extremely overworked. I want to pay tribute to them. We have an excellent Bench in the Supreme Court. They are very hard-working Canadians.

However, all is not sweetness and light. The Government retained the provision that you do not have the right to an oral hearing on the appeal. That may have been a bit of a compromise. The Government may have thought that since the court is so busy it had to cut back somehow. However, as I understand it, if you file for leave to appeal to the Supreme Court you do not necessarily get an oral hearing. You can do it by written submissions.

I want to quote the words of Thomas Berger, a distinguished lawyer in British Columbia who was a member of the Supreme Court of British Columbia for 11 years. These words were quoted by my colleague, the Member for Burnaby (Mr. Robinson), on September 14, 1987, in this House as reported on page 8917 of *Hansard*. Mr. Berger said:

> To reduce the whole matter to paper seems to me to downgrade the role of advocacy; this is not in keeping with the traditions of our bar.
>
> It is not simply that this contributes to the openness of the justice system at the very highest level; my argument is that it enables the court better to understand the exact question that is before it. This contributes to better decision making.

I believe that in spite of the understandable difficulties of a very busy court, it would be better to provide in law that those seeking leave to appeal to the highest court of the land have the opportunity to present their application orally, in person or through counsel, for the reasons set out by former Judge Berger, that it does keep the openness in our justice system at a very high level. It also enables the court to understand the case better. Sometimes you have to hear counsel, to get the words up from the paper in order to appreciate that there is a question of justice.

That is what the courts are about when all is said and done, when all the law is applied, all the paperwork is put through, and all the cases are cited, read, and reread. That is what courts are about in a free society. When a good judge and a good court see a situation which is not just, they will find a way of making it just. That is the best part of our legal system. There are bad parts of our legal system as well, but that is the best part. That is why we should agree only reluctantly to a cut-back in oral presentations to the Supreme Court on applications for leave.

There are other provisions in this Bill to which I have no objection, such as depositing copies of judgments with the registrar so that the full court does not have to appear to give judgment, reference to time limits, and so on.

I think we should consider the views of the Supreme Court judges with regard to appeal, their workload, and what the court is doing. I think it is appropriate in the constitutional system to have more contact with the Supreme Court judges, the court, and the Justice Committee, perhaps on an informal basis, so that parliamentarians get an understanding of what the Supreme Court is doing. In the last five years we have consistently, through the Charter of Rights and other laws, given more and more work to the Supreme Court of Canada.

In conclusion, I do disapprove of that part of the Bill. I suggest that Members may want to read the remarks made by the Hon. Member for Burnaby, our justice critic, on September 14, 1987 in this House, as well as the remarks of the Member for St. John's East (Mr. Harris) who is also a lawyer and spoke in this debate as well. He shared some of his experience in the courts.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question.

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Mr. Waddell: On division.

Motion agreed to and Bill read the third time and passed.

* * *

[*Translation*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed from Thursday, October 22, 1987, consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

The Acting Speaker (Mrs. Champagne): When the House last considered Bill C-74, there were seven minutes remaining in the period of questions and comments following the remarks of the Hon. Member for Ottawa—Vanier (Mr. Gauthier).

Hon. Members who wish to continue with questions and comments now have the floor.

[*English*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I would like to respond to the question put to me yesterday by the Hon. Member for York East (Mr. Redway) as reported at page 10300 of *Hansard*. The Member seemed upset that I had not mentioned in my speech the Canada-U.S. agreement with regard to the chemical dump along the American side of the Niagara River. It is indeed a very important environmental concern.

However, it is also important to draw to the attention of the House that it was a former Liberal Government that started negotiations with the American Government to try to find a solution to this environmental concern. In October, 1984, after many months of negotiations, the Canada-U.S. Niagara River Toxic Committee published its report. Three years have passed since then. This is a plan on paper only with no funding from either side. There has been very little pressure on the part of Canada to have the Americans clean up the pollution on their side of the Niagara River. I am still concerned that there have not been any real, concrete measures taken at this time. That is what I was trying to explain in my speech yesterday.

• (1040)

We also know that the Minister of the Environment (Mr. McMillan) has had some difficulties either with Treasury Board or the estimates of his own department. Over the years his department has been subject to cuts. There has been a cut-back of 106 person-years and in three years the Tory Government has removed $64 million in spending power, so his departmental estimates have not kept up with inflation.

We know that the cut-back in person-years has had an effect on pollution studies and control of toxic substances which may find their way into the food chain. For example, one scientist has been assigned to the Niagara study. I do not believe that is sufficient for a very urgent and important problem that must be resolved.

Yesterday, my hon. friend expressed surprise at my not giving him and his Government all the kudos he would like. I had to be somewhat apprehensive about—

[*Translation*]

—the political will and indeed the decision-making power of this Government to take action so that the Niagara River, like the St. Clair River and all others which flow in this country—yesterday I mentioned the Ottawa River—and which are under stress, if I may put it that way, toxic stress . . . As far as I am concerned, Madam Speaker, we must take action immediately, make the necessary appropriations, hire the required staff and scientists and provide them with whatever tools they need to clean up our rivers and settle the problem.

[*English*]

Mr. David Daubney (Ottawa West): Madam Speaker, I am pleased to have the opportunity to speak to Bill C-74 today. I believe this Bill is the most important piece of federal environmental protection legislation to come before the House in the last 10 years.

Today, as we wind down second reading, I propose that we get back to what really matters in this debate, the purpose of Bill C-74 and what it will do for Canada and Canadians.

During this debate the House has heard a number of unfounded observations on the part of the Opposition. Before proceeding to rebut some of those criticisms I want to set the record straight as to the objectives and purposes of this Bill. Canadians are anxiously waiting for the passage of this legislation in order that we may get on with the job of better protecting our environment. As far as protection of our environment is concerned, this Government subscribes to the concept of "anticipate and prevent". As a result of Canada's failure in the past to enhance the principle of prevention, we all know too well that problems have come back to haunt us.

One such threat has become a component of our daily life, toxic chemicals. We live in a global chemical society. We plow chemicals into our fields, release them into the air, treat our food with them, wear them, and use them in thousands of products. Each day Canadians enjoy a quality of life enhanced by but dependent on the use of chemicals. Life without chemicals has become virtually impossible, perhaps unthinkable. The benefits to Canadians from chemicals are significant. They are also immediate. However, our short term benefits are creating a long term legacy of continuing problems. We must

be sure that we do not make decisions today that cause problems for tomorrow's generations.

Bill C-74 also concerns protecting the Canadian environment from damage before the fact. The Canadian environmental protection legislation provides for an investigation to determine the potential impact of a new substance before it enters the Canadian commerce. Without the new Act, Canadians would continue to be at risk from toxic chemicals. Biologically engineered substances would still pose a threat until an indisputable case of environmental or human damage could be demonstrated. This could be years after the release of the substance into our environment. The Canadian Environmental Protection Act is designed to prevent another PCB or chlorofluorocarbon problem in this country.

Bill C-74 provides greater information gathering powers for the Minister of the Environment (Mr. McMillan). It will be possible for the Minister to obtain data on other uses of a substance, precautions for safe handling, recommended methods of disposal, and safety measures to be taken in case of an accident. He will be able to assess whether a substance new to Canada or one already existing in Canadian commerce is toxic or may become toxic. The Minister may collect data and conduct investigations on the nature of that substance as well. He may seek out the effect of its presence on the environment, on human life and health, as well as the extent to which the substance can become dispersed and will persist in the environment.

In addition, the Minister may collect data on the ability of the substance to become incorporated into biological tissue and cause biological change, important for both environmental and health reasons. He may additionally investigate methods of controlling the presence of the substance in the environment and methods for testing the effects of its presence.

These powers to gather information feed into all important aspects of Bill C-74 that allow control of all aspects of the life cycle of toxic substances, from development through manufacture or importation, transport, distribution, storage and use, their release to the environment as emissions at various stages of the life cycle, and their ultimate disposal as waste.

Bill C-74 goes even further in its provision for environmental controls. The responsibilities of the various federal bodies are also underscored in this piece of legislation. It allows for adoption of regulations governing federal works and to protect federal lands and water where not currently provided for. In keeping with the federal team approach to protection of our environment, federal departments and agencies are looking at environmental considerations in their program development. They are scanning legislation to see where there are gaps that the Canadian environmental protection Bill can plug successfully.

The Government of Canada intends to set the example for other Canadian jurisdictions. In keeping with the concept of "anticipate and prevent", the new Act will require the Minister of the Environment to create environmental quality objectives and guidelines as well as guidelines for the release of substances and codes of practice. The objectives, guidelines and codes will relate to recycling, reusing, treating, storing, disposing of and reducing the release of substances. It is in this area that the Government of Canada is counting on extensive co-operation with provincial and territorial governments and with industry. This is in keeping with the traditional partnership and consultative approach that Environment Canada has used almost since its creation as a department about 15 years ago.

In the area of Canada's international commitment, Bill C-74 contains provisions to control sources of air pollution in Canada where a violation of an international agreement would result. This would also be applicable where air pollution affects another country and reciprocal legislation exists to control the sources of that pollution.

Provisions under the current Ocean Dumping Control Act will be incorporated into the Bill. These provisions will allow issuance of permits to control dumping at sea from ships, barges, aircraft and man-made structures, excluding normal discharges from offshore energy facilities. This will maintain Canada's federal domestic legislation that fulfills our international commitments under the London Dumping Convention. There are also provisions incorporated from the Canada Water Act for the control of nutrients such as phosphates water conditioners or cleaning products. Natural amounts of nutrients such as phosphates that enter the environment are not toxic. However, excessive amounts of nutrients can interfere with the use of fresh water by humans, animals, fish and plants.

• (1050)

One very important component of Bill C-74 is the provision allowing for agreements to be signed with the provincial and territorial governments for administration of the Canadian Environmental Protection Act. There has already been preliminary discussions with provinces and territories, individually and among federal and provincial environment Ministers, at meetings of the Canadian Council for Resource and Environment Ministers.

There have been suggestions in the House that the federal Government is going to use these agreements to abandon the field, so to speak, as far as enforcement of the Environmental Protection Act is concerned. An essential feature of any agreement signed with the province or territory will be the enforcement and compliance policy for the Act. Such a document was released in draft form for public consultation on June 26 of this year. Provinces and territories that sign agreements for administration of the new legislation will be required to adhere to that policy. These agreements, in order to ensure nationally consistent enforcement, will also spell out procedures for audit and evaluation of enforcement and compliance activities under the Act.

During the debate, it has also been stated that each province has been given a veto over the application of the Act in its jurisdiction if the province feels it has comparable legislation. This is simply not the case. No provision of Bill C-74 gives any veto to provinces or territories. Under Canada's Constitution, the provinces, of course, do have responsibilities to protect the environment. In that regard, the Minister must offer to consult with them on proposed regulations that would govern releases of toxic substances to the environment.

We must also offer to consult with provinces on regulation development in such areas as manufacturing, commercial and processing activities giving rise to these releases, and storage, display, handling, transport and disposal of toxic substances. But I think this is simply a confirmation in legislation of the manner in which this Government conducts its business, that is, with extensive consultation. However, a requirement to consult does not imply a provincial veto. The Government of Canada still retains the right to act to protect the environment.

We have heard some disappointment expressed that pesticides and chemicals used in foods are not included in the proposed Bill. There is currently in place both federal legislation and a regulatory system for pesticides under the Pest Control Products Act administered by Agriculture Canada. That Act provides for control over the manufacture, storage, display, labelling, distribution and use of pesticides in this country. The Environmental Protection Act is designed to complement the Pest Control Products Act and not to make it redundant. Therefore, in areas where the substance is not regulated under other Acts, the Canadian Environmental Protection Act will apply. For example, if the pesticide was being manufactured or imported for use as a flame retardant, Bill C-74 would apply.

The same would be true if the pesticide appeared on the list of substances requiring pre-export notification to a receiving country. Where this is a matter of toxic affluence from pesticides, a leak or spill, or toxic pesticide wastes which are not dealt with specifically in the Pest Control Products Act, a regulation could be made under the Canadian Environmental Protection Act. As well, of course, appropriate provincial legislation may come into play.

While pesticides remain under the Pest Control Products Act, this does not mean that Environment Canada has no role to play in this field. In addition, Environment Canada, like the Department of National Health and Welfare and the Department of Fisheries and Oceans, acts as a technical adviser to Agriculture Canada in the registration process. Environment is also involved in monitoring the fate of pesticides in the environment, of course.

The Minister of the Environment considers his Department's role in the pesticides area so important that he has secured and allocated seven additional person-years and yearly funds of $3.2 million to ensure complete and comprehensive environmental evaluations of pesticide products. His Department's research and monitoring program, which will provide necessary environmental data to undertake regulatory evaluation of pesticides, began in 1986 and is making, I understand, all hope for progress.

Another criticism of the Bill is the omission of a statement which would prohibit the export of substances banned in Canada. This Bill calls for compulsory notification for export of regulated substances. This is consistent with requirements of the United Nations Environment Program and with criteria laid down by the Organization for Economic Co-operation and Development, both endorsed by this country.

We will, of course, require that export of banned or regulated substances be preceded by compulsory notification of the receiving country on the occasion of the first export shipment. It will then be up to the receiving country to determine compliance with its laws.

While the export of these substances will not currently be prohibited under the Canadian Environmental Protection Act, Canada could take that step because the proposed Act does allow the making of regulations for the total, partial or conditional export of a substance or product containing that substance. But we should not forget that the banning or restriction of a substance in Canada would have to be done under the Act after taking into account affects on our environment or the health of our residents.

The same environmental conditions and health factors might not come into play in countries with completely different climates, vegetation, pest and parasitic problems, and the like. Those countries may have a use, even a need, for the very substance which Canada has chosen to restrict or ban in this country under our Environmental Protection Act. It is for this reason that an outright prohibition of the exported substances banned or restricted in Canada does not appear in Bill C-74.

Several speakers have decried the absence of an Environmental bill of rights for all Canadians. The rights of individuals have been addressed in this Bill. There is extensive opportunity for public participation and enforcement of the Canadian Environmental Protection Act. For instance, a person subject to loss or damage as a result of an action prohibited by the statute has the right to seek an injunction in the courts to stop or prevent the action. Any 12 persons can petition the Minister to investigate an alleged offence. The Minister has an obligation to report his findings.

When reporting to an inspector or other official the alleged release, leaked, spilled, dumping, and so on, of a substance to the environment, a person has the right to have his or her identity kept confidential. Individuals may petition the Minister to have a substance included on the list of priority substances to be studied and the Minister must respond with his decision.

A person may appeal a decision not to regulate a substance as toxic and that appeal will be considered by a board of review. Individuals will have the opportunity to appear before

boards of review established under the Act and a board of review will be empowered to award costs to those appearing before it.

One element requested for inclusion in an environmental bill of rights, namely, standing and access to the courts, is a right already enjoyed by Canadians. Private individuals have the right to prosecute federal summary conviction offences.

Madam Speaker, I recognize my time has expired—

The Acting Speaker (Mrs. Champagne): I regret I have to interrupt the Hon. Member.

[*Translation*]

It being eleven o'clock, pursuant to Standing Order 19(4) the House will now proceed to Statements by Members pursuant to Standing Order 21.

• (1100)

STATEMENTS PURSUANT TO S. O. 21

[*English*]

INTERNATIONAL LABOUR ORGANIZATION

PROTECTION OF INDIGENOUS PEOPLES—REVISION OF CONVENTION

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the 152 member states of the International Labour Organization, the ILO, are in the process of revising a Convention which was approved 30 years ago concerning the protection of indigenous peoples in independent countries. The Government of Canada must send to the ILO by October 31 its response to the proposed revisions. Although the deadline is just a week away, and although the ILO directed its member states to ensure the participation of their indigenous peoples in the revision process, so far Canada has refused to share its draft response with indigenous peoples here.

In view of the importance of this Convention to the indigenous peoples of Canada—it is the only existing international Convention providing for their protection in the area of labour relations, land use and ownership, and social and cultural rights—and the opportunity this process of revision offers Canada to play a leading role internationally, I request the Government to provide a text to the indigenous peoples immediately so that their views can be incorporated into Canada's response.

SHIPBUILDING

PORT WELLER DRY DOCKS—AWARDING OF REFIT CONTRACT URGED

Mr. Joe Reid (St. Catharines): Mr. Speaker, for years the shipbuilders of Canada have been crying out for a national shipbuilding strategy. They desperately need policies to encourage a sourcing of vessels at home.

There is high demand for Atlantic fishing trawlers, and there are military requirements of a big and small nature. There is the ongoing replacement and the expansion of the Canadian Coast Guard.

Yards have been restructured, improved to meet that demand, some with federal government assistance and some without. Such rationalization or restructuring does not in itself bring in new business. Much of it is by way of allocation. The Government must recognize the Canada-wide employment needs and technical development opportunities that shipbuilding and its allied industries bring.

Port Weller Dry Docks in St. Catharines, the last Canadian shipbuilding yard on the Great Lakes, is reduced to a skeleton staff. Hundreds of dry dock workers are on layoff. This is at a time when a press report indicates that an Atlantic seaboard yard speaks of full employment and orders not yet begun.

It is a timely opportunity for the Government to demonstrate sensitivity to the region of Niagara and award the mid-life refit of the Ontario-based Coast Guard vessel *Simcoe* to the Port Weller yard now.

* * *

NATIONAL DEFENCE

ACQUISITION OF NUCLEAR SUBMARINES—CALL FOR PUBLIC HEARINGS

Mr. Dan Heap (Spadina): Mr. Speaker, recent newspaper stories indicate that the Government is proceeding as rapidly as possible to place orders for nuclear-attack submarines. The Department of National Defence knows that if these orders are not placed before the next election they never will be placed.

Nuclear-attack submarines mark a dangerous shift in Canadian policy. No one really believes that their primary purpose is to patrol our coastline and protect Canadian sovereignty. In today's world, nuclear-attack submarines make sense only if they are part of the Pentagon's Maritime Strategy.

That Maritime Strategy of the Pentagon calls for the rapid escalation of the use of force in any crisis between the two superpowers. Our participation in that strategy will make war more likely, not less likely.

I therefore call on the Government to hold public hearings on its defence White Paper tabled several months ago and to put the purchase of nuclear-attack submarines on hold until those hearings are finished.

* * *

TRADE

SOVIET UNION—IRAN OIL DEAL

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the Tass news agency has recently reported that the Soviet Union has agreed to import five million tonnes of crude oil from Iran in exchange for two million tonnes of refined product. Using the facilities of the New York Mercantile Exchange, I calculate that five million tonnes of crude could be exchanged for in excess of four million tonnes of refined product.

Sir, do these observations point to the innate superiority of free market versus socialist ways of doing business, or just to the fact that the Soviets are not at all adverse to using 19th century imperialist techniques to exploit a customer or supplier who is at their mercy?

What is not at question is that the Iranians would be far better off were they to cease their senseless war with Iraq and rejoin the civilized world.

* * *

[*Translation*]

HOUSING

URGENT NEED FOR GOVERNMENT TO TACKLE PROBLEMS OF HOMELESS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, in 1986 100,000 Canadians in this country were at some time without shelter. What is even more disturbing is the steadily increasing number of young people, women and families who have no place to go.

There are three major reasons for this phenomenon: Lack of income, the large number of psychiatric patients who are released from hospitals, and the lack of affordable housing.

The Conservative Government is proud of the fact that Canada's economy is in good shape. However, the gap between rich and poor is steadily increasing, while the Conservatives do nothing for the homeless and those with substandard accommodation. In a country as rich as Canada, with such a severe climate, we cannot tolerate citizens being homeless. That is why I invite all Canadians to sign the petitions that are now being circulated. These petitions ask the Government to take steps immediately to deal with this heart-rending situation.

S. O. 21

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—CALL FOR ENDORSATION BY NEW DEMOCRATIC PARTY

Mr. Brian White (Dauphin—Swan River): Mr. Speaker, here is what one Canadian organization has to say about free trade:

> Expansion of our trade with any and all countries willing to trade on a fair and equitable basis will benefit both ourselves and them. Careful planning is needed to adjust our production to the trade requirements of a fully employed economy. Tariffs are out-moded patchwork attempts to protect domestic industry; they restrict trade while giving less and less protection to the home industry. Their growth is an inevitable result of an economy that tolerates unemployment. Only through a positive approach can Canada enjoy the benefits of expanded trade without hardship to specific groups and communities.

Who said that? Why, it is Resolution B.2.1 from the NDP blueprint "Resolutions Reference". According to the NDP, this resolution was "still current" as of last October. It has remained on the books unchanged since the NDP's founding convention in 1961.

I urge the NDP to forget about Bob White, Shirley Carr, and the other irresponsible fear mongers. I urge the NDP to listen to its own advice and endorse the Canada-U.S. free trade agreement.

* * *

THE PRIME MINISTER

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, on August 29, 1983, the Prime Minister (Mr. Mulroney) was first elected as a Member of Parliament representing constituents in Central Nova in my home Province of Nova Scotia. He promised jobs, jobs, jobs, for the people of Central Nova. Well, they did not get the jobs, jobs, jobs, or anything else. Once again we see the Prime Minister telling people what they want to hear and then not delivering the goods.

The Prime Minister of Canada is a coward. This weekend he was supposed to be—

Some Hon. Members: Order!

Mr. Speaker: The Hon. Member knows that in Statements by Members it is a tradition, and a firm one, that they are not to be used to attack personally any Hon. Member of this Chamber.

An Hon. Member: Especially when he is not here.

Mr. Speaker: It does not matter whether they are here or not.

The Hon. Member for Ottawa Centre (Mr. Cassidy).

S. O. 21

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

POPULATION OF SEPT-ÎLES—ATTITUDE OF PRIME MINISTER

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, this week we heard that in Sept-Îles, union and municipal authorities and the Chamber of Commerce met in a way that was unprecedented to organize a massive demonstration against their Member of Parliament, who also happens to be the Prime Minister of Canada, and his failure to take measures to deal with the economic recession in their community.

We also heard that despite his promises, the Right Hon. Prime Minister (Mr. Mulroney) has once again cancelled his plans to visit the riding of Central Nova which he represented before the 1984 election. Instead, he will meet with 500 major financial backers of the Progressive Conservative Party.

Mr. Speaker, the people of Sept-Îles are right to protest against an unemployment rate of 32 per cent. I will be there to join in the demonstration on October 31. But I wonder what kind of country this is, when our Prime Minister ignores the people who sent him to Parliament and whom he represents as a Member of Parliament. He only has time for the financial backers, the big corporations, and not for the average citizen in this country.

* * *

• (1110)

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—EFFECT ON WESTERN ECONOMY

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, the Canada-U.S. trade agreement is good news for Saskatchewan and the West. The agreement takes an important step toward ending the insane global grain wars as both countries seek a level playing field in North American grain subsidies and work together in global negotiations.

Red meat producers will gain exemption from U.S. meat import laws. Canadian cattlemen will no longer be blind-sided by American disputes with third countries.

The agreement will end the protectionist threat against our energy exports. Exciting new opportunities will be created for western development in oil, natural gas, hydro, and uranium. Reduced tariffs will cause consumer prices to fall. Our production costs will be lower, and our ability to add value will be improved—a key factor in western diversification.

Our future lies in the prosperity of free trade, not in the poverty of protectionism. Consumers, energy producers, grain farmers, cattlemen and pork producers all stand to gain through this historic initiative.

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—MINISTER'S STATEMENT ON ROLE OF UNITED CHURCH

Mr. Jim Fulton (Skeena): Mr. Speaker, in a free and democratic society it is extremely disturbing to see the blatant attack by Canada's Trade Minister on the United Church of Canada. The attack came in the form of a threat to the church and its members for taking a stand in opposition to the Mulroney free trade deal. The Minister attempts to muzzle the United Church by inferring that the advertisement placed in newspapers on Wednesday might be misleading and that the Government might investigate it.

Here we have a Government that uses the tax dollars of all Canadians to pay Ambassador Reisman to openly attack the duly elected opposition Parties, particularly the NDP; spends $12 million, at least, of taxpayers' dollars to promote Conservative policies on the Mulroney free trade deal; and then has the gall to attack the United Church and threaten its membership for speaking out for their view of Canada.

At this very moment the Prime Minister (Mr. Mulroney) is meeting privately behind closed doors with major donors to the Conservative Party's coffers. It might well be appropriate to investigate just how many taxpayers' dollars are being spent on organization and travel by the Prime Minister to this meeting, obtain the resignation forthwith of Ambassador Reisman for using taxpayers' dollars to attack duly elected MPs, and for the Government to apologize forthwith to the United Church for its unprecedented attack on the church's right to a democratic voice in the affairs of our nation.

* * *

NATIONAL FILM BOARD

TARNISHING OF MEMORY OF THE LATE BILLY BISHOP, V.C

Mr. David Daubney (Ottawa West): Mr. Speaker, the memory of Billy Bishop, one of Canada's greatest heroes, continues to be tarnished by the National Film Board's movie, *The Kid who Couldn't Miss*.

For many years Billy Bishop's deeds during the First World War have been a source of pride and inspiration for all Canadians, and they have been well documented by reliable sources such as the British War Office, and the official historian of the Canadian Department of National Defence.

The Billy Bishop story speaks for itself: 72 confirmed enemy planes shot down, 25 of which were during a 10-day period. Bishop was awarded the Victoria Cross for an individual attack on a German airfield. His other decorations include the Companion of the Bath, two Distinguished Service Orders, the Military Cross, and the Distinguished Flying Cross. He continued to serve Canada in the Second World War, being a model and an inspiration for service personnel.

The National Film Board initially labelled this film a "documentary", yet it is based on unreliable, and at best, circumstantial evidence. Over $400,000 of taxpayers' money has been spent on a project that does not even include references to accredited archives.

I urge, Mr. Speaker, that this wrong be redressed and that the memory of Billy Bishop receive the honour and respect that it deserves.

* * *

[*Translation*]

PROGRESSIVE CONSERVATIVE PARTY

INFLUENCE OF FRANCOPHONES

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, this morning, the title of an article by Michel Vastel published in the newspaper *Le Devoir* says: "French power in the Conservative Party a shadow of former self". I agree with Mr. Vastel, who lists a series of projects Quebecers are still waiting for. Hon. Members will recall the Picard Report, Pichette Reports no. 1 and no. 2 from Montreal East, the paper mill in Matane, the Sept-Îles question, the banking centre, the space agency, the Old Port of Montreal, and the shipyards. All these projects are on the backburner, which clearly shows that the Conservative Ministers and Members from Quebec have no clout in this Conservative Government. This becomes very clear when we consider that the Conservative caucus is opposed to a tax on food, and the Prime Minister and the Minister of Finance are maintaining their option to tax the bread, milk and butter of Canadians.

Mr. Speaker, what Mr. Vastel says is so true: French power in the Conservative Party is dead.

* * *

[*English*]

EDUCATION

NATIONAL FORUM ON POST-SECONDARY EDUCATION

Mr. Dennis H. Cochrane (Moncton): Mr. Speaker, I am pleased to draw the attention of the House to the fact that National Universities Week is being celebrated beginning today until November 1. The dates are particularly auspicious in that the National Forum on Post-Secondary Education is starting in Saskatoon on Sunday.

There could be no better time than the kick-off of Universities Week to take a moment to examine the Canadian university scene. The 70 degree-granting universities in Canada range in size from enrollments of a few hundred to tens of thousands of students. I am particularly proud of the fact that two such institutions are located in my constituency, the Atlantic Baptist College and *Université de Moncton*, which is the only French-speaking university outside the Province of Quebec.

I am particularly pleased that the federal Government and the provinces are joining with other interested sectors at the National Forum to consider the future of our universities and colleges as we approach the 21st century, and to consider issues of vital importance to higher education in Canada. There will be many challenges ahead for our universities, but they are well equipped to respond to them and grasp the resulting opportunities.

* * *

CANADA PENSION PLAN

ELIGIBILITY FOR DISABILITY BENEFIT—WIDER DISTRIBUTION OF INFORMATION URGED

Mr. Neil Young (Beaches): Mr. Speaker, many Canadians are not aware of the stringent requirements that have to be met in order to qualify for a disability benefit under the Canada Pension Plan. In fact, the applicant has to be practically comatose to become eligible. Once total disability has been proven, the next obstacle to be overcome is the earnings contribution formula.

The claimant is required to have had five years of earnings and contributions to the plan during the 10-year period immediately prior to the date that the application is made. Those requirements are unfair, and many individuals have been denied benefits simply because they were unaware that those provisions existed.

I call upon the Government to consider providing this information to every individual who applies for or is in receipt of sickness benefits under the Unemployment Insurance Act. The same information could also be provided to every member of the medical profession to make them aware of it.

Finally, the Government should extend the eligibility rules in order that Canada's disabled can receive the benefits that they believed they were paying for.

* * *

HISTORIC EVENTS

THIRTY-FIRST ANNIVERSARY OF HUNGARIAN REVOLUTION

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, today marks the thirty-first anniversary of the 1956 Hungarian Revolution. This is a special occasion for Canadians of Hungarian origin, and for all Canadians who support the cause of freedom.

The valiant revolution began on October 23, 1956, and for a brief moment in history the Hungarian people won their

freedom and independence. Factory workers and students joined together to demand the withdrawal of Soviet troops from their country. The demonstrations were, at first, peaceful. But when the political police, the AVH, began to fire on demonstrators, there was no turning the tide of a national uprising. By October 28, the battle for independence was won, and peace and order were re-established.

Armed Soviet intervention crushed that independence but a few days later. Many men and women lost their lives in this battle to establish freedom and independence for Hungary. It is appropriate that Canada, as a bastion of democracy, pay tribute today to those brave individuals who gave their lives for this noble cause.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—U.S. TRADE REMEDY LAWS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a question for the Deputy Prime Minister.

On March 13 of this year the Minister for International Trade told CTV that the objective of any trade agreement, "would be the elimination of countervail by both countries".

In a quote in the *Wall Street Journal* on April 3 of this year, the Prime Minister was reported to have said to a group of reporters, "U.S. trade remedy laws cannot apply to Canada. Period".

Yesterday Canada's chief trade negotiator, Simon Reisman, is quoted in the daily press as stating, "It is just plain dumb." "—that this agreement should provide us with an exemption from American trade remedy laws is just the silliest proposition I have ever heard".

In effect, the chief trade negotiator for our country is calling the views of the Prime Minister of Canada, and the Minister for International Trade "silly" and "dumb". He has stated that he never negotiated an exemption from countervail or trade remedy law.

The main purpose of the Government, apparently, and those who support this agreement, was to obtain an exemption from U.S. protectionism, namely, from U.S. trade remedy laws. Why did the Prime Minister of Canada say that this would be the result of the agreement? Why does the Prime Minister of Canada continue to say we are exempt from U.S. protectionism while his chief trade negotiator says it is simply not so?

• (1120)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, maybe I could draw the attention of the Hon. Member to Item D, Application of this Arrangement on Page 21, where it says:

> This arrangement shall be in effect for five years pending the development of a substitute system of laws in both countries for anti-dumping and countervailing duties.

That is the objective of the free trade agreement. We have set in place a process to achieve the substitute system and that will be in place as the discussions continue between the countries.

UNITED STATES SUBSIDIZED GRAIN EXPORTS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, that citation contradicts not only the Prime Minister but also the chief trade negotiator for different reasons. The agreement signed by the two Governments will apply, through this binational review panel, American trade law and American trade practice to Canadian exports into the American market. Nothing has changed.

Mr. Hnatyshyn: Brilliant, John.

Mr. Turner (Vancouver Quadra): That happens to be the fact and that was not the reason given for this agreement by the Prime Minister of Canada.

Negotiations over the next five or seven years on subsidies and the other definitions under American trade law may or may not succeed. At the moment we have no exemption from American trade law, and that is admitted by the chief trade negotiator.

I have another quote for the Minister of Finance or the Deputy Prime Minister. On March 16 of this year, the Prime Minister in the debate in the House of Commons on trade had this to say as quoted in *Hansard*:

> Let me turn to the area of agriculture. Our goal is straightforward. It is to help Canadian farmers by . . . ending the deeply destructive subsidization of exports . . . our desires must be respected and our wishes accommodated. Otherwise, there will be no deal.

That was the undertaking of the Prime Minister given to the House of Commons.

On October 15 the United States announced a subsidized export grain deal with the Soviet Union. Yesterday the Secretary of State for External Affairs proved so incompetent that he did not even know about it. The Prime Minister said there would be no deal if the United States continued to subsidize farm exports into foreign markets. The United States continues to subsidize grain exports to foreign markets. If this is so, why the deal with the United States?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, there were two quite distinct questions in that long presentation by the Leader of the Opposition. I will answer one. If I have the time, I will answer the second.

The first one relates to the application of the trade remedy laws of each country. What I think I heard the Leader of the Opposition say is that he would prefer that we, by implication, just remove our trade remedy laws and let the United States have total access to this country without countervail and

without any anti-dumping laws during this five year period during which we will be developing new rules. I think that would be the stupidest thing for this country to consider doing.

If we had done that, I can absolutely assure you, Mr. Speaker, that the Leader of the Opposition would be up on his feet asking: "Why did you do this? Why have you opened up the Canadian market for pillorying by the United States without any protection for Canadian business?"

That is why the existing laws will be kept in place until the new rules are in place.

Mr. Turner (Vancouver Quadra): Mr. Speaker, the principal reason this Government said it sought the deal with the United States was to gain exemption from American protectionism. The chief trade negotiator now admits categorically that there is no such exemption because American countervail, American trade remedy laws existing in future will continue to apply. The Government has not achieved secure access to the American market.

[*Translation*]

GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I want to get back to the Deputy Prime Minister. Does he know that yesterday, at the very moment when the Secretary of State for External Affairs was telling me in the House that the United States no longer subsidize wheat export sales, American officials in Washington were announcing a new subsidized sale of wheat, to Yemen this time?

I ask the Deputy Prime Minister—

[*English*]

Mr. Hnatyshyn: Yemen?

Mr. Turner (Vancouver Quadra): Yemen. The Minister of Justice may not know where that is but there was a straight commitment from the United States.

[*Translation*]

I ask the Deputy Prime Minister: Just how far can the incompetence of his colleague the Secretary of State for External Affairs extend? Just how far can the incompetence of this Government go?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am pleased that the Right Hon. Leader of the Opposition made that clarification because there has not been confirmation of the United States selling grain to our traditional markets.

The Right Hon. Leader talks about Yemen. In 1981-82 we did not sell anything to Yemen. In 1982-83 we did not sell anything. In 1983-84 we sold 24,000 tonnes. In 1984-85—

Mr. Lapierre: You probably never will.

Mr. Mazankowski: If the hon. backbencher in the Liberal Party wants to answer this question, I will let him do that. I think in the interests of providing the Right Hon. Leader of the Opposition with some information and, indeed, all Members of the House, this information should be put on the record.

In 1984-85, Canada sold 118,000 tonnes, in 1985-86 we sold 10,000 tonnes and in 1986-87 we sold 21,000 tonnes. I cite those figures because it is hard to imagine that Yemen could be considered one of our traditional major customers.

Mr. Hnatyshyn: You are thinking of Yeoman, Saskatchewan.

Some Hon. Members: Oh, oh!

Mr. Mazankowski: The Leader of the Opposition should not try to exaggerate the situation. I know he wants to because he is trying to get his fingers into the agricultural pot, but he is having a lot of difficulty.

UNITED STATES EXPORT ENHANCEMENT PROGRAM—SALE OF WHEAT TO YEMEN

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is for the Deputy Prime Minister. Yesterday the Secretary of State for External Affairs said that no new action has been taken under the U.S. Export Enhancement Program. At that precise hour the United States announced a sale of 20,000 tonnes of wheat and wheat flour to Yemen. There was no consultation. The Americans did not come to Canada to consult on the matter. They were prepared to give away one bushel from U.S. stockpiles for every three being sold. Isn't this simply another glaring example of a breach of the agreement signed on free trade? This will continue to drive down prices of grain on the world markets and hurt our Canadian farmers?

When will the Deputy Prime Minister and the Minister of Finance stand up for Canadians and for Canadian farmers and stop this takeover by the United States which is clearly a breach of the spirit of the agreement signed by the Minister of Finance two weeks ago?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Opposition in its desperation is trying in every way to discredit the merits of the free trade arrangement. By so doing, it is really overstating the case.

Yemen has not been considered as a traditional market for Canada. As a matter of fact, the United States has outsold Canada since 1981-82—the latest figures I have—on a consistent basis. I suppose it is fair to say that the United States would consider Yemen as a traditional customer of its own.

What is important, which the Hon. Member should recognize, is that Canada's share of international world trade has increased from 20 per cent to 24 per cent, thanks to the

efforts of the Canadian Wheat Board, thanks to the efforts of the Government, thanks to the efforts of the Prime Minister, the Minister of Finance and of the Secretary of State for External Affairs who have been taking this issue to the world forum, the multilateral discussions, to bring about some sanity and stability to the world grain market. It is more than just a problem between the United States and Canada, it is a world-wide problem of all grain producers and the Hon. Member should recognize that.

• (1130)

MINISTER'S POSITION

Mr. Maurice Foster (Algoma): The Deputy Prime Minister should recognize that the United States Enhancement Program is driving down world prices in grain to the lowest level since the 1930s in real terms.

The night the agreement was signed, Clayton Yeutter told officials of the United States Treasury Department that Canadians did not know what they signed and that in 20 years they will be sucked into the United States economy. With attitudes like that on the part of the United States Secretary of Trade who is the most senior person in this regard, does the Minister of Finance, who also signed that agreement and has already heard what the Secretary of Trade said about him, really believe that the United States will not flout this deal if and after it has been ratified? When will the Minister stand up for the position of Canadians and Canadian farmers under this deal?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think Mr. Yeutter has denied having said that, but let me just comment on this. I have heard this Hon. Member and the Leader of the New Democratic Party making all these outrageous statements indicating that Canada will become totally a part of the United States, that we will become the 51st State and that we will be totally sucked into the U.S. economy.

Surely we can have confidence in this country. We have watched tariffs drop over the last 30 or 40 years and we have seen ourselves become more drawn into the international economy. As we have been drawn into the more integrated nature of the international economy, we have been successful, we have created a better standard of living in Canada, we have created more jobs and more varied jobs, and we have a stronger economy, stronger social programs and a stronger culture.

Why is it that this Hon. Member and the Leader of the New Democratic Party have so little confidence in Canadians, in the gumption of Canadians, in the desire of Canadians to demonstrate that they are Canadians and proud of it? How can they walk away from this sense of confidence in the future of this country?

PROMISE OF FULL AND OPEN DEBATE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Deputy Prime Minister but first I would like to remind the Minister of Finance that it was not the Opposition but the Minister himself who said a few years ago that a free trade agreement with the United States would be simplistic and naive. It is interesting how he has changed his mind.

My question to the Deputy Prime Minister concerns the Prime Minister's promise to have a full and open debate on these free trade proposals. On Wednesday he met with an elitist business group in a closed session in Toronto and today he is meeting with a wealthy group of Tory contributors in Halifax in another closed session. Incredibly enough, he has cancelled the scheduled public meeting with the people of Central Nova. Is this what the Conservatives mean by full and open discussion, closed meetings with financial contributors to the Conservative Party?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, once again, and we have seen it day after day, the Leader of the New Democratic Party is making false statements in the House and again he has made another false statement.

Mr. Broadbent: What is the false statement?

Mr. Mazankowski: There is not an open meeting today in Halifax, Mr. Speaker.

Some Hon. Members: Oh, oh!

Mr. Broadbent: No, it is a closed meeting.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Deputy Prime Minister.

Mr. Mazankowski: Mr. Speaker, I just committed an egregious error. It is an open meeting and I want to inform—

Mr. Turner (Vancouver Quadra): How much does it cost?

Mr. Mazankowski: The Leader of the Opposition spoke to 3,000 people and I guess it cost $300 to hear him. I do not know if they got their money's worth, but, Mr. Speaker—

Mr. Speaker: The Hon. Member for Oshawa.

PRIME MINISTER'S MEETINGS WITH CERTAIN GROUPS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Deputy Prime Minister says it is an open meeting and I am pleased to accept that correction, but he has not denied the other element of criticism that came from the people of Central Nova and from two Members of Parliament on the Conservative side of the House, which is that this is an elitist gathering. In the words of the Hon. Member for Halifax West,

access to Government should not be controlled on the basis of income.

The Deputy Prime Minister has not denied that the Prime Minister cancelled the meeting which had been promised for three years and was scheduled for yesterday in Central Nova. I repeat, given the importance of this issue which affects all Canadians, is it appropriate for the Prime Minister to go around speaking to elitist groups that can afford to give $1,000 each to the Conservative Party? Is that what it is about?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I think the Leader of the New Democratic Party would agree that that is a rather unfair charge.

Mr. Broadbent: They are your Members who made the charge.

Mr. Mazankowski: The Prime Minister has met with farmers, with union leaders, with women's groups, with people from all walks of society and he will be continuing that process. Due to pressures in Ottawa, particularly with respect to the stock market, Meech Lake, the Commonwealth, and a number of things of that nature, it was necessary to postpone the visit to Central Nova.

I can assure the Hon. Member, since he is interested in this, that the Prime Minister will be visiting Central Nova within the next two to three weeks. In so far as a full parliamentary debate is concerned, there have been discussions among the House leaders to get this document referred to committee so that the committee can study it fully. I understand there have also been discussions with respect to the possibility of a debate in the House. That commitment has been made by the Prime Minister and that commitment will be fulfilled.

REQUEST FOR TELEVISED PARTY LEADERS' DEBATE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, given the importance of this issue to the people of Canada, whether they are in Nova Scotia or on the prairies or anywhere else, and given the fact that the central reality of modern society is that the best way for a population to have access to a serious debate is by watching one on television, will the Deputy Prime Minister, on behalf of the Government, undertake now to make a commitment to the House that he will arrange with the television networks of Canada a public debate on this important issue to take place between the Prime Minister of Canada, the Leader of the Opposition, and myself as Leader of the New Democratic Party?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, that is a new proposal. The Leader of the New Democratic Party has shifted ground. First he was complaining about the lack of a public debate and a debate within the House of Commons. I think we have satisfied that. He now wants to extend it further.

My sense is that the committee will have an opportunity to travel so that Canadians right across the country will have an opportunity to be fully informed—

Mr. Broadbent: What about a public debate?

Mr. Mazankowski: There is a public debate that goes on here every day and opposition Parties have six opposition days between now and December 10. There is one on Monday. If they want to have a fully televised debate, we can have it in the House of Commons. What has the Hon. Member got against the House of Commons?

* * *

REGIONAL DEVELOPMENT

CENTRAL NOVA—POSTPONEMENT OF PRIME MINISTER'S VISIT

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Deputy Prime Minister and concerns the lavish $1,000-a-plate dinner in Halifax. I want to tell the Deputy Prime Minister what his colleague from Halifax West has said. He said: "The entire concept of screening people who attend the event strictly on the basis of the amount of money the have is an insulting elitist concept."

• (1140)

Why has the Prime Minister refused to meet with the people of Central Nova who are drastically affected by high unemployment? Why has he betrayed them? Why has he insulted them by not going to Central Nova to meet with them?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I thought I answered that question. The Prime Minister indicated that due to other pressures he was forced to postpone that visit. He will be visiting Central Nova in the very near future.

In so far as the elitist charge is concerned, perhaps the Hon. Member would explain why the Liberal Party charged $300 a plate to hear the Right Hon. Leader of the Opposition. I heard a lot of complaints about people not getting their money's worth.

Some Hon. Members: Hear, hear!

Mr. Dingwall: Mr. Speaker, I wish to inform the Minister that the people of Central Nova do not find this insulting behaviour—

Some Hon. Members: Oh, oh!

Mr. Dingwall: —demonstrated by the Prime Minister to be acceptable at all.

REQUEST THAT PRIME MINISTER MEET DELEGATION FROM CENTRAL NOVA

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, can the Minister undertake to the House right now that the Prime Minister will meet today with those people who are travelling from New Glasgow in Central Nova to Halifax and discuss important regional issues affecting their community? Or is he going to continue to break his promises to the people of Central Nova?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, without concurring in the rather unfair and extraordinary comments I can only say this. If the Right Hon. Prime Minister does not meet with those folks today I can assure the Hon. Member that he will meet with them at a later date. He indicated that he will be visiting Central Nova in the next two, three or four weeks.

The Hon. Member should recognize that this has been an extraordinary week. There have been the pressures of the stock market, the Meech Lake speech, and the Commonwealth Conference. The Prime Minister has every intention of visiting Central Nova and he will.

PRIME MINISTER'S PRIORITIES

Mr. Jack Harris (St. John's East): Mr. Speaker, if the Prime Minister has a problem with scheduling and has to make a choice about whom he is going to meet with, why does he not meet with the people of Central Nova instead of rich contributors to the Tory Party? Hasn't the Prime Minister got his priorities all wrong?

Mr. McDermid: Tell it to the CLC, they are your biggest contributor.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, that is a repetition of a question I have answered.

CONDITIONS IN CENTRAL NOVA

Mr. Jack Harris (St. John's East): Mr. Speaker, in Trenton, Nova Scotia, in the riding of Central Nova, the unemployment rate is 40 per cent. Over the last year Trenton Car Works closed down putting 2,000 people out of work. Given that fact and the fact that the people of Central Nova desperately need government assistance, why is the Prime Minister not dealing with that problem instead of meeting with Party supporters in Halifax?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, first, I do not think it is necessary for the Hon. Member to attempt to represent the people of Central Nova. They have an excellent representative—

Some Hon. Members: Who?

Mr. Mazankowski: —the Hon. Member for Central Nova, the Minister of National Revenue. If the Hon. Member were to look at the facts he would see that a proposal has been put together to revitalize Hawker Siddeley and get it back into operation by providing orders and jobs. An economic development program has been established, as well as a program under the Canadian Jobs Strategy. Notwithstanding the fact that there are some difficulties, clearly action has been taken and the Hon. Minister of National Revenue is representing that area very well.

* * *

TRADE

ANNOUNCED SALE OF UNITED STATES SUBSIDIZED WHEAT TO SOVIET UNION

Hon. Herb Gray (Windsor West): Mr. Speaker, by way of brief preamble I want to say that the Liberal Party has just put down a motion calling for a debate on the free trade deal. Monday is an Opposition Day and that is when the motion will be debated. The Right Hon. Leader of the Opposition will be opening the debate and we will see whether the Leaders of the other Parties, particularly the Prime Minister, pick up the challenge and take part in that debate.

Some Hon. Members: Hear, hear!

Mr. Gray (Windsor West): Getting back to the matter of the subsidized sale of wheat by the U.S. contrary to the letter and spirit of the free trade agreement, the Deputy Prime Minister said earlier in Question Period: "There has not been confirmation of sales to our traditional markets." Was it not announced on October 15 that the U.S. would be carrying out a subsidized sale of wheat to the Soviet Union? When did Russia cease to be a traditional market for Canadian wheat?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I think what I said, to the best of my knowledge and information, was that the U.S. has neither confirmed nor denied such action was taking place. I think the Hon. Member is being somewhat presumptuous.

RELEASE ISSUED BY U.S. DEPARTMENT OF AGRICULTURE

Hon. Herb Gray (Windsor West): Mr. Speaker, I have in my hand an official release from the U.S. Department of Agriculture, Foreign Agricultural Service, with the dateline of Washington, October 15. It says:

> George J. Pope, acting general sales manager for the U.S. Department of Agriculture's Foreign Agricultural Service, today announced that the Commodity Credit Corporation has accepted a bid for an export bonus to cover a sale of U.S. wheat to the Soviet Union.

What I said has been confirmed by the U.S. Why did the Deputy Prime Minister not know about this? Why is he trying to cover up the fact that contrary to the letter and spirit of the

free trade agreement the U.S. is selling subsidized wheat to the Soviet Union? Why does he not know about it? Why does he not admit it? Or is there a secret side deal to let the U.S. move into our markets while Canada, under a weak Government, backs out?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, there are no secret side deals or hidden agendas. If the Hon. Member is referring to the special 65,000 tonne sale to Russia which was a quality controlled shipment in order to do further testing, I will acknowledge that sale may have been made. However, 65,000 tonnes are just a drop in the bucket of grain sales. If that is what the Hon. Member is referring to, then he is really stretching again.

He talks about credibility and trust. I was around here when the Hon. Member was in opposition and campaigned in the 1980 election. He made the profound statement then that if the Liberals ever formed the Government and interest rates went up, he would resign.

Mr. Wilson (Etobicoke Centre): Resign, Herb.

Mr. Mazankowski: Yet he is still around. He served that Government and he is still around. I guess that is why we call him "Amazing Gray".

Some Hon. Members: Resign, Herb!

Mr. McDermid: They went up to 23 per cent, Herb.

CANADA-UNITED STATES TRADE AGREEMENT—POSSIBILITY OF AMENDMENTS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, if we can stop fighting past elections, I have a question for the Minister of Finance. Throughout negotiations with the U.S. both Governments kept on saying that U.S. Congressmen would have to vote yes or no on the trade treaty. That would stop Congress from making changes to help U.S. special interest groups.

Will the Minister confirm what press reports now say, that the Senate Rules Committee has ruled that amendments will be possible to cut back Canadian access to maritime shipping? In short, the U.S. is once more changing the rules after the game.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let us be quite clear on this. The fast-track proposal provides that on January 2, I think it is, legislation will be put forward by the President which will be voted either up or down without amendment. That is what we have been saying all along and that still stands.

Mr. Langdon: Mr. Speaker, that may be what the Government says but it is not what the Senate Rules Committee or what representatives of both the House and the Senate are saying today. The Minister should be aware of that fact and doing something about it.

[*Translation*]

CANADIAN MARITIME INTERESTS—GOVERNMENT POSITION

Mr. Steven W. Langdon (Essex—Windsor): So I should like to ask this question: What must be done? What is he going to do to object to this major change which might damage Canada's maritime interests?

• (1150)

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think I responded to that question. We have a difference of opinion. The Hon. Member's second question shows that his interpretation is different from my interpretation.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

REQUEST FOR DETAILS ON SEPT-ÎLES AND MR. KEITH MORGAN

Hon. Jean Lapierre (Shefford): Mr. Speaker, I wonder to whom I should direct my question. I am told that the Government has gone on strike or on tour. Ironically enough, Mr. Speaker, the former Member for Central Nova must go into hiding, the former Member for Manicouagan would rather not go anywhere near Sept-Îles, and he is now considering running in Charlevoix. Mr. Speaker, I can appreciate why the Prime Minister is so anxious to cover his tracks. As a matter of fact, acting Member for Manicouagan Keith Morgan told the Canadian Press that Sept-Îles residents had not done their duty by failing to submit real concrete projects on which they might get to work. The residents of Sept-Îles have been asked to stop waiting for hand-outs and expecting ready-made solutions to everything.

Mr. Speaker, the people of Sept-Îles have prepared a file this thick, they met with the Prime Minister on a number of occasions, officials of the Prime Minister's Office, several Ministers, including the Minister of Regional Industrial Expansion. How is it that—

Some Hon. Members: Question.

Mr. Lapierre: I ask the Minister of Finance or whomever is responsible on the other side, if they know, whether someone like Mr. Keith Morgan was representing the Prime Minister when he spoke to the press. Otherwise, will he be sent packing immediately because he insulted the people of Sept-Îles?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Minister of Regional Industrial Expansion and Minister of State for Science and Technology responded quite clearly to that question yesterday or Wednesday in the House. He said that he is meeting with representatives of Sept-Îles, that there

are plans under consideration for an economic proposal for the North Shore, and that the announcements flowing from those discussions will be made at a very early date.

[*Translation*]

REQUEST THAT GOVERNMENT GIVE IMMEDIATE AND FINAL ANSWER TO PEOPLE OF SEPT-ÎLES

Hon. Jean Lapierre (Shefford): I have a supplementary, Mr. Speaker, How can the Minister of Finance possibly claim this will be done at a very early date? The people of Sept-Îles met with the Prime Minister on March 24, 1986, December 3, 1986, March 26, 1987, May 4, 1987 and September 21, 1987, after various Government Ministers had promised them a quick response. I think they now have every right to be impatient.

This is what I want to ask the Minister of Finance: Since we cannot believe the Minister of Regional Industrial Expansion when he promises quick answers—remember Sept-Îles, Matane, the Picard report, the space agency!—Could the Minister of Finance do his duty and give the people of Sept-Îles a final and immediate answer so they will not have to organize a demonstration to make you see reason?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I hate to knock the Hon. Member off track, but it has been announced that there has been an offer made on Matane.

Mr. Lapierre: You blew it and you know it.

Mr. Wilson (Etobicoke Centre): The Hon. Member said that no action was taken on it. The proposal has already been made.

The Hon. Member is talking about jobs in Quebec. Maybe he should speak to the Member for Montreal—Sainte-Marie and ask him why he is supporting quick action on Bill C-22 to get pharmaceutical jobs in Montreal. Why is the Member for Montreal—Sainte-Marie writing letters and copying them to the Leader of the Opposition? The Leader of the Opposition is weaseling out of his responsibility to run his Party and get the Senators—

Mr. Ouellet: You're all wet.

Mr. Wilson (Etobicoke Centre): —from Quebec to get the job done.

* * *

TRADE

CANADA-UNITED STATES TRADE AGREEMENT—U.S. EXPORT ENHANCEMENT PROGRAM

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, in the absence of the Deputy Prime Minister I will direct my question to the Minister of Finance. It is with regard to the free trade agreement. On October 5, the day the agreement was tabled in the House of Commons, the Minister of Agriculture was commenting on the U.S. subsidies and grain wars. He said:

> There is a commitment to consult with us prior to extending the Export Enhancement Program into our traditional markets.

As of November 1 the budget of the U.S. subsidy programs will be more than tripled. Since July 30 the U.S. has moved with more initiative into several traditional Canadian markets such as China, the Soviet Union, and Brazil.

Was there any consultation with Canada before the budget was tripled and these new American initiatives were taken? If there was consultation, why is the Government so ineffective at putting forward the case of Canadian farmers and Canadian people?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that question is just a repetition of previous questions. The Government has been extremely effective in building up the market share of Canadian wheat producers—

Mr. Broadbent: By reducing the price of wheat.

Mr. Wilson (Etobicoke Centre): —at a time when other countries are not doing that job. We have been able to increase our participation from something like 20 per cent to 24 per cent. Those numbers are in *Hansard* and I think the Member understands them.

We have been effective. There have been consultations with the United States on this and they will continue as a result of this agreement.

There are things in this agreement to protect Canadian agriculture and gain access to United States agricultural markets. The red meat sector in western Canada would see this as an enormous benefit to its industry.

Mr. Nystrom: Mr. Speaker, I have all the figures here. I know that we have kept our market share, but at what price? We now have a lower price than we have had in real terms since the 1930s in order to protect that market share.

Some Hon. Members: Hear, hear!

EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, was the Minister of Agriculture telling the House of Commons the truth when he said on October 5 that there is a commitment by the United States "to consult with us prior to extending the Export Enhancement Program into our traditional markets"? I want to know whether the Americans made that commitment.

I want to know whether that agreement really means that the Americans cannot introduce any new Export Enhancement Programs or that they can use the existing program, triple or quadruple the budget, and take away Canadian markets?

What does that commitment mean, if anything at all, for the farmers of Canada?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I heard the Hon. Member say that we have increased our market share. I am glad that he acknowledges that.

Mr. Nystrom: We all know that, but at what price?

Mr. Wilson (Etobicoke Centre): He then says "at what price". We do not control the price. The price is controlled by the international market and we have—

Mr. Broadbent: American subsidies.

Mr. Nystrom: Subsidies, Mike.

Mr. Wilson (Etobicoke Centre): —made many appeals in international fora as well as on a bilateral basis with the United States.

At the same time we have increased substantially the amount of support for the grain and oil seed sector in order to protect our farmers from the acts of other countries.

With regard to the specific question, the Hon. Member must realize that that is an international program. It does not relate directly to Canada. We cannot control that program directly as a result of a free trade agreement.

We have, however, received the commitment of the United States to take into account the export interests of the other party in the use of any export subsidy on agricultural goods exported to third countries. We are consulting with the Americans on that and will continue to consult. We will hold them to that agreement.

* * *

ADMINISTRATION OF JUSTICE

CRIMINAL INJURIES COMPENSATION PROGRAM—FEDERAL FUNDING

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, my question is directed to the Minister of Justice and is with regard to the Criminal Injuries Compensation Program. Innocent victims of violent crime should have assistance to help them restore some semblance of normalcy to their lives. The Minister knows that assistance can come in the form of support groups and professional counselling.

Given the importance of that assistance to the innocent victims of violent crime, can the Minister tell the House what his plans are for funding of the Criminal Injuries Compensation Program?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I want to thank the Hon. Member for that question. He has long had an interest in victims' rights, not only in Saskatchewan but as a Member of Parliament.

I have been in communication with my provincial counterparts with regard to the federal contribution to crime compensation programs across the country. I hope to be in a position soon to announce the level of funding which I am sure will be well received by Members of Parliament and the provinces.

The way in which we treat victims of crimes is an area which has been neglected for too long. I intend to correct that situation.

* * *

[*Translation*]

FREE TRADE

REQUEST FOR PROTECTION OF CERTAIN GROUPS OF WORKERS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Finance. Yesterday, the Minister admitted he had sacrificed jobs in the textile, clothing and footwear industry. As I said yesterday, the Minister and the Government are to be commended for protecting workers in the beer industry.

However, I met with workers in the rubber and plastics industry, and they would like to know why the Minister of Finance and the Prime Minister of the Conservative Government did not make the same effort and let the Free Trade Agreement protect these 86,000 workers in Canada, 22,000 of whom work in Quebec. We know from a report that was published in Montreal that, initially, 10,000 jobs will be lost, and that workers in the rubber and plastics industry would be among the victims. I ask the Minister of Finance why, when the agreement was being negotiated, he preferred not to protect those workers although he did protect workers in the beer industry.

• (1200)

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member is drawing unfair conclusions as to the effects of the agreement. Second, he distorted what I said in response to a question yesterday in relation to the textile and footwear industries. I did not say that. In fact, from from it. I said the opposite. I said there are representatives of the footwear industry, as an example, who are looking at this as a major opportunity under the free trade agreement with the United States, providing them with a tremendous opportunity to sell into a market of 260 million people instead of just 25 million people. Surely that is an opportunity for an industry that will create jobs.

[*Translation*]

REQUEST FOR PROTECTION OF ELECTRICAL INDUSTRY WORKERS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I have a supplementary for the Minister. He forgot, or purposely omitted, to say that the U.S. will also have an additional market of 25 million. It is much easier for them to cover the Canadian market than for Canadian companies to cover the U.S. market.

To get to my question, it concerns workers in the electrical products industry. We know that according to a reliable study by the Economic Council of Canada, 5,500 workers in this industry will lose their jobs. Will these jobs be lost in Montreal, at Canadian General Electric and Northern Electric? Why didn't the Minister of Finance manage to get it in writing, as he did for the beer industry, and why wasn't he able to do this for workers in the textile, footwear, rubber and electrical products industry? We know 5,500 workers will lose their jobs as a result of this Agreement. Why didn't the Minister negotiate to deal with the situation? And the same applies to Bill C-22. If you want jobs and research, put it in the legislation!

[*English*]

Hon. Michael Wilson (Minister of Finance): Yes, Mr. Speaker, I do want to see jobs for research. I cannot understand why the Hon. Member does not have the sufficient degree of influence over his Party and his Leader to get action on this Bill which will create jobs today, create jobs next month and create jobs next year.

He is talking about holding out some expectation that possibly five years, ten years or twenty years down the road some people may lose their jobs. Why is he not concerned about today, and getting action, getting his Leader to move, and getting the Senators off their fannies to act in the interest of the people in his riding of Montréal—Sainte Marie who feel let down by the impotence of that Member.

Mr. Speaker: There will be a question by the Hon. Member for Ottawa Centre and a question by the Member for Western Arctic, and that will close Question Period.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

EMPLOYMENT IN SEPT-ÎLES AND CENTRAL NOVA—GOVERNMENT POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is directed to the Minister of Finance.

Union leaders, the Chamber of Commerce and municipal authorities in Sept-Îles have organized a week-long demonstration to protest against unemployment and the failure of their Member of Parliament, the Prime Minister, to deal with their economic problems.

Could the Minister of Finance explain why the Prime Minister will be away from Sept-Îles for a week, and why he was not at a meeting last night to meet his former constituents in Central Nova, where the unemployment rate is 40 per cent? Does the Government have any special measures to announce to ensure that constituents in Sept-Îles and Central Nova will have jobs?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, obviously previous New Democratic Party questioners in this regard have been impotent and ineffective. They have had the Member for Ottawa Centre simply repeating other untrue and unfair allegations with respect to the availability of the Prime Minister.

The Deputy Prime Minister has pointed out that this Prime Minister is more accessible than any Prime Minister in the history of our country. Our Prime Minister understands the average working person a heck of a lot better than the people in the NDP.

REQUEST THAT PRIME MINISTER MEET REGIONAL GROUPS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, if the Minister of Justice is correct in saying that his Prime Minister understands the average working person in Sept-Îles or Central Nova, why will the Prime Minister not meet with working people in those communities where the unemployment rate is 32 per cent and 40 per cent respectively? Why will he not meet with them and fulfill his promise to get jobs, jobs, jobs in those parts of the country that he represents?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I reiterate the fact that the Prime Minister is probably more sensitive with respect to the regional disparities in our country which we have inherited as a Government and which we are addressing head-on. The Hon. Member is incorrect. The Prime Minister will meet with these representative groups.

In fact, as a priority of this Government, he has directed his Ministers to work on questions of regional development. Our record with respect to increased employment in this country is almost a million new jobs since we came to office. We will continue working now and as a Government after the next election.

SCIENCE AND TECHNOLOGY

COMPOSITION OF NATIONAL ADVISORY BOARD

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, my question is directed to the Minister of State for Science and Technology. The Canadian Federation for the Humanities point out that there is no apparent representation by social scientists on the National Advisory Board on Science and Technology. They request that at least one person with a background in the humanities be appointed. Is the Government considering this request?

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, the Board is made up of eminent scientists, industrialists, representatives from universities in the various disciplines of science, and has been tremendously helpful to the Government in focusing on the challenges and opportunities before us as we move into the twenty-first century.

Indeed, Bill Taylor, a very eminent social scientist who is also the President of the Social Sciences and Humanities Research Council, is an active member of the board. As for future appointments, these representations will be taken into account.

* * *

POINT OF ORDER

STATEMENT BY MINISTER DURING QUESTION PERIOD

Mr. Mike Cassidy (Ottawa Centre): Madam Speaker, a minute ago during Question Period the Minister of Justice (Mr. Hnatyshyn) stated that certain comments I made during the Question Period were untrue. I am sure the Minister of Justice did not mean to deliberately mislead the House when he suggested that it was untrue to say that the unemployment rate was 32 per cent in Sept-Îles and 40 per cent in Central Nova and that it was untrue to say the Prime Minister is failing to go to Central Nova and would not be at the demonstration in Sept-Îles in eight days. Could the Minister of Justice be asked to correct the record, as I am sure he did not mean to accuse another Member of misleading the House?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Madam Speaker, quite apart from the fact that this is a clear abuse of the use of a point of order, I simply want to reiterate my statement, now that the Hon. Member has come up with these serious allegations. His allegation with respect to the availability of the Prime Minister is false, incorrect, and unworthy of the Hon. Member. I stand by my words.

The Acting Speaker (Mrs. Champagne): I believe that the Hon. Member and the Hon. Minister are entering into debate. This is not really a point of order and I believe it would be better to choose another time to have this debate.

Tabling of Documents

• (1210)

Question Period is now over. We will now proceed with House business.

Mr. Cassidy: On a question of privilege, Madam Speaker.

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for Ottawa Centre (Mr. Cassidy)

Mr. Cassidy: On a question of privilege. I would ask you to consider, Madam Speaker, whether the comments made by the Hon. Minister of Justice (Mr. Hnatyshyn) were in fact parliamentary when he accused me during Question Period of making statements that were untrue and apparently accused me of misleading the House. I would ask you to take that under advisement as a matter of privilege because I do not think that is acceptable in the House of Commons under our parliamentary rules. As I indicated before, the reasons I will not repeat, but I do not think that kind of behaviour should be acceptable in the House.

The Acting Speaker (Mrs. Champagne): I would not want a debate to be started on that. The Hon. Member, I am sure, will take my word that the "blues" will be checked and if the Chair does find there is a problem and that the matter should be raised again with the Minister, we will do so at that time. Does that have the agreement of the Hon. Member?

Mr. Cassidy: Thank you, Madam Speaker.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT'S RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to 15 petitions, Nos. 332-3088 to 332-3093 inclusive, 332-3097 to 332-3100 inclusive, 332-3107 and 332-3136 to 332-3139 inclusive.

I want to point out to the House that these petitions were certified in May, June and July of this year. They were only tabled with the House on September 9. I believe there has been sufficient delay in responding to these petitions that there could be criticism from the people who signed these petitions. I want to make it very clear that these petitions, despite the fact they were certified by the Clerk of petitions in May, June and July, were only tabled on September 9 and the Government has responded within the required 45 day period from the point of tabling.

Statements by Ministers

UNITED NATIONS

ANNIVERSARY OF ORGANIZATIONS FOUNDATION

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, it is my honour and privilege to make a statement on the occasion of United Nations Day.

Tomorrow will once again mark United Nations Day. On that day, 42 years ago, amid the chaos and violence of war, the United Nations was founded. It is reassuring to contemplate both the conditions under which this world body was born and the purpose for which it was created.

If today we are sometimes disturbed and discouraged over the seeming intractable and persistent problems facing the world community, let us take heart and renewed courage and determination to persist in making the world a better place to live. Let us recall that a commitment to a strong United Nations, and to its programs, offers one of the enduring hopes for the betterment of the human condition.

[*Translation*]

Madam Speaker, Canada is pursuing its efforts to strengthen the structure of the United Nations. To that end, it is working from the inside, with energy and perseverance, to ensure that reforms improve the effectiveness and efficiency of UN operations and administration. By acting on its principles, for instance by forgiving the debts of Third World nations faced with serious financial problems and by continuing to make a major financial contribution to the UN, Canada reflects the convictions of Canadians. In fact, Canadians believe that the best way to promote peace and justice in through fair economic development, that the struggle for justice and human rights is a cause that deserves material support and that all nations should share both the benefits of development and the burden of poverty.

[*English*]

Canadians, of all people, recognize that we are very much dependent on the health of the international community. United Nations Day should serve, therefore, to remind us afresh of our commitment to responsible and responsive internationalism and to the ideals of the United Nations Charter.

[*Translation*]

Hon. Chas. L. Caccia (Davenport): Madam Speaker, Canadians know and support the United Nations. Many Canadians, both English-speaking and French-speaking, have served with organizations that are part of United Nations, inspired by the ideals and goals set down in the Charter forty-two years ago. Many Canadians have served in UN peacekeeping forces throughout the world, and Canadian lives have been lost for the sake of world peace. Today—

[*English*]

All nations of the world look to the United Nations for leadership, maintaining peace and ensuring development while protecting the environment. Peace, development and the environment are the magnets which today attract nations to the United Nations with the same intensity as did the ideal of peace in 1945. However, the United Nations can only be as strong as the political will of each member nation.

It would be a mistake to believe that the United Nations can impose its will on the world. It cannot. The speed with which the United Nations can proceed depends on the speed of its member nations. Therefore, it is important for Canada to ensure that our enthusiasm for the United Nations is shared by nations whose reluctance these days slows down the implementation of the United Nations' over-all mandate.

In 1952, a distinguished Canadian, Lester B. Pearson, became President of the General Assembly. Canadians take great pride in the contribution he made and the legacy he left. It is interesting to note that in his book *Peace in the Family of Man*, Lester B. Pearson concluded with these words:

> People—must be made to see that internationalism is quite as important to them, as practically and immediately important, as national loyalty and interest; important not merely in an academic and remote or idealistic sense, but important as something which immediately and concretely affects their well-being, their very lives.
>
> We must apply the science and art of politics to the affairs of the international community with the intensity of personal involvement that we give to domestic affairs.

Mr. Pearson's words were as true then as they are today as we once again celebrate United Nations Day.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I am honoured to speak for my Party in recognizing the achievements and goals of the United Nations which was founded in 1945 to end the scourge of war. Since that time its achievements have been many. Canadians want to defend and strengthen the United Nations and we take a critical view of those who undermine its legitimacy or its relevance.

In 1985, when polled on the question, "How important do you think it is that we try to make the United Nations a success?", 83 per cent of Canadians said it is important or very important.

Disappointment with the United Nations should be addressed to the lack of commitment and co-operation among member states rather than faulting the international institution itself. The Soviet Union should be commended for recently paying all its outstanding debts to the United Nations, especially those for the peacekeeping missions it had long refused to support. No nation should withhold funds because decisions taken collectively go against its particular viewpoint. We hope the example of the Soviet initiative will not be lost on the United States.

Global interdependency has increased since the founding of the United Nations, as have the complexity of the problems facing human kind, including the threat of nuclear weapons, poverty, underdevelopment, human rights abuse, malnutrition and environmental degradation. No nation can solve these

problems alone. Now is not the time to abandon the United Nations' system. Collective co-operation is needed to ease the Third World debt crisis, to end the Iran-Iraq war, to end apartheid in South Africa and to defend the delicate balance of the Guatemala peace accord.

• (1220)

Canadians can be proud of our contribution to the United Nations. We have participated in more observer groups and peace-keeping missions than any other member state. Numerous Canadians have distinguished themselves in service to the United Nations and its agencies.

Recently, our mission led the drive to strengthen the role and involvement of women within the United Nations, and a Canadian woman, Madam Therese Paquet-Sevigny, has become the first woman to be named Under-Secretary General.

Canada is respected as a middle power and is in a favourable position to steer a sane course between the posturing rivalry of the superpowers. Above all, we can support the process of replacing dependency with interdependency, particularly where the poorer countries strive to defend their interests on an equal footing with rich, developed countries.

I would like to take this occasion to commend the work of the United Nations Association in Canada for its perseverance, hard work and educational activities to inform Canadians about the United Nations. Canadians should know that the United Nations is our institution, for behind the United Nations, as the Secretary General has said, "stands the single, collective constituency of the human race, a vast silent majority which wants peace with justice and dignity, with freedom from fear and want and the hope of a better tomorrow".

* * *

[*Translation*]

STRIKING

PRESENTATION OF THIRTY-SIXTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Madam Speaker, I have the honour of tabling the Thirty-sixth Report of the Striking Committee.

Madam Speaker, if the House gives its consent, I intend to move concurrence in this report later this day.

[*Editor's Note: For above report, see today's Votes and Proceedings.*]

CONCURRENCE IN THIRTY-SIXTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Madam Speaker, if the House gives its consent, I move, seconded by the Minister of State (Treasury Board), that the Thirty-sixth report of the Striking Committee tabled in the House earlier today be concurred in.

The motion agreed to.

* * *

PETITIONS

ROAD SAFETY

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Madam Speaker, I have the honour to present petitions signed by residents of Brantford, Ontario, Halifax, Nova Scotia, Cold Lake, Alberta, and Sudbury, Ontario.

These 117 signatures are in addition to the 30,346 others which have already been tabled. The petitioners are aware of the fact that since 1974 federal regulations on car safety allow installation of self-inflating bags for drivers of passenger cars. They know as well that during the April 1987 debate on highway safety it was established that a self-inflating bag on the driver's side would reduce the number of deaths and serious injuries.

For these reasons the petitioners urge the Government to commit itself to make mandatory: first, the installation of three point adjustable lap and shoulder belts for rear seat passengers; and two, the installation of front seat air bags.

[*English*]

OPPOSITION TO LOW-LEVEL FLIGHTS AT ARMED FORCES BASE AT GOOSE BAY

Mr. Dan Heap (Spadina): Madam Speaker, it is my honour and privilege to present a petition from a number of residents of Canada from the cities of Toronto, Edmonton, Westmount and Montreal. They are concerned with the Government's practice of promoting low-level flight training of pilots from NATO countries at the Canadian Forces Base in Goose Bay, Labrador because it disrupts the way of life of many of the native people there and, furthermore, it constitutes a war-fighting aggressive action that tends to endanger world peace.

Therefore, the petitioners call upon Parliament to ensure that the Prime Minister (Mr. Mulroney) will end all low-level flight training at the Goose Bay Canadian Forces Base and cease negotiations with NATO for the establishment of a larger base there. In duty bound your petitioners will ever pray.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Canadian Environmental Protection Act

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, question No. 193 will be answered today.

[*Text*]

CONFERENCE ON PROTECTION OF OZONE LAYER

Question No. 193—**Mr. Caccia:**

1. At the diplomatic conference for the protection of the ozone layer held in Montreal on September 14-16, 1987, were corporations invited to provide food and entertainment to delegates and, if so, which corporations?

2. Were inviatations made formally and, if not, by what method were they made and by (*a*) whom (*b*) which Departments?

Hon. Tom McMillan (Minister of the Environment): 1. Yes, Du Pont Canada Inc., Allied Chemical Inc., Alcan Aluminum Ltd., City of Montreal.

2. Yes. (a) Assistant Deputy Minister, Conservation and Protection, (b) Department of the Environment.

[*English*]

Mr. Lewis: I would ask that all remaining questions be allowed to stand.

The Acting Speaker (Mrs. Champagne): Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): I wish to inform the House that because of the ministerial statement, Government Orders will be extended by 10 minutes. Therefore, Private Members' Hour will begin at 2.10 p.m.

GOVERNMENT ORDERS

[*English*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Mr. David Daubney (Ottawa West): Madam Speaker, when I terminated my remarks just prior to the beginning of Statements by Members at eleven o'clock, I was dealing with the point of one of the requested inclusions in an environmental Bill of rights, namely, standing and access to the courts.

I was pointing out to Hon. Members that this is a right already enjoyed by Canadians. Private individuals have the right to prosecute federal summary conviction offences. They also have the same right for indictable offences, only, of course, with the permission of the court. In both instances it is possible for provincial Attorneys General to step in and assume the prosecution.

This power to intervene is specifically dealt with in the Criminal Code and pertains to all federal offences, not just those found in the Bill before us this morning. The power of the Attorneys General to intervene is fundamental to the administration of justice in Canada. This authority should not be dealt with, I would suggest, in an *ad hoc* manner by attempts to change it through the Canadian environmental protection Bill.

Involvement by the public in federal decision making is already possible in the development of regulations. This has been true, I guess, since the beginning of our Confederation in the normal call for comments when proposed regulations are published in *The Canada Gazette* in Part I.

• (1230)

The role of the public has been further guaranteed by the Government in its March, 1986, citizen's code of regulatory fairness. This is a very important development, which I do not think has received the attention that it deserves from the Canadian public. I understand that it has been the practice of Environment Canada in its policy to have public consultation on regulatory matters, even prior to the existence of this code to which I just referred. Therefore, citizens can already exercise powers under the Canadian Environmental Protection Act. Their role in enforcement will be larger now than ever before under any other federal statute.

Over the past days of this debate, several of my colleagues have stated and reiterated the vital role that this Bill will play in the task of protecting our environment. We have underscored the methods proposed to attack the problem head on. We all concur that the responsibilities rest with each one of us to ensure a healthy environment for our children and for our children's children. However, the responsibility at present rests with this House to get on with the passage of this Bill. I propose that we do just that.

I look forward to a more detailed debate of the Bill once it gets to committee. Therefore, it is not my intention to prolong this stage of the Bill.

Ms. McDonald: I wish to ask the Hon. Member a question on the environmental bill of rights. The Hon. Member made reference to the concept, and seems to be under the mistaken impression that there is in effect an environmental bill of rights in this Bill before us today. That is not the case, and it has been a major criticism on the part of environmental groups and experts in the country.

Earlier in his speech, the Hon. Member referred to consultation and he pointed out that there would be consultation with the provinces. Certainly, I would heartily agree that there ought to be consultation with the provinces, although not a lessening of standards for the environment on the part of the provinces. The provinces ought to have the right to increase standards but not to decrease them.

The Hon. Member did not mention, apropos consultation, consultation with environmentalist groups. Those groups were very much excluded from the process. The Bill was expanded rather after the fact that a consultation had taken place on only a part of the Bill. They feel that they have been excluded from this process. They have asked the Government to pass this Bill, get on with things, but to go back to square one, as it were, to meet with them and come up with a real environmental bill of rights that will do the types of things that they have been asking to be done over the last number of years.

Mr. Daubney: I thank the Hon. Member for her question. I do not think I indicated in my remarks that there was an environmental bill of rights contained in this statute. I pointed out that there perhaps is what is tantamount to that in there, in that there is ample opportunity for citizen participation in the investigation process, and in the research process. I suggest that the Hon. Member examine the sections, from Section 100 on, which deal with the investigation, some of which I referred to in my remarks, such as the opportunity for any 12 persons to petition the Minister to investigate an alleged offence.

In terms of the comments of the Hon. Member on consultation, up until now it has been my understanding that there has been significant consultation by the Department and the Minister during the last several months with environmental groups, certainly with the provinces, and with companies that will be involved. I would suggest that it is the type of consultation that must occur in any democratic confederation such as ours. I think that it has occurred in this case. Perhaps there is room for more consultation and discussions. I am sure that the Minister will be prepared to talk and continue to talk to people. Certainly, there will be a monitoring of the legislation once it is in force to ensure that it is meeting the requirements of all Canadians.

As I suggested in my remarks, it is an important step forward. It is the type of legislation that will give us the instrument to deal with our commitments internationally, and our genuine commitment that was underlined this week at the United Nations General Assembly by the Minister of the Environment (Mr. McMillan) to give effect to the Brundtland report, that important study and commission which recognizes, as does this Act, the important connection between the environment and the economy.

It is those types of provisions contained in the Bill before the House which will give the Government, in conjunction with other Governments of the country and citizens, the right to take part in developing the type of interaction that has to occur if we are to deal with the serious environmental problems that will face us in the future.

In closing, one such example is the ozone treaty. It is an extremely important historical development in terms of environmental protection. The meetings took place in Montreal under the leadership of the Government and the Minister of the Environment. We need this Bill to be enacted in order to give effect to our commitments under that treaty.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I welcome the opportunity to make a few comments on the principles involved in Bill C-74, and on where it falls short, in my opinion.

We must realize at the beginning that when we are talking about the environment and we look at specific examples that are site-specific we are talking about a global problem. Whether we are talking about Ladysmith Harbour, Cowichan Estuary, something to do with the Love Canal, or low-level flights in Labrador, we are talking about a global problem.

I have a great deal of concern that our parliamentary system is not addressing that global problem in the global context. When I say "our parliamentary system" I do not only mean the Canadian parliamentary system, I mean parliamentary systems all over the world. Parliamentary democracy is the best hope that people of our world have that there will be an intelligent approach to environmental problems. Certainly dictatorships have done an even worse job of addressing the environment than parliamentary democracies.

This is something that we collectively as a House of Commons have to address; the fact that environmental problems in our world are outstripping our ability to control them and deal with them in a constructive manner. We live in a world where there are 5 billion people. That population is growing, yet the resources on which those 5 billion people depend are finite.

The Brundtland report which was released this past spring points to the very real problems that we have, and that we in the developed world sometimes ignore. Because we are able to exploit resources that are a thousand miles away from us and the degradation is sometimes hidden from our eyes, we neglect to see what really is happening in the world.

The Brundtland report makes the basic observation that we cannot continue to have the type of anti-environmental policies in the developed world that lead to underdevelopment and poverty in the Third World, and hope that this will be sustainable in the medium-level or long-term future. The future of our world depends upon finding models of development that can be applied throughout our world, not only in the industrialized West, but in the Third World, that will enable all people to live together with some dignity and prosperity.

The types of pressures that the developed world places on the environment are different from the types of pressures placed on the environment in the Third World. For example, I can remember when the external affairs committee visited Tanzania, and drove through the countryside and saw stacks of charcoal by the side of the road. This charcoal was made by chopping down the local forests. It was sent into the City of Dar es Salaam to provide much needed fuel for heating and cooking. It was a source of energy. Yet that source of energy was directly responsible for destroying forests. The destruction of forests in our world is a shame and a crisis that will affect all of us in a very short time unless we find some way of addressing it.

• (1240)

The Brundtland report pointed out that already we are beginning to experience some of the problems that we have inflicted upon our world. They are coming back to haunt us. There was the African famine of three or four years ago. Now there are reports that we again have drought in Ethiopia and millions of people's lives are at risk. This is not simply a cyclical matter of drought in the sub-Sahara area. There have been cyclical droughts, certainly. It is also a result of the fact that we have abused the environment. For example, 45 per cent of Ethiopia used to be covered by forests. Today about 4 per cent is covered by forests. This kind of human abuse of the environment is causing many of our problems.

We have seen the effects of the Chernobyl nuclear disaster and the Bhopol chemical disaster in India. In Canada a couple of years ago a Senate study talked about the growing problem of the destruction of our land, the salinization of Canadian land. We are concerned about the disappearance of whole species of animal and plant life.

Recently a number of us from our Party, and I think from other Parties, wrote to the chairman of the World Bank, Barber Conable, and urged that the World Bank's development policies should take much greater cognizance of the need for environmental protection to be built into every project undertaken by the World Bank. Sometimes World Bank projects have been very short sighted where dams have been built and areas flooded with no consequence to the total environment in which the dam has been placed. Instead of having positive development, we end up with another environmental disaster.

The Brundtland report suggested having a United Nations declaration on the environment, similar to the United Nations declaration of human rights that has become a standard through which people from all over the world can appeal. We should have that kind of universal standard for the environment.

This is not simply a Canadian problem or a problem in Tanzania, India or wherever, it is a global problem. We all share it and we should be working to develop a United Nations approach to this. This is particularly appropriate now with United Nations Day falling tomorrow.

In the same respect, it has been urged that Canada itself should adopt an environmental bill of rights which would guarantee to the Canadian people certain environmental standards. The Government gave some lip service to this concept, but Bill C-74 does not begin to address the need for an environmental bill of rights. It adds a preamble which has some very laudable wording and goals in it, but it does not have any effect in law.

Let me point to some of the things it says:

> WHEREAS the presence of toxic substances in the environment is a matter of national concern;
>
> WHEREAS toxic substances once introduced into the environment cannot always be contained within geographic boundaries;
>
> WHEREAS the Government of Canada in demonstrating national leadership should establish national environmental quality objectives, guidelines and codes of practice;
>
> WHEREAS it is necessary to control the dispersal of nutrients in Canadian waters;
>
> WHEREAS some of the laws under which federal lands, works and undertakings are administered or regulated do not make provision for environmental protection in respect to federal lands and undertakings;
>
> AND WHEREAS Canada must be able to fulfil its international obligations in respect of the environment;

The preamble concludes that therefore the Government passes the following law and so on. What we would like to see is a basic declaration of rights of Canadians as far as the environment is concerned. Perhaps we can get a better idea of some of the problems with Bill C-74. We support it as a small step forward, but it is not the kind of Environment Protection Act that Canadians really need. I would like to give an example.

A couple of weekends ago I had the opportunity to take a trip through the Cowichan Estuary and up the river. We were concerned about the low water levels on the Cowichan River because the levels affect the salmon. The mill was closed. It was a Saturday morning and all was very quiet and peaceful. The colours were changing in the mountains and it was a very beautiful scene. We saw fish and seals eating the fish. There were ducks and hunters were out trying to shoot the ducks. As we went up the river we saw some Indian people spearing fish and then we saw a great blue heron which flew out from the trees on the edge of the river and glided across the river. The blue heron is a magnificent and beautiful bird, Madam Speaker.

Just a few miles north of the Cowichan River at Crofton a colony of blue herons with 57 nests were counted last year but not one egg hatched from those nests. Canadian wildlife officials have been sampling eggs from the blue heron colonies in four specific locations in British Columbia over the past number of years and have found dioxin levels in three of the samples. The highest level has been at the Crofton area. Not one of those eggs in the 57 nests hatched this past year.

This is a kind of mini-environmental disaster for that particular colony of great blue herons. It has frightening implications for all of us because blue herons happen to be at the top end of the food chain. They tend to live on fish and sea creatures which themselves will ingest minute quantities of dioxins. Blue herons at the top of the food chain are more subject to the problems of dioxins than animals lower in the food chain.

There has been a lot of circumstantial evidence about why none of the 57 nests produced a single hatched egg, and it looks as though the problem is related to dioxins. We are not completely sure what the source is, whether it is from the Crofton pulp mill which employs a good number of people in my constituency and is extremely important to the economy of

that area, or whether it could from the kind of wood preservative used by the local sawmills. Does it come through ingestion of fish or shellfish? Some of the preliminary testing has not shown very high levels of dioxins in local fish, but we have asked that the fisheries people do more testing to determine the problem. There is some question about the use of shellfish in that area. The contamination of the whole British Columbia coast poses a threat to human beings. There has been a much higher percentage of dioxins found in British Columbia than anywhere else in Canada. The great blue herons are used as a kind of thermometer for registering dioxins and it has been shown that they are under much greater stress in British Columbia. Some of the colonies appear to have moved away from the coast where we have a large number of our pulp mills. The total population of great blue herons is probably diminishing on our coast. That says something about the degradation of the environment which has very important implications for human beings.

The question we need to ask is how would Bill C-74 make a difference to that situation. If the route of the dioxins to the blue herons was from a sawmill or a pulp mill using PCBs or wood preservatives to the fish or shellfish and then to the blue herons, then Bill C-74 would make no difference at all, because Clause 38(2)(b) of the Bill provides that the Minister can act only if he has consulted with other Ministers of the Crown in right of Canada to determine whether any action can be taken under any other Act of Parliament to prevent the significant danger referred to in subclause 1.

• (1250)

The Fisheries Act gives the Minister of Fisheries (Mr. Siddon) the power to control deleterious substances which affect fish habitat or fish, so the authority is already there. Bill C-74 will not provide any further protection to solve that particular problem if in fact the pattern of dioxins had been from an industrial plant to fish and then to the blue herons.

If some other route was followed, the Minister of the Environment could place the discharges that were responsible for the dioxin level on a list of substances to be regulated, but this is a lengthy and cumbersome process. There is no simple answer.

Pesticide regulation rests with Agriculture Canada and it has input from the Department of Fisheries and Oceans and from Environment Canada. Fisheries and Oceans and Environment Canada have jurisdiction over water quality as it affects fish, and there are sometimes little jurisdictional jealousies among people who work in those different departments. This Bill does not clear up that jurisdictional jealousy.

As I said, we have not established conclusively that heron eggs suffer from dioxin levels. If they do, the source could either be pulp mill effluent or wood preservatives used on lumber. The blame is tossed back and forth from one industry to another.

Environment Canada is looking at PCBs used in wood preservatives as a priority chemical to be controlled in spite of the fact that Agriculture Canada has registered that chemical, and it has since backed off. Under Bill C-74, if PCBs become a priority substance they will be tested and regulations will be drawn up which will be subject to review by a board which will include industry. Once passed, it would restrict the chemical.

One official from Environment Canada told my office that this is a process measured in years. This brings me back to the initial comment I made, is that our parliamentary system seems to be so slow in dealing with the mounting environmental crisis that the crisis is outstripping our ability to deal with it. Certainly the process envisaged in Bill C-74 moves very slowly.

The Environmental Contaminants Act, which Bill C-74 would replace, deals with new chemicals excluding pesticides and existing chemicals but does not apply to chemicals covered by other Acts. The pressure to put PCBs on the priority list to be examined by Environment Canada is being resisted. The province is saying that ten parts per million is considered by the industry to be a very onerous restriction. The chemical that is being developed to replace PCBs will have a lower acceptable level of five parts per million because it is more acutely toxic to fish, but there is less information to suggest that it is a chronic health hazard. We are replacing one group of chemicals with another which we hope will be less hazardous to our health, even though we know that it is more toxic to fish.

There is a whole host of areas where the Government now has the power to act. It has the power to act under the Fisheries Act, for example, but it has not acted. For example, the Fraser River as it flows into the ocean becomes practically a sewer for different kinds of chemical wastes, but the Department of Fisheries has not acted to clean up the mess. Bill C-74 will not help that situation. Ladysmith Harbour has a long-standing problem and Bill C-74 will not solve that because the Government already has legislation in place and Bill C-74 will not infringe on that legislation.

Therefore, while we support this legislation as a small step, it does not begin to address the fundamental problems of the environment in Canada or the world as they exist in 1987.

Mr. Daubney: Madam Speaker, I want to make some comments on the earlier part of the Hon. Member's speech. First I recognize his genuine and significant commitment to environmental issues over the years.

The Hon. Member referred extensively to the Brundtland report on which I touched in response to a question put by one of his colleagues about half an hour ago. I think it is important for the people watching to have some perspective on just how important a report this is and how this Government has recognized that and acted in a very significant way to respond to it.

First, before it handed down its report, when the commission visited Canada in the spring of 1986, the Minister of the

Environment made a presentation to it. Subsequent to that, a task force on the environment and the economy was established by the Minister consisting of Government, industry and environmental groups. This task force reported almost exactly a month ago, and the Government is now actively pursuing the recommendations it made.

As I mentioned, earlier this week, I believe on October 19, the Minister of the Environment made a very significant presentation to the United Nations General Assembly. It is important and worth pointing out that he was the first Canadian Environment Minister to address the General Assembly.

The Prime Minister of Norway, Gro Brundtland, who of course chaired the committee, was very impressed by Canada's quick action in establishing the task force and responding in practical terms to some of the recommendations. I understand she was also very pleased with the Minister's commitment expressed with such strength and vigour in his UN speech.

I also remind Hon. Members that this House, in an opposition day on May 15, unanimously accepted the recommendations of the Brundtland report. I would simply point out to the Hon. Member and his colleagues on his side of the House the importance of getting on with this Bill so that we can start to implement the commitments that we are making and will continue to make to ensure that the recommendations of this very important commission are put into force.

Mr. Manly: Madam Speaker, certainly I would want to commend the Minister for his personal commitment to the environment and I think it is highly commendable that he did go to the United Nations to raise this. I think it has to be raised in a great number of forums. I appreciate, and I think Canadians appreciate that he went to the United Nations to raise it because I think it is important.

I am also concerned about the lag time. The Minister spoke about the slowness with which we are dealing with this Bill. We have no intention of holding it up, but I am concerned that the Bill itself move slowly in order to address the problems of our environment. It is a very small step to deal with a very serious problem. We, like the Hon. Member, want to see it move forward, but it is important that Canadians understand from this debate that it does not begin to give the kind of total protection of the environment that its title somewhat grandiosely suggests. It is a good step but a small step, and there are many further steps that need to be taken.

• (1300)

Mr. Bob Brisco (Kootenay West): Madam Speaker, at the outset I would like to thank the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) for his endorsement of the efforts of the Minister of the Environment (Mr. McMillan) to represent environmental issues for Canada. The original suggestion that the stature of the Minister is international in scope is of course based upon his efforts to address not only Canada's environmental problems but global environmental problems. To the degree to which his Government allowed him, I think the former Minister of the Environment, the Hon. Member for Davenport (Mr. Caccia), also enjoyed international stature in the environmental sense. However, what has occurred since then with our Government has been a quantum leap forward. I disagree with my friend from Cowichan—Malahat—The Islands. This is not a small step forward. It is a very major step forward. Until now there has been no way in which the Government through legislation could truly track the life-span of new and existing chemicals and their interaction with the environment, whether it be plant life, the air, animals, birds, or human beings.

I have had an ongoing interest in environmental issues going back to 1974. For example, I can recall in the mid-1970s when the Government of Canada, and the then Minister of National Health and Welfare, Marc Lalonde, were persuaded to fund a study into the effects of lead fall-out on the residents of Trail and greater Trail. That was instigated by studies which determined that some horses, particularly foals, were affected in their bone structure and general health by lead poisoning. There are those of us familiar with the effect that that has on bone and soft tissue. However, half-way through the study the Government decided not to fund it any longer. It was through my efforts, supported by Local 480 of the Steelworkers Union and Dr. Smith, the public health officer, that Marc Lalonde, who is difficult to persuade at any time, was persuaded to complete this important study.

I recall seeing patients in my office, workers at the smelter, who suffered erosion of their teeth because of acid in the air in the zinc plant. I saw people with a hole through the nasal septum big enough to put a gold ring through as a result of tissue erosion. I can say now that were it not for the forceful actions of Local 480, those working conditions would not have been improved. They have a continuous and ongoing concern about those working conditions.

I have a constituent who is a victim of paint spray in a body shop he owns. We cannot even find out what the chemistry is that is causing the problem because the company producing the paint does not want to tell us. Yet he has respiratory involvement, circulatory involvement, dermatitis, psychological impact, and all kinds of other sensitivities which he never had before. He has lost the ability to work in his profession in his body shop, and he is a very skilled tradesman.

It was I think a year ago that we saw on television prairie farmers suffering nausea, vomiting, dermatitis, and vertigo as a result of the inhalation of fumes from herbicides or pesticides sprayed on their farmland. There is concern that this Bill does not address that problem. My colleague, the Hon. Member for Ottawa West (Mr. Daubney), in his speech which began yesterday and finished today dealt with that very appropriately. Those concerns should not be concerns of major importance to the public.

In speaking to my colleague, the Hon. Member for Okanagan—Similkameen (Mr. King), I reflected upon the problems created for fruit farmers in spraying their trees. The ignorance displayed in not using a face mask when spraying fruit trees, for example, resulted in death in one case. The same concerns can be raised over the life span and effect of other chemicals. Certainly a significant group of my constituents have been very concerned about the application of herbicides and pesticides by the B.C. Forest Service, CP Rail, Burlington Rail, and the Department of Highways. Many of them appear to have a better knowledge of the chemistry involved than the provincial Departments we are dealing with.

It is important to all of us that we get a handle on this. It is in that context that this Bill addresses such a multitude of subjects. It is a Bill of such scope and dimension that I do not think any of us truly appreciate it at this stage. To address the concerns expressed by the Hon. Member for Cowichan—Malahat—The Islands, who says that changes should be made to the Bill, there needs to be more improvement, I say that may be that is so, but we will have that opportunity in committee. I hope this Bill will be before that committee very shortly.

The magnitude of environmental issues today boggles the mind. If it were not for the fact that life in Canada north of the 49th parallel was very hard in the days of the pioneers, I think some of us would wish we could go back to that time and start all over again with the knowledge we have now of the environmental impact of the things we do. However, that is not to be, so we must endeavour with great energy to reverse that process.

Reference was made to the blue heron. Not too long ago this Government funded in part an experimental boiler for a pulp mill in my constituency. We put $380,000 into a project that will cost approximately $1.5 to $2 million. When that boiler is in place the pulp mill will experience a reduction of about 90 per cent in both water-borne and airborne pollutants. That is Canadian technology at work in concert with other pulp and paper companies across Canada, and the Province of British Columbia. If that technology works, and we have every reason to believe it will, it will generate jobs in a market which is just waiting for that Canadian technology.

• (1310)

There are at least 40 different locations right now in Canada where that technology can be applied. There are about 80 or more in the United States. There are about 400 known applications worldwide right now. That technology originated in Canada. In fact, the first model which originated in my constituency will, in my view, make a very significant contribution to the reduction of air and water-borne pollutants coming from pulp mills.

I would like to correct the Hon. Member in one context. He made reference to pulp mills using wood preservatives. It would be the first time, to my knowledge, that they have resorted to that. I cannot understand why wood preservatives would ever be used in a pulp mill. They never made that reference with regard to dioxins and other products which are contained in some wood preservatives.

Major contribution to the environment has been made by the Minister of the Environment. He and the Member for Davenport, when he was the Minister, gained international stature. Canada has been recognized at the table of the United Nations and is in the forefront on concerns for the environment. I thank God for that.

There are no simple answers. This is a very complex subject ranging from dioxin to the ozone layer to the food chain and to a host of new chemistry about which we do not, as yet, know a thing. All of those will require the very close scrutiny of the Government of Canada through this Act, the Fisheries Act, pesticide control by the Department of Agriculture, and the Ocean Dumping Control Act.

My colleague from Cowichan—Malahat—The Islands expressed concern that this issue was not addressed in this Bill, but it was addressed in another Bill. Frankly, I see no reason why, if ocean dumping is well addressed in the Ocean Dumping Control Act, it should be moved into the Environmental Protection Act. That would only expand the debate and delay the Bill further. The same would apply to the Fisheries Act. We need not take portions out of that Act and put it in this Bill.

This is a very comprehensive Bill which will, in my view, move Canada forward in its concern for the environment. It is not the final answer. We do not yet know what is out there. The Minister would be the first to admit that this is not the final answer, but it is a quantum leap forward and a contribution and example to the world.

Mr. Dan Heap (Spadina): Madam Speaker, I am pleased to have an opportunity to contribute to this debate although this is not a subject on which I profess any wide knowledge, certainly not worldwide knowledge such as some others have, including my colleague, the Member for Cowichan—Malahat—The Islands (Mr. Manly). However, I am concerned with this subject and the way in which it has affected the residents of Spadina and another part of Toronto for some years.

In 1972 I became aware that a lead smelter a few blocks from my house was polluting the neighbourhood. The lead smelter had grown up from a scrap-yard which had concentrated on smelting lead. I was very interested in the remarks of the Hon. Member for Kootenay West (Mr. Brisco) who described dealing with a very similar problem at Trail in conjunction with Steel Workers' Local 480. I commend the Hon. Member for his part in the work that was done there. I commend the steel workers for their part in it as well.

I will describe a little of the difficulty that we had in approaching this problem. I was then the alderman for the ward concerned. The company concerned was Toronto Refiners and Smelters at the corner of Bathurst and Front

Streets. Within a year or so another company, Canada Metals, owned by the same outfit which owned the Trail smelter, Canada Pacific Investments, was causing the same problem two or three miles east at the foot of Pape Avenue.

We lacked almost entirely the legal tools needed to deal with that problem. We could not get action directly from the provincial Government, which at that time had jurisdiction over air quality. We had to use the local board of health. The local board of health, of course, has some very peremptory powers, but mostly on a different scale. It gives the medical officer of health power to order the repair or replacement of a faulty sanitary toilet if it is causing trouble to the neighbours. That does not go very far toward correcting a problem with a smelter.

When we directed the company, through the board of health, to stop spewing lead dust on to the neighbouring streets and houses in which people had been living before the plant was established, we were met with massive legal action. We were met with costs in the range of $100,000. Fortunately, the provincial Government allowed city council to reimburse three members of the board of health who were specifically acted against in a civil suit by a combination of the lead companies.

We learned that there is an international lead-zinc research organization which sends specialists throughout the world to testify, where necessary, that a little bit of lead does not really hurt you and to try to overshadow any local experts who may be able to show that there has been or is likely to be a harmful effect from the ingestion of lead, especially in children of pre-school age.

We were finally able to make enough public fuss that the provincial Ministry of the Environment was pressured to take action in the matter. After several years it issued control orders requiring the companies to clean up to some extent. The problem has not been very well monitored and the pollution has continued, not at the same rate, but at a rate serious enough to require the replacement of the soil for the second time. Soil was replaced on the orders of the provincial Government because it was unfit to be on the property of families, especially those with small children. That was done at public expense rather than the expense of the company. The evidence now shows that the soil in some of those areas has been polluted a second time. Even though there was provincial legislation, the control has been very weak.

There was also a labour problem. Upon inquiry we found that in at least one plant workers who were tested by the company doctor for lead content in their blood were told not to worry, that they were okay. Not every family doctor has the knowledge or equipment to test for small quantities of lead in the blood. Therefore, we had some of them tested elsewhere, and the level of lead content found in their blood was medically shocking. They were shocked. They were quite unhappy at the thought that the company-paid doctor misled them. The fact is that the philosophy of the company doctor is that the patient is the company since it pays his bills. Therefore, he will give the workers such information as the company wishes him to give them.

• (1320)

The workers in the plant found that not only was the neighbourhood being polluted, their health and lives were being endangered by lead. At that time we could find no help from the federal Government. However, I want to say, to the credit of the Speaker of the House, that in 1979 he was the Minister of the Environment and, in correspondence with me, indicated that he hoped to introduce a law that would enable the federal Government to take some action in cases like that. He was unable to finish that project.

An Hon. Member: Thanks to you guys.

Mr. Heap: I hear an Hon. Member say thanks to us. I was not here then but I understand that the Hon. Member's Party produced a foolish budget and did not even make sure they had enough people in the House to support it. They are still kicking themselves for that, but do not like to admit who really was at fault.

However, I wish to commend the Speaker, the then Minister, for at least attempting to take action on this.

This law is at least a beginning, part of which is to identify toxic substances. However, there are some problems with that aspect, as with others.

Labour groups and other environmentally concerned groups who appeared before the committee pointed out that the definition of a toxic substance, while very wide in one sense, is very weak in another sense.

It states:

> For the purposes of this Part, a substance is toxic if it is entering or may enter the environment in a quantity or concentration or under conditions
>
> (a) having or that may have a significant immediate or long-term harmful effect on the environment that is likely to interfere with important biological processes;
>
> (b) constituting or that may constitute a danger to the environment on which human life depends; or
>
> (c) constituting or that may constitute a danger in Canada to human life or health.

That is a very broad definition. The problem is that it is also very vague. The Government may or may not declare a substance to be toxic. There is not much provision in the act to reassure the public that the Government will act on that matter. I will deal with that question in more detail later.

A further problem is that the arrangement between the federal Government and provincial Governments seems quite unsatisfactory because it allows for indefinite waffling between Ottawa and one or more provincial capitals. It allows for an indefinite period of consultation, before which the Government may not act.

One can envisage Ottawa blaming a province and a province blaming Ottawa, each one saying the other is not moving. This

is very unsatisfactory from the point of view of the public who would like to see some action. The Bill does not prevent the Government from acting, by law, but allows for passing the buck between the federal Government and the provinces, as in university funding, for example. The federal Government and the Ontario Government blame each other for the fact that universities are short of funds. The same danger can exist with this legislation. The Government will not want to put the funds into the work, and therefore leave it to the provincial Government, which will say that this is a federal responsibility.

Furthermore, according to Clause 38(2), there must even be a consultation before an emergency order can be issued. We had this experience in trying to get an emergency order to clean up or temporarily close in order to clean up these lead smelters in Toronto. The local board of health did not have sufficient legal clout to do that. In effect, the legislation was not strong enough. I do not know whether the provincial legislation was strong enough or whether there was simply a lack of will on the part of the provincial Government since it took so long to take action.

There is some risk in this case that the federal Government will simply delay while consulting with a provincial Government even on an emergency order.

Let me turn to the general problem of the need for minimum legislation. The Canadian Labour Congress stated:

> The general principle ought to be: Unless the provinces have stronger legislation, the federal Government should move in to establish minimum—but strong and effective—national standards of environmental cleanliness.
>
> There should be consultation with the interested parties, certainly; but this should not prevent speedy and effective federal Government action on the environment at the national level.

In other words, there should not be so much buck-passing with respect to emergency orders and particularly legislation. There should be a clearly established federal responsibility for a minimum standard. There is nothing stopping a province from implementing a higher standard, but it should not be allowed to tolerate a lower standard.

Many people have often spoken about the need for a bill of environmental rights. While it is true that there is the right of 12 people to petition the Minister for information for an investigation, it does not give them the right to initiate any kind of civil action. That is a very serious defect in this Bill. Unless they are prepared to show that individually they are being harmed or likely to be harmed, they cannot use Clause 128 and Clause 129 to initiate civil action. While they can use Clauses 100 and 101 to get information, it can be a very slow process, and it is unclear whether they will be able to initiate actions after they have the information.

Of course, there is no provision for funding such an action. As I said, companies like Canadian Pacific Investment, which are in the business of polluting, can spend millions of dollars on their international lead and zinc research outfit in order to combat anyone, such as workers in the plant, neighbours down the street, or even people in the community who may be trying to get the information and lay a charge under civil action but do not have an expensive researcher on retainer. In such cases, it will be a contest of the elephant against the mouse.

• (1330)

It is the same in the matter of determining what is toxic and what is non-toxic. Yes, 12 persons may be able to petition to have the Minister investigate a certain substance to see whether or not it is toxic, but they will not have the right to initiate civil action in the matter. Therefore, while the Government is acquiring information, and that is good, and of course it is necessary to have the information, the likelihood of corrective action is in great doubt. In spite of public requests at the hearings in this matter, the opportunities for the public to secure corrective action are very limited.

Finally, I wish to refer to one large omission under this Act. There are others, but the one with which I am very concerned is its neglect to deal with environmental dangers of nuclear energy and radio-active substances. It is also a matter dealt with not in my ward but within Metro Toronto, when previous Governments, federal and provincial, left radio-active soil in a dump in Scarborough without even informing subsequent developers and homeowners of what might be in that soil. They found out later on, after the homes had been bought and the owners had begun to live in them, that they were living on a radio-active dump. It has taken years of expensive and tortuous litigation for those homeowners to get some satisfaction from one or the other levels of government.

Apparently this law does nothing at all to correct that defect. We may be told that that is all taken care of by the Atomic Energy Control Board. If so, that is a sick joke, because, as we found out when the new appointments were being made about a year ago, almost all of the members of that board were engaged in making profits, or else they come immediately from companies which are engaged in making profits out of the atomic energy business. That is putting the fox in charge of the chicken coop. Those men are not going to restrict their profits by having concern for the health and safety of the people in the neighbourhood or the countryside around them.

Therefore, we have neither under the atomic energy legislation, nor in this EPA, any serious means by which the public can ensure protection for itself against mistakes, excesses or negligence on the part of those who conduct our nuclear energy plants and industries, and the transportation of toxic substances which sometimes travel on a railway line through Metro Toronto, and so on. None of that is under sufficient control. It is unfortunate that that aspect has been omitted from this Act.

As I said, my colleagues and I are supporting this Act. I am specifically thankful that some steps have been taken, because I know the problem we had a decade ago in Toronto, and still have. I regret the Act is so cautious and particularly so afraid

of allowing the public full modern necessary access to the remedies concerned.

Mr. Caccia: Madam Speaker, I listened with interest to the speech of the Hon. Member for Spadina (Mr. Heap) who, as usual, has thoroughly examined the matter before us. I did not hear him comment, however, on one aspect of the Bill which might interest him and on which I would seek his views. The Hon. Member is probably not aware of the fact that in Bill C-74 there is a clause which does not empower the Minister of the Environment (Mr. McMillan) to stop the export of substances that are prohibited for use in Canada, but which Canada may want to export, for instance, to developing countries for economic, commercial and other reasons.

This, of course, raises a moral question which I am sure the Hon. Member for Spadina is particularly keen and qualified to examine, namely, whether Canada should be engaged in the export of substances, in this case it would be toxic substances, that we do not permit for use in our own jurisdiction, but for which we would not have any compunction at all to seek to have exported.

I must admit that I could not understand the reasoning of the Government in not including a clause to the effect that the Minister would have the power to stop exports of substances of this kind once they are forbidden for use here. Evidently, the political will was not sufficient in Cabinet and, therefore, we have to address the question here at second reading and subsequently in committee.

It is with this thought in mind that I would invite the Hon. Member for Spadina to give us the benefit of his reflection on this clause as he assesses it from a moral point of view.

Mr. Heap: Madam Speaker, I thank the Hon. Member for his comment. I am aware of the defect he mentions, and there are many defects in the Bill I did not have time to touch upon, and I agree that it is a serious defect. I cannot match the Hon. Member's expertise on the subject, but I heartily agree with the principle to which he has appealed, that if a substance is too poisonous to use for Canadians, it is too poisonous to use in anyone else's country.

It is a disgrace that we should knowingly permit the export to other countries, as the Hon. Member says, probably to third world or what I would call "former colonial countries"—more colonial than Canada—those people who are in a sense economically weaker, of substances which perhaps some Canadian company wishes to sell to its profit or wishes to use in a subsidiary in that other country, notwithstanding the fact that it is likely to do harm to those people such as might be prohibited by law to be done to Canadians.

This is, of course, part and parcel of the growing practice of multinational corporations which are seeking to shut down industries in Canada so they can open them up in former colonial countries that lack even such protections as we have here for the environment, for the conditions of labour and, of course, for the wages of labour.

When I was in El Salvador, I was invited by the Vice Minister of Planning to encourage Canadians to invest in what he called "our low wages, our low-wage industries", and I am quite sure that any Canadian who wished to export a manufacturing enterprise to El Salvador and wished to use toxic substances, would find no hindrance from the Duarte Government. They would be welcome. The workers then would have to choose between starvation or starvation wages along with toxic substances. So it is immoral, as the Hon. Member has suggested, and I hope it will be looked at seriously in committee.

Mr. Caccia: Madam Speaker, I would like to thank the Hon. Member for his answer, which was as thoughtful as usual. On the domestic front, and I refer particularly to Manitoba, two of its major rivers, the Assiniboine River and the Red River, are seriously contaminated with toxic chemical substances. The Government of that province is reluctant to take the necessary action. It being a New Democratic Government, that may not be good news to the Hon. Member for Spadina. Nevertheless, I would have to put to him the following question: Since the Government of that province is not doing what the Hon. Member, I am sure, would like that Government, and also the Government of Canada, to do, namely, to clean up and to prevent the pollution of toxic chemicals of major waterways in that province, does the Hon. Member see in this particular Bill the means to intervene in the Province of Manitoba to get the New Democratic Government there to do the things which are needed in order to clean up the pollution of toxic chemicals in those two major rivers?

• (1340)

Mr. Heap: Madam Speaker, the Hon. Member was speaking about a city that I know because I was born there and I grew up there. I was very familiar with those two rivers, the Red and the Assiniboine. When I swam in them when I am was a kid they were dirty enough, but I would not swim in them now. I believe this Bill, and this was the main point I was making at the beginning of my remarks, does not provide for clear responsibility by the federal Government. I am not familiar with the current discussions in Manitoba about the action for remedying the quality of the water caused by pollution in those two rivers.

The situation at present is that there is no federal responsibility, as I said when I was describing what happened in Toronto a decade ago. After this Bill has been passed there may or may not be effective federal responsibility. I am not clear on that. My colleagues are not clear on that either. We are not clear as to whether or not it will simply provide for buck passing. I think that in both cases, whether it is between a provincial Government such as a Liberal one, a New Democratic one or a Tory one, and the federal Government, there will be attempts to pass the administrative costs of the remedial action to the other level of Government. That is why I wish that this Bill would more clearly assert the obligation of

the federal Government to act if the provincial Government does not.

The Acting Speaker (Mrs. Champagne): If there are no more questions or comments, we will resume debate with the Hon. Member for Beaches (Mr. Young).

Mr. Neil Young (Beaches): Madam Speaker, I want to spend a few minutes on this particular matter given its importance, not only to the people of Canada but on a global scale.

First, I think it is unfortunate that the Government really missed an opportunity here by coming forward with the kind of Bill that it has come forward with. There was absolutely no public discussion prior to the Government, or the Minister in this case, drafting this particular piece of legislation. I think that is also very unfortunate.

The Government, like most others, for some reason when it comes to environmental concerns seems to feel that it and only it has the knowledge and the authority to deal with environmental problems. In fact, usually the response to environmental concerns is that the person raising those concerns is just trying to frighten the general public, or that the concern that has been identified is really not as critical as people say it is.

I want to give two or three examples of this which might be helpful. A number of years ago I had the opportunity to chair a task force that went down to the Niagara Peninsula to take a look at what was happening to the Niagara River as a result of chemical dump sites. These were located primarily on the New York side of the Niagara River and were, first, located in the worst place that they could possibly be located and, second, they were too close to that river. As a result of these locations, and particularly because the excavations rested on dolomite rock which, as you probably know, Madam Speaker, is a highly porous rock, these toxic wastes had begun to seep through the rock into the underground water system and were leaching into the Niagara River.

I want to tell the House that the people in those communities had become quite fearful for their own safety over the years and had gone to some great lengths to try to convince Governments, both at the provincial and the federal level, that this was a matter that deserved some attention. By the way, these were people whom I would class as probably being in very upper middle class income groups who were expressing those concerns. They were people who had never protested anything in their lives and who felt that if they spoke in a reasonable way to Governments, they would respond to their approach. They found something quite different.

They found that Governments did not respond for a whole variety of reasons which I do not want to take the time to go into now. But the Governments in fact did not respond to these concerns. Some of those groups were forced to take some actions which, for them, were quite revolutionary to raise public awareness and to bring some media attention to the views that they were expressing. They had real reason for concern.

Across the river from many of these communities was the Hyde Park dump site, which was also a part of the same corporation, the Hooker Chemical Corporation, which had been largely responsible for the Love Canal travesty. I want to tell you, Madam Speaker, when I went over to take a look at that Love Canal site I had imagined a small community, a small village or something like that. This was a whole subdivision of houses that had been built and constructed on this chemical dump site and which had been discovered largely through the work of Dr. Beverly Paigen, who had acquaintances who actually lived in the community on the Love Canal site. She had heard about the high incidence of cancer in that community, as well as the highly abnormal defects in births in that community, and she did some work on that. In fact, she was the person who brought it to the attention of the public.

That whole Love Canal community is now ringed off by wire fencing. People cannot get access to it, naturally, because the basements are now flooded with chemical wastes. I want to tell the House that after I took a look at that community and saw what could happen to other communities around the Niagara River site, and other members of that committee were with me and saw it, I left there in complete shock. It raised my interest in environmental concerns a great deal.

I want to talk about one simple thing that means a great deal to my own community in the east end of Toronto. Not so very long ago kids could go down into Lake Ontario during the summer months to swim. One cannot do that any more. One cannot do that any more because of the pollution in Lake Ontario along the bottom of my own constituency in Beaches and along Broadview—Greenwood. One cannot swim on most of the recreational beaches in Metropolitan Toronto in the summer months any more because of the pollution in that lake.

There would be a very simple solution to that problem, if Governments had the political will to do something about it. Most of the pollution that I am referring to comes largely as a result of overflows in the storm sewage system. For years it has been recognized that the whole sewage system should be separated in order that the regular waste sewage does not overflow during heavy thunderstorms, for example, in the summer months.

• (1350)

The Federation of Canadian Municipalities made a recommendation to the federal Government within the last year that called for an expenditure—and it is not only in Metropolitan Toronto, but also in other large metropolitan communities—of some $12 billion over a five-year period that could be shared by municipal, provincial, and federal Governments. It is my understanding that the provinces and municipalities have agreed to enter into such a cost-sharing agreement. However, the federal Government refuses to do so, on the basis that if municipalities see a need to upgrade those

sewer systems, then they should raise taxes at the municipal level, or do something else to raise the taxes in order that they could do the work themselves.

The federal Government ignores the environmental concerns. It also chooses to ignore the fact that part of this proposal clearly showed that, if the federal Government entered into such an agreement, some 60,000 jobs a year could be created over a five-year period as a result of that effort to clean up the environment. Governments are extremely short-sighted when looking at environmental concerns, and when looking at proposals that will not only clean up the environment but will create jobs in the process.

On the task force that I was on, I had the opportunity to take a look at a chemical producing plant in Sarnia, Ontario, where there was extremely bad pollution, especially air pollution coming out of that plant, a number of years ago. The employer was persuaded by environmental groups and the Ontario Government of the day to clean up that plant. When I was there, there was a whole display inside the plant about pollution control equipment. The company now boasts that, as a result of cleaning up the environment on that work site, it created new additional jobs and new technologies for that particular corporation. Cleaning up the environment can also be a job creation project. It is not only a question of expending money, jobs can also be created in the process of doing a socially useful thing.

In conclusion, I wish to state that the environment does not belong to us to abuse, destroy, and to use as some kind of large sewage waste disposal system. Our environment is only borrowed by us for future generations. As elected representatives and people who can do something about environmental concerns, we have a responsibility to act on them in that type of principle.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): Accordingly the Bill is referred to a legislative committee.

Motion adopted, Bill read the second time and referred to a legislative committee.

[*English*]

Mr. Fennell: Madam Speaker, there have been discussions among the Parties that, due to the time, we should move directly to Private Members' Business. This will allow us to finish the business of the House at 2.55 p.m.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent to call it two o'clock?

Some Hon. Members: Agreed.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Order, please. It being two o'clock the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*Translation*]

ORGANIZED CRIME

ESTABLISHMENT OF ROYAL COMMISSION

The House resumed, from Thursday, August 13, 1987, consideration of the motion of Miss Nicholson:

That, in the opinion of this House, the government should consider the advisability of appointing a Royal Commission to investigate organized crime in Canada and to include in its report observations and recommendations on:

1. the extent to which organized crime is present and active in Canada, particularly in such activities as drug trafficking and loan-sharking;

2. the extent to which organized crime is connected to the institutions of Canadian society;

3. action taken by the governments of other countries to investigate and curtail organized crime activity;

4. legislation to enable the government to identify and appropriate the proceeds of organized crime;

5. effective and appropriate punishment in instances of organized crime murder conspiracy; and

6. possible guidelines for enforcement agencies in dealing with witnesses against organized crime.

And on the amendment of Mr. Kaplan:

That the motion be amended by adding at the end thereof the following:

"and that the Royal Commission report within six months of its appointment."

The Acting Speaker (Mrs. Champagne): When the House last considered this motion, the Hon. Member for Edmonton—Strathcona (Mr. Kilgour) had the floor. The Hon. Member for Edmonton—Strathcona.

Mr. David Kilgour (Edmonton—Strathcona): Madam Speaker, the last time I referred briefly to the situation of organized crime in our country.

[*English*]

In the seven minutes available today I wish to deal with the question of the current crime trend, the extent of hard drug trafficking in this country, and something about the Kefauver Commission in the United States which dealt with the matter proposed in the motion, namely, that there be a royal commission to look at organized crime in this country.

The crime rate nationally is up. For violent crime it is up approximately 31 per cent across Canada. In Manitoba, violent crime appears to be up about 84 per cent in that province since 1980. From the latest statistics, it is up approximately 45 per cent in Saskatchewan, 33 per cent in Ontario, and property crimes are up in seven of the ten provinces. In Vancouver, the crime rate is up to approximately 35 per cent. Why is this? Is this because of organized crime, or is this because of spontaneous crime perhaps due to unemployment or some other cause? What part of the present crime has been created by organized crime, which I define as being crime organized by two or more people, and not something spontaneous?

That brings us to the illegal drug problem in our country which has been worsening now for several years. The RCMP estimate that the amount of illegal drugs sold in this country is now in the $10 billion a year range, which is more than the sales of General Motors each year. I know that some people dispute that figure. Worldwide illegal drug sales have been estimated to be in the trillion dollar range. One of the questions that comes out of that is, who will control our domestic industries 20 years from now, if illegal drug people continue to pocket that type of money, tax free, year after year, and to invest it as they like in whatever they like?

I am told by the RCMP that a substantial portion of a large new development in one of our major cities is now being financed by recycled drug proceeds. Not very long ago an individual in the Province of British Columbia was found to have $3.2 million in probable drug money in a suitcase. A heroin drug ring in the City of Montreal has removed an estimated tens of millions of dollars from this country during a two-year period. Hon. Members will recall that 30 tons or tonnes—I do not know if it was metric or not—of hashish were seized not long ago off our East Coast. In short, unless we try some new approaches, the problems of hard drugs are likely to worsen as time goes by.

One excellent manner to start, and I am speaking as a former Crown Attorney, is Bill C-61 which has been introduced in the House and received second reading. It provides an effective anti-drug push, and it is something that Canadians would like us to pass.

As the law presently stands, if an individual has $1 million in his bank account obtained from illegal drug profits, unless that money can be shown to have been part of his method of doing the crime or directly linked to the crime no one can touch that money. The proposed law would give us the chance to seize such property, real estate, bank accounts, and the like, which is the only way ultimately to get at drug traffickers. In other words, the philosophy should be like the English common law. If I buy a million dollar insurance policy on my wife, then I murder my wife, I should not be entitled to have the million dollar proceeds.

The search provisions in the Bill are important; the ability to seize money and property. Under the Bill, if passed, what is called the *in rem* clause is important because if an accused person dies or leaves the country, under the Bill if passed, his assets may be seized. What motivates drug traffickers is known to be one thing, money. A young person said not long ago, "I can make a million dollars selling drugs and the state will never touch it", an RCMP drug enforcement person reported. Forfeiting drug profits must be the major focus of beefing up our legislation. An effective *in rem* clause similar to the one in the U.S. legislation would help us do that. It would also be consistent with our Charter of Rights, just as the American provision has been found to be consistent with its Bill of Rights.

• (1400)

It seems to me to make sense to confine the new forfeiture provision to drug matters only because all of us take a serious view of drug trafficking. If we expanded into too many other things the banks and others would get excited about it. It might be wise to restrict the provision just to drug trafficking.

A matter which might be looked at by a royal commission is the question of heroin arriving by mail. Canada is one of the few countries that does not allow people, up to a year or so ago, to open the mail no matter how overwhelming the indication is that a particular letter or package contains heroin. We should obtain a provision whereby, with a judge's order and overwhelming evidence that an envelope contains heroin, the Government should be allowed to open such mail it seems to me.

I recall speaking to a customs officer a few years ago who suggested that thousands of letters come into Canada every year containing heroin. If the motion is passed I hope the commission would look into that because it is a very serious problem, particularly for our young people. Again, if I may try to drive the point home, a study in the United States found that 237 heroin addicts in the City of Baltimore over a 10 or 11 year period committed half a million crimes in that city.

I have defended these addicts. They simply have to rob seven days a week in many cases if they are heroin addicts in order to have the money to pay $50 or $100 for two caps of heroin a day.

May I draw the House's attention to the Kefauver U.S. Senate committee report of 1951. That commission dealt with the extent to which:

> Gangsters and racketeers continue to pursue their vicious careers and invest the spoils of their illegitimate activity in legitimate enterprises.

I know that was 30 years ago in another country, but the principle, it seems to me, is, unfortunately, still valid today in Canada. The Kefauver committee found that the professional criminals in the United States were putting that money into the liquor industry, banking and finance. Two of the commission's recommendations were, one, that personnel of federal law enforcement agencies should be materially increased, their salaries increased. I think our own law enforcement people would like to see that done too. Two, a racket squad should be

organized in the U.S. Justice Department. Perhaps if this commission were appointed it might wish to recommend that too.

In short, I think there is much to recommend the suggestion by the Hon. Member for Trinity (Miss Nicholson).

Mr. Ian Waddell (Vancouver—Kingsway): Madam Speaker, I have a few remarks on behalf of the New Democratic Party and myself. Basically, we support this initiative by the Hon. Member for Trinity (Mr. Nicholson).

I was listening to the remarks by my friend from Edmonton. He and I were both Crown attorneys in Vancouver, but I think he is older than I am. I believe he was a Crown attorney a year before I was under Stewart McMorran who was a well known Crown prosecutor in the City of Vancouver. How Mr. McMorran managed to hire in the space of two years the Hon. Member for Edmonton—Strathcona (Mr. Kilgour), whose views on most economic things are at the opposite end of the spectrum, and me, I don't know.

Mr. Dick: His first choice was intelligent.

Mr. Waddell: The Associate Minister of National Defence heckled and said that the second choice was intelligent, and I thank him.

Some Hon. Members: Oh, oh!

Mr. Waddell: Organized crime is prevalent in our country although it is hard to tell how deep and in what particular regions it is more so than in others.

In the areas of importation, manufacturing and distribution of narcotics, and illicit drugs in the drug trade, the Hon. Member for Edmonton talked about the tragedy of the need for heroin. It is a terrible problem. The Member has prosecuted and maybe defended, as I have, people who have been charged with heroin possession and with trafficking. They are basically sick people but they are also robbers, but one has to think of the victims, something we have never fully dealt with in Canada. We have never really dealt with the problem of legalization and whether we could use the British model. However, it has all sorts of problems. There is no easy answer. The Member was right in identifying it as being part of the problem. What about the people who manipulate the addicts and earn tremendous profit? That problem has to be attacked continually.

Then we have hijacking and prostitution. In the area of pornography we think the Government's new Bill on pornography will force more of this type of thing underground, not so much the really bad stuff, because that is there anyway, but erotica which could be classed illegal. There are some dangers to that. It could go underground and organized crime would become involved. Escort services, gambling and even in the video poker game machines organized crime has been known to get involved. Then we have the smuggling of aliens and immigrants, the terrorizing and extortion of immigrants, and the extortion of small business. What about car thefts, armed robberies, fencing of goods, arson and stolen securities? The whole area of white-collar crime is there.

The Hon. Member for Burnaby (Mr. Robinson) speaking in the House on May 4, 1987, made reference to a prison. He said that if a prison had only white-collar criminals in it, how different it would be because people in prison tend to be lower-income and poor people. The Member from Burnaby talked quite eloquently in reference to this Bill the one time it was debated. He said that we need to look into the whole matter of white-collar crime, environmental crime, and pollution in terms of criminal offences. We need to look into the whole area of worker safety and the kind of safety provided for workers. What about people who do not pay minimum wages and try to get away with it? We have not thought of those things as crime although they are. We would like to see that aspect broadened.

I am from Vancouver and I do not know whether Members are aware but there is another area that should be looked into, namely that of gangs. We have heard and saw a lot on television about motorcycle gangs and the wars between the gangs in the Province of Quebec. We saw pictures of bodies that were pulled out of the St. Lawrence River. I had a young boy in my riding, 16 years of age, who had been in and out of school. His mother came home a month or so ago and found him bound, gagged and shot to death in her apartment. The police believe the slaying had to do with one of the gangs in Vancouver. This is pretty tragic stuff and it goes far beyond the normal activities of juvenile gangs, the kind of activities we have seen in the past.

• (1410)

Vancouver is about where San Francisco was 10 years ago, with inter-gang rivalries possibly leading to violence. The Co-ordinated Law Enforcement Unit in British Columbia, a branch of the police force, identify a number of gangs and say that there are about 200 people involved in the city's major gangs, which include the Lotus-Jung Ching Gang, the Red Eagles, the Viet Ching and the Big Circle. The Attorney General of British Columbia has just appointed a 14-member unit, which costs about $800,000 a year, to look into these gangs and try to bring these people to justice.

Two and a half years ago, Jim and Lily Ming, restaurant owners, were kidnapped and brutally slain in a ransom bid case in Vancouver. I do not believe that that case has been solved.

In my area of the country, there is a growing problem with gangs, and not just juvenile gangs. There has always been a problem, as the Hon. Member for Edmonton—Strathcona (Mr. Kilgour) said, with narcotics. He and I used to work in a building which was located on a street called The Corner at Main and Pender. Especially at Main and Hastings, the whole narcotics and heroin trade was centred around that area about 15 years ago. Unfortunately, that trade has expanded so that we cannot identify just one corner. Organized crime is

manipulating the drug trade, the protection rackets and the thefts. Those things have to be looked into.

I will not say much more about that. I congratulate the Hon. Member for Trinity on her motion. I would like to see its terms of reference expanded so that it would look into gangs and also consider the nature of white-collar crime. I was going to say that white-collar crime is growing, but I do not think it is growing, it is just not prosecuted enough. We tend to prosecute the poor people rather than the rich. There is sometimes one law for the rich and a different law for the poor. The breaking of pollution and environmental laws and some of the securities frauds affect all of us. We are all victims of those crimes, and that area should be looked into as well.

Again, I congratulate the Hon. Member on her motion. Let us not be satisfied with the Bills the Government has brought in which, as government Members have pretended, will solve some of the problems, because they will not.

Mr. David Daubney (Ottawa West): Madam Speaker, I am very happy to have an opportunity to speak to the motion of the Hon. Member for Trinity (Miss Nicholson), a highly respected member of this place. She has presented an important motion to us today. As Chairman of the Standing Committee on Justice and Solicitor General, I want to congratulate her particularly for drawing to the attention of the House and of the people of Canada this very important matter.

Our Government is certainly well aware of the problem of organized crime and my colleagues on this side of the House will be discussing this afternoon some of the many initiatives this Government has taken in combatting organized crime. There has been improved legislation, enhanced resources, improved systems of collecting, analysing and disseminating intelligence on organized crime and as well as new arrangements with foreign Governments.

I want to focus my remarks on one part of the Hon. Member's motion, part 6, which calls upon the House to consider the advisability of appointing a royal commission to investigate organized crime in Canada and to include in its report observations and recommendations on a number of matters, including possible guidelines for enforcement agencies in dealing with witnesses against organized crime. I think the Hon. Member has quite rightly focused on an important part of the question.

I would point out to my colleagues that this is a matter which is currently being examined by the Ministry of the Solicitor General of Canada (Mr. Kelleher). It is being examined by his Department in collaboration with provincial Attorneys General and Solicitors General and other federal Ministers concerned with law enforcement issues.

I think we all agree that witness protection is part and parcel of a serious commitment on the part of the Government and law enforcement agencies to pursue forcefully organized criminal activities. I am sure some Hon. Members are aware that in the United States, the federal Government instituted a witness protection program aimed at organized crime. This program is administered by the United States marshals' service.

The need for a wide-ranging formal program in the United States is, I would suggest, based on the magnitude of the organized crime problem there. Fortunately, we in Canada are not faced with a problem of a similar magnitude. That is not to suggest, however, that it is not a significant problem worth addressing.

Hon. Members are of course aware that the administration of justice is a provincial responsibility and as a consequence, the majority of witnesses requiring protection or relocation, perhaps even new identities, are the responsibility and, will continue to be so of provincial authorities. The federal Government, through the RCMP and other federal Departments, does, however, provide assistance to provincial officials in the form of documentation required for the witnesses to establish new identities. The RCMP also assists other police forces in other aspects of witness protection.

These flexible arrangements which provide for witness protection have been generally satisfactory, I would suggest, in meeting the needs of Canadians over the last number of years. Hon. Members will appreciate that the Government and departmental officials are constantly monitoring the effectiveness of the various programs, however, and of the arrangements related to law enforcement in general and organized crime in particular.

Witness protection has been identified as an area requiring examination. As I mentioned earlier, this examination is in progress by the Ministry of the Solicitor General and provincial representatives.

In considering this matter, the Government is proceeding carefully, and so it should. The arrangements pertaining to witness protection must ultimately serve to increase the number of successful prosecutions of those criminal cases where there are threats of intimidation or violence against witnesses and their families which are occasioned by the implicated criminal group.

The arrangements must also serve to increase the willingness of witnesses to reveal and testify about criminal offences of which they have some knowledge. In this context, it is important to determine the principles of the arrangements, the eligibility criteria for witnesses and the range of services that should be afforded witnesses who testify against organized crime groups.

• (1420)

Earlier I referred to the witness protection program in the United States. It is generally acknowledged by American officials and academics that their program experienced considerable difficulty and growing pains. Let me just mention some of the problems.

First, there is under-funding and under-resourcing. Then there is difficulty in relocating and changing the identity of professionals. If you are a doctor or businessman it is pretty hard to change your profession. Adverse publicity for the program has been experienced. Then there is the problem of the commission of criminal offences by witnesses after relocation and change of identity, a very serious problem, I understand. They also have to ensure that the new identity is not used as a shield to evade creditors. There are problems resulting from separation and divorce of program participants, and access to children. There is failure to develop the required expertise, that is counselling and administrative services, rapidly enough to prepare the witness properly to adjust to the new life and new job. There are difficulties in providing identification documentation. Generally speaking, there is a careless, insensitive and unsympathetic attitude to the witness' trauma and problems in re-establishing themselves.

Given the U.S. experience we can appreciate that the administration of witness protection is difficult, often distasteful, and always unrewarding as the vast majority of witnesses in such programs are themselves criminals. The RCMP experience has included many of those difficulties. It is important that Governments and enforcement authorities bear these experiences in mind when considering any new arrangements to protect organized crime witnesses.

In closing, the important point is that the issue of witness protection is under careful consideration by both federal and provincial authorities. The motion, in referring to the advisability of appointing a royal commission to inquire into this matter, seems to be somewhat superfluous. I believe such an inquiry would not add substantially to our existing knowledge, something which is being added to in our current consultations and inquiries. It would in fact run the risk of unnecessarily consuming scarce resources and perhaps even delaying achievement of the objective which I am sure Members on all sides want to achieve. I simply urge caution on the part of the Hon. Member for Trinity and other Members in considering whether or not they should support this motion, at least parts of the motion.

Mr. Joe Reid (St. Catharines): Madam Speaker, if I may, I will preface my remarks by adding my commendation to that of my friend of the Hon. Member for Trinity (Miss Nicholson) for her concern over a matter which really concerns all of us, the impact of organized crime on Canadian society. It is rather trite to say that this phenomenon is a plague on practically all democratic Governments. We all read the papers and know that fortunes have reportedly been amassed by those unscrupulous and evil persons at the expense of the weak or desperate in our society.

I have been most impressed by the quality of the speeches made so far in this debate. They show the concern Members have about the continuance of organized crime in this country we call Canada. I sense a genuine will to put some truth into the old adage that crime does not pay. Unfortunately, all too often it has been seen that crime does sometimes pay.

Honest businessmen, friends of yours and mine, are lured by greed and the prospect of immense profits to join hands with disreputable representatives of the underworld. In addition to the obvious motive of greed, experience has shown that a sense of adventure and intrigue has seduced some of these dupes who are not even aware that they themselves are becoming snagged in the murderous tentacles of formidable criminal organizations until it is too late.

In Canada, with our constant exposure to graphic depictions of the presence of organized criminal activities in the American news media, as well as the well-publicized domestic examples, we have come to view the presence of such rogues much as bathers who recognize that predator sharks often lurk out of sight beneath the surface of the ocean only metres from the shore; cold, unfeeling and ready to take advantage when the opportunity presents itself. Just as counter-measures have been found to protect those who flock to the beaches every summer, I am confident that effective counter-measures will be developed to address this scourge of criminal organizations intent on operating against the interests of Canadian society.

Many Canadians will remember that Members of this House have on several occasions sought to improve the Criminal Code so as to improve the effectiveness of those practical tools, such as electronic surveillance, which are employed by the police. There has been continuing co-operation and consultation between the provincial authorities and federal officials in this area.

As several Members who participated in this debate pointed out, the Government is very much aware of the problem of organized crime in Canada and internationally. They discussed examples of Canada's participation with other states in agreements intended to stymie international criminal conspiracies. Mention was made of the sufficiency of present legislation in regard to the punishment of criminal conspiracy to murder. I respectfully agree with the views advanced by the Hon. Member for Louis-Hébert (Mrs. Duplessis). By providing that the maximum penalty that may be imposed for such offences is life imprisonment, the Parliament of Canada has signaled how serious it considers such acts, and created an appropriate sanction for such an offence.

Mention was made of the thorough federal-provincial analysis of the role of organized crime completed in June of 1983, as well as proposals that legislation be created to take effective action to trace, seize and confiscate the fruits of crime. That is one more step in the enforcement of the law in order to ensure that crime does not pay.

It is clear that the Government has recognized the threat to Canadian society in general, and the criminal justice system in particular, posed by the perception that fortunes are being made through the exploitation of the drug trade, loan sharking, extortion and other nefarious activities by persons and

groups who have remained, thus far, insulated from the heat of police investigation or other criminal prosecution.

I share the view of a previous speaker who ventured the opinion that there really is no need to ask a royal commission to examine this matter, both because of the substantial costs involved, as well as the fact that scant information not already in possession of law enforcement officials would likely be developed.

• (1430)

I have no doubt that such an inquiry would prove fascinating for the general law-abiding citizen and extremely lucrative to the media—which would be expected to keep us informed on the daily developments—and perhaps the legal profession. However, just as the disclosure of any piece of information may endanger the life of a spy in intelligence matters, the public disclosure of many pieces of information relating to criminal organizations might put the lives of informers at significant risk.

In closing, I would like to echo the belief previously expressed in this debate that the precious resources existing in this country to combat crime would be better utilized in the investigation and prosecution of criminal conspiracies rather than in the protracted hearings of a royal commission which would, as has been said so frequently before, not likely provide knowledge which federal and provincial criminal intelligence resources had not already provided to authorities.

I do not minimize the issue, Madam Speaker. As I indicated at the outset, I commend the Hon. Member for Trinity for bringing this matter forward, but I sincerely believe that it is in the interest of all Canadians that proposed legislation to address the proceeds of crime and deal effectively with drug traffickers not be retarded or delayed in any way.

The Government initiatives, mentioned on earlier occasions, will, I am sure, be welcomed by all Members in this House who believe that concerted efforts are required now to reduce the mayhem caused by organized crime in this great country of ours. Now is the time to start an action program.

[*Translation*]

Mr. Nic Leblanc (Longueuil): Madam Speaker, I intend to speak for a few moments about organized crime and that part of Motion M-44 which proposes that this House appoint a royal commission that would conduct an investigation and make recommendations on legislation to enable the Government to identify and appropriate the proceeds of organized crime.

First of all, I think the Hon. Member is to be commended for the interest she has shown in this matter. All Members present undoubtedly understand how important it is to society that our laws allow for confiscation of the proceeds of crime.

Organized crime may take the form of a more or less permanent understanding between individuals, for their mutual benefit, as in the case of crime syndicates which have specific criteria for their membership and an established organizational structure. This definition can also apply to individuals who join forces for a single transaction or even to individuals acting independently.

There have always been people who, either alone or with others, have chosen the path of crime to reach their goals. In most cases, our penal laws have, in the past, provided adequate redress through the use of traditional sanctions such as fines and imprisonment.

However, during the second half of the twentieth century there has been a marked increase in profit-related crime, of which drug trafficking is an excellent example. There is no comparison between this new kind of crime and the kind with which our predecessors had to contend when they drafted our penal laws. There are even individuals, some with no previous record, who are willing to risk arrest and conviction, even when the law provides a maximum penalty of life imprisonment.

Madam Speaker, these people are prepared to risk a jail term because of the enormous profits generated by drug trafficking. The illegal profits involved in certain crimes are so great that there are certain national and international crime organizations that devote all their energies to the perpetration of these crimes. These organizations take advantage of today's modern communications, means of transportation and banking procedures, and the limited jurisdiction of national legal systems to amass illicit wealth.

The Criminal Code contains several provisions allowing for the confiscation of various items, the possession of which is illegal. These include restricted firearms, obscene publications, hate propaganda and counterfeit money.

The provisions, however, apply only to the tools used to perpetrate an offence and to possession of smuggled items. They do not provide for confiscating the illicit proceeds of—

The Acting Speaker (Mrs. Champagne): Order. Unfortunately, I must interrupt the Hon. Member for Longueuil (Mr. Leblanc), since I have just now realized that the Hon. Member has already spoken to the motion before the House today, as well as to the amendment which is also before the House.

I am sorry but it is my duty to interrupt him at this time, although I regret having to do so, and recognize another Member who may wish to have the floor.

The Hon. Member for Moncton (Mr. Cochrane).

[*English*]

Mr. Dennis H. Cochrane (Moncton): Madam Speaker, it is rather interesting that in debate on this issue we are all saying that it is a very laudable motion and that we are very excited that the Member has brought it forward, yet each one of us in turn is giving reasons why we should not do this. We know that there is a problem in Canada. We know that there are socially unacceptable elements operating in our communities. We know that organized crime has a foothold in our society. We are groping to find the best way to fight that.

The biggest problem is that a royal commission would cost a great deal of money. I, for one, believe that that money should be spent trying to solve the problem by working with the people in our communities so that they are not vulnerable to those involved in organized crime.

The Government of Canada is making a great effort to fight organized crime through various Departments.

The Minister of Justice (Mr. Hnatyshyn) will soon be tabling legislation in the House to implement mutual legal assistance treaties with other countries, which will include provisions designed to promote joint investigations aimed at curtailing organized criminal activity. This initiative was announced by the Prime Minister (Mr. Mulroney) in the Throne Speech. The pending legislation will enable the Government to identify and appropriate the proceeds of crime, thereby taking the profit out of some of the activities involved therein.

Currently the RCMP participates with provincial and municipal police forces in investigations of organized crime. There have been many situations in New Brunswick recently in which investigations involving the RCMP and provincial and municipal police have resulted in the apprehension of a great number of people involved in drug trafficking. We are seeing more and more instances of co-operation between Governments as they jointly try to cope with the spread of organized crime, particularly in the area of drug trafficking.

The RCMP co-ordinated the publication of an annual report, the Criminal Intelligence Service of Canada, which reports on organized criminal activities in all jurisdictions throughout Canada. They are providing the information to municipal and provincial police forces so that they, in turn, can get the benefit of the work being done by the RCMP in collecting statistics in this area.

• (1440)

It is recognized by the Government that drugs have become the focus of many organized crime activities in this country. As a result, the RCMP drug enforcement program employed a force of 999 persons located in 122 federal units from coast to coast during 1985 and 1986. Detachments which have no dedicated drug units also have a responsibility to enforce laws pertaining to illicit drugs and the trafficking thereof.

Furthermore, the Speech from the Throne referred to the government initiative in the area of developing and implementing a national drug strategy. The secretariat of the Solicitor General has worked with officials of the RCMP, the Departments of Justice and National Health and Welfare to develop mechanisms to improve federal and international efforts to combat drug trafficking and use.

Obviously much can be done with the money that would be spent on a royal commission. As a municipal politician, I can think of the advantages to the citizens of my particular city when our police officers were able to come to Ottawa for the training programs that were being put forward by the Solicitor General and the RCMP to train them in surveillance, the apprehension of those trafficking in drugs, and to train them in the proper methods by which they will charge someone with the offence. These programs were extremely beneficial to those communities and would be an excellent use of additional funds from the Government of Canada.

We can also think of those who are perhaps most vulnerable to the activities of organized crime. They include the less fortunate and young people, such as those who rely on teenage prostitution for support. There are young people in our society who do not steal for pleasure but because they need food.

I was an educator in New Brunswick in 1970. One of my 13-year old students was stealing lunches from other students and stealing from neighbourhood houses. He was not taking anything that he would use for pleasure, or stealing money that he would use for selfish purposes; he was looking for food. Since there obviously was not enough support at home to meet the needs of that child, he made himself vulnerable to others who might encourage him to get into criminal activities.

We must make an effort to put the money where it will work in our communities, through our social agencies and local police forces in order to fight poverty, social injustice, and remove some of the causes that make young people particularly, but also anyone else in our society, vulnerable to the activities of organized crime.

While a royal commission may be a nice idea and an attractive mechanism by which the Government can say it is doing something, I think we all realize it would not accomplish much. If the money for such a royal commission is available, it should be provided to the provinces and municipalities to give greater professional training to those involved in fighting crime and give greater opportunities to those who may be less fortunate and therefore more vulnerable to the activities of organized crime and the lure that it presents.

I believe that Canadians want results, rather than the showcase of another royal commission. In order to achieve those results we must go to the root of the problems which exist in every community of this country. We have an obligation as Members of Parliament to direct federal money in the area where it will give the most advantages and best long-term results in fighting organized crime.

[*Translation*]

Mr. Roger Clinch (Parliamentary Secretary to Minister of Communications): Madam Speaker, before speaking to the motion introduced by the Hon. Member for Trinity (Miss Nicholson), I should like to commend her for drawing the attention of the House to the question of organized crime.

[*English*]

While there may be some merit in the Hon. Member's suggestion for a royal commission, there are other matters which should be considered. For example, it is time for the introduction of effective legislative apparatus to confiscate the

proceeds of crime. This Government fully supports such an endeavour because the time for action has arrived. Any further delay will distance Canada from the efforts of virtually all other western democracies to limit the growth of these criminal umpires. Because of the absence of such legislation in Canada, we would appear to the criminal element to be a haven for such activity when compared with our international partners.

[*Translation*]

Madam Speaker, I would be remiss if I failed to mention the efforts made by the Royal Canadian Mounted Police and other provincial and municipal police forces.

Indeed, each year at the Canadian Police College the RCMP provide training for policemen from the four corners of the world and send experts to various countries, including Commonwealth nations, where they teach the skills required to fight against the different types of crime now under consideration in the House. Canadian law enforcement officials, particularly RCMP officers, work in close co-operation with their counterparts in other western democratic countries to fight against every kind of crime, especially organized crime which knows no borders.

We can readily appreciate the legitimate concerns of the Hon. Member over organized crime. However, Canada is still at one with the provinces when it comes to renewed law enforcement efforts, and a royal commission would contribute precious little to existing or soon to be implemented fight mechanisms.

Madam Speaker, I realize that the motion sponsored by the Hon. Member for Trinity (Miss Nicholson) attests to deep concern about the extent of organized crime in Canada and the weakness of law enforcement measures, but I want to assure her that the members of Canada's police community and other devoted criminal justice experts are dealing with the problem with utmost competence. Our Government has confidence in them, and they deserve the support of all Hon. Members and of the Canadian public at large.

[*English*]

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Madam Speaker, in view of the time, I would ask whether I should proceed with my remarks or perhaps call it 2.55 p.m.?

The Acting Speaker (Mrs. Champagne): The Chair is quite willing to accept either alternative. Shall I call it 2.55?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 36(2), the order is dropped to the bottom of the list of the order of precedence on the Order Paper. Accordingly, the House stands adjourned until Monday next at eleven a.m. pursuant to Standing Order 3(1).

At 2.50 p.m. the House adjourned.

HOUSE OF COMMONS

Monday, October 26, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

SMALL AND MEDIUM BUSINESS WEEK 1987

TRIBUTE TO CANADIAN ENTREPRENEURS—IMPORTANCE OF ENTREPRENEURSHIP

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, today I would like to draw your attention to the fact that this is the first day of Small Business Week 1987, a very important event in Canada.

Small Business Week gives us an opportunity to pay tribute to Canadian entrepreneurs. After all, the entrepreneur provides the spark that starts small businesses. An entrepreneur is someone who takes risks, works, worries and finally creates something that did not exist before.

The theme of Small Business Week 1987, the creative power of entrepreneurship, is therefore very apt.

[*English*]

The facts speak eloquently of the importance of small business to our national economy. There are more than three quarters of a million small businesses in Canada. Some 155,000 new ones are started each year. They employ 40 per cent of the workers and are creating 67 per cent of all the new jobs our economy produces, 100 per cent in some regions of the country. Local entrepreneurs, therefore, form the cornerstones of the Government's regional development policies.

Close to a third of all small businesses are owned by women and small businesses provide well over three million jobs for young men and women in Canada, an impressive 50 per cent more than big businesses provide. Small businesses are increasingly the mainstay of developed economies world-wide. They are turning more and more to small enterprise, to information-based, high technology, service-oriented activities, and away from megaprojects.

[*Translation*]

I think the Government, educational institutions and the private sector have a duty to encourage and support entrepreneurship.

Governments must first of all do everything they can to create an environment that is conducive to the development of entrepreneurship. Our Government has always tried to provide an economic climate in which people with ideas would be encouraged and supported.

The results are conclusive. For the first time in eight years, the prime rate, the inflation rate and the unemployment rate are all below the 10 per cent line. Interestingly, for the entrepreneur these lower rates mean an annual savings of $1,000 on every $33,000 of debt.

All observers have acknowledged our budgets were favourable to small businesses.

We have also implemented a plan to reduce the paper burden, and we have started to deal with regulatory and tax reform. And we are now liberalizing our trade relations with United States.

[*English*]

Canada's small business community welcomes freer trade. A survey of 22,528 business people conducted by the CFIB in 1986 proved that those who foresaw positive results and new opportunities from freer trade outnumbered those who saw a negative impact by nearly three to one. Now that we have a deal, Canada's entrepreneurs can and will seize the new opportunities of this historic free trade agreement and they will have far greater access to the largest, richest and closest market in the world.

Small business persons in this country are not afraid to compete because they have confidence in their abilities and so does the Government. Our efforts cannot stop there. We must all, Government, education and the private sector, turn our efforts toward stimulating new entrepreneurship across our country.

[*Translation*]

Increasingly, our education system will have to include entrepreneurship as a career choice for students. One is not born an entrepreneur, one becomes one. We can and we must teach entrepreneurship and consider it on the same level as medicine, law or engineering.

We must make Canadians understand the importance of entrepreneurship. We must encourage Canadians, especially

our young people, to become entrepreneurs, and we should support them.

[*English*]

I want to thank the organizers of Small Business Week 1987, the Chamber of Commerce of Canada and the Federal Business Development Bank, to commend them for their efforts and to wish them the utmost success. Let us hope that Small Business Week will contribute not only to a greater understanding and appreciation of Canada's entrepreneurs but, most importantly, to the development of new entrepreneurs upon whom so much of our future depends.

[*Translation*]

I call on all Members of this House and on Canadians from coast to coast to join me in paying tribute to Canadian entrepreneurs and promoting entrepreneurship during Small Business Week 1987.

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, first of all, I want to thank the Minister of State (Small Businesses and Tourism), who gave us prior notice of his statement. Speaking on behalf of the Official Opposition and the Liberal Party of Canada, I too wish to pay tribute to the men and women who, with perseverance, creativity and courage, have started many small businesses, some of which have later become full scale enterprises. These men and women, as the Minister pointed out, are responsible for 70 per cent of the jobs in this country. During the recession in the first part of this decade, when big companies were closing and jobs were being lost, small businesses were still creating jobs.

Mr. Speaker, I must admit I am somewhat disappointed today. I expected the Minister would take advantage of this opportunity to announce new programs that would help develop small businesses and promote their growth, and thus create even more jobs.

Looking at the statistics, if every small business could create one more job, we would have about 800,000 new jobs, which would reduce unemployment considerably in this country. However, the Minister just went on mouthing the usual phrases, that it was a good thing this sector creates so many jobs and that there was so much development in this sector. Where are the programs?

Of course, the Minister referred to reduced tax rates. Mr. Speaker, I would like to take this opportunity to remind the Minister that in its tax reform, the Government reduced general corporate taxes from 36 to 28 per cent—a total of 8 per cent, and reduced the manufacturing tax for large companies from 30 per cent to 23 per cent—another 7 per cent. However, the tax rate for small businesses was reduced from 15 to 12 per cent, a meager 3 per cent. In fact, he increased the tax rate for small manufacturers by 2 per cent, raising the tax from the present 10 per cent to 12 per cent, effective next year if the tax reform becomes effective on January 1, 1988, as promised by the Minister of Finance.

Mr. Speaker, that is what this Governement has done for small business. Today, the Government is paying tribute to this sector, to all these men and women who have contributed so much to the economic development of our country, and at the same time, the Government has proposed measures to discourage this development.

The tax reform also includes the $500,000 capital gains reduction. We agree with the principle, but on closer inspection, it is just window dressing. It does not really do anything for small businesses because, as we all know, 50 per cent of small businesses are not incorporated, and the measure only applies to the sale of shares. Among the other 50 per cent who are incorporated, Mr. Speaker, the majority do not sell their shares, only their assets. So until this measure also applies to the assets of small businesses, our small Canadian entrepreneurs will not be able to take advantage of this exemption.

In the past few months, the Minister has been congratulating himself on having created an advisory committee to cut paper burden. I may remind him that in 1983, the Liberal Government set up a similar advisory committee to deal with all these problems that were impeding the economic development of small businesses. In the fall of 1984, when the Conservative Government came to power, the advisory committee, which included representatives from various small business groups, was abolished outright, and it was not until 1986 that the Government acknowledged its mistake and reinstated the advisory council. What the Conservative Government has done for small businesses in the last three years boils down to a great big zero.

I am very disappointed, Mr. Speaker, because the Minister could have taken this opportunity to unveil really new programs.

I should like to recall that in 1985 the former Minister of State (Small Businesses) had undertaken to consult all Canadians precisely to learn what small businesses are all about. The Government spent a small fortune, Mr. Speaker, but we never did get the report because apparently it was printed but not distributed mainly because it did not have anything new to say. After three years I would have hoped that since the new Minister has held this portfolio for a year now, I would have hoped . . .

When I learned Friday that the Minister would be making a statement in the House today to mark the opening of Small Business Week I was hoping he would announce new programs, but no such luck. All we got are still more pious wishes, but small business has no use for pious wishes, it wants action, it wants to create jobs and help the community. But the Government has failed to respond, Mr. Speaker.

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I should like to say a few words on behalf of my Party. Small—and medium-sized businesses are a major component of our society. They create a lot more jobs than the big multinationals ever do, and the small business international fund will remain

the major source of new jobs for Canadian men and women. Small businesses now employ 42 per cent of Canada's paid labour. As emphasized recently by the Canadian Federation of Independent Business, small businesses with fewer than 19 employees accounted for 86 per cent of employment between 1975 and 1982, while companies with more than 100 employees reported a 6 per cent employment drop.

Mr. Speaker, that is how important small-and medium-sized businesses are here in Canada.

• (1110)

[*English*]

Recently we in the NDP organized a task force concerning the creation of jobs. One important area we identified was the need to do more for small business. We recommended the following nine points and I want to put them very quickly on the record.

First, ensure that banks provide more loans to small businesses at rates given to big businesses.

Second, establish a more aggressive "buy Canadian" program which includes government contracts and is targeted to small business and community enterprises. That of course becomes more difficult with the free trade agreement if it indeed goes through.

Third, provide risk and venture capital for small businesses.

Fourth, provide greater opportunities for women to establish small businesses, including a commitment by the banks to treat women in an equal manner. Recently it has been women more than men who have been successful in establishing small businesses.

Fifth, identify areas in which small businesses could expand to meet consumer demand now covered by imports. Again I have concerns about this area when it comes to free trade.

Sixth, provide small businesses with relevant financial, marketing and management assistance through federal "one-stop shopping centres" to be organized in conjunction with local business communities.

Seventh, reform the Federal Business Development Bank to refocus its activities on small businesses, especially those most in need.

Eighth, direct the Canada Patent Development Corporation to work with small business to help them patent new innovations and market those patents world-wide.

Ninth, change the tax system to make severance pay tax exempt and allow the tax-free use of RRSPs to start up new small businesses.

Those are some of the recommendations our Party made as a result of its special task force on jobs two years ago.

[*Translation*]

The payment is very important in this country and we have to go to great lengths to emphasize the major role of this business in the creation of jobs for Canadians, both men and women.

* * *

COMMITTEES OF THE HOUSE

PRESENTATION OF REPORT OF LEGISLATIVE COMMITTEE ON BILL C-254

Mr. Gaston Isabelle (Hull—Aylmer): Mr. Speaker, I have the honour to table, in both official languages, the report of the legislative committee on Bill C-254, an Act to amend the Citizenship Act (period of residence).

[*English*]

PUBLIC ACCOUNTS—TENTH REPORT OF STANDING COMMITTEE

Miss Aideen Nicholson (Trinity): Mr. Speaker, I have the honour to present the tenth report of the Standing Committee on Public Accounts. This report is a summary of the work of the committee in the past year and is an attempt to highlight some ongoing problems we think need to be addressed.

• (1120)

The committee is greatly impressed with the dedication, hard work, and competence of public servants in general who come before us insofar as their commitment to delivering the programs of their departments. However, we are finding that public servants still are not cost-conscious and that opportunities are lost to improve the Government's revenues. There is not sufficient attention paid to safeguarding the Crown against liability and financial loss.

We have gone through a number of reports on different departments to highlight some of these problems and our proposed solutions which have already been addressed in other reports before the House. This report is a compendium of those.

* * *

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I have the pleasure of tabling my twenty-fourth petition, which of course conforms to Standing Order 106. This petition deals with the eventuality of a tax on food and was signed by most of the residents of the *Coopérative de LaSalle* in my riding of Ottawa—Vanier.

It read as follows:

whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

whereas the federal Government in its tax reform proposal is studying the possibility of imposing on Canadians a general tax on goods and services, including food;

whereas food constitutes a vital element in day-to-day life and the imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, unemployed, low-income taxpayers and youth;

wherefore the undersigned petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

[*English*]

CONSTITUTIONAL ACCORD—UNANIMITY CLAUSE AND ABORIGINAL RIGHTS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I have the honour and duty to present petitions from residents of the Yukon Territory who wish to take this opportunity, having neither been consulted nor signatories to the Meech Lake constitutional amendment, to register their concern about the unanimity provision for the creation of new provinces. They humbly ask this House to consider further conferences on aboriginal rights and self-government.

OPPOSITION TO THE ACQUISITION OF NUCLEAR POWERED SUBMARINES

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I have a great many petitions from residents of Vancouver Island and the Gulf Islands in British Columbia. They are concerned about the dangers posed by the presence of nuclear-powered and/or nuclear-armed vessels in Canadian ports to both the environment and Canadian citizens. They call upon the Government not to proceed with the purchase of nuclear submarines.

[*Translation*]

OPPOSITION TO TAX ON FOOD

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, pursuant to Standing Order 106, I have the honour of tabling a petition signed by 1,721 constituents of my riding of Laval-des-Rapides and by other residents of the Montreal area who object to the Government's tax reform proposal to introduce a tax on food.

The petition notes that since 1984, the Government has already introduced twenty-five new taxes and tax increases.

Therefore, your petitioners humbly pray Parliament to reject the Government's proposal to make Canadians pay a tax on food.

This democratic protest is an expression of the dissatisfaction Canadians feel with the Government's policies.

* * *

[*English*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

Mr. Speaker: I wish to inform the House that because of the ministerial statement and the replies thereto Government Orders will be extended by 14 minutes beginning at one o'clock p.m.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S. O. 82—CANADA-UNITED STATES TRADE AGREEMENT

Right Hon. John N. Turner (Leader of the Opposition) moved:

> That this House condemns the Government for its inept negotiation of a trade agreement with the United States that undermines Canadian sovereignty and requires excessive and unacceptable concessions by Canada but gains virtually nothing in return, that still fails to provide protection for Canadian industries from restrictive United States trade laws and that caves in to all United States demands in key sectors, especially agriculture, energy, automobiles, financial services and investment while threatening hundreds of thousands of Canadian jobs without the Canadian Government's providing any adjustment assistance for Canadian workers.

He said: Mr. Speaker, the Hon. Member for Oshawa (Mr. Broadbent) who is in the House to participate in this debate has said that there ought to be a Leader's debate on this issue. He and I are here today. We are willing to take on the Prime Minister (Mr. Mulroney) in a debate on this issue at any place and at any time. We believe that Parliament is the right place and that this is the right time.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Mr. Speaker, I recall the secret Government free trade communication strategy document that was leaked over two years ago. It said:

> The strategy should rely less on educating the general public than on getting across the message that the trade initiative is a good idea. In other words a selling job.

From the outset of these negotiations the Government of Canada has deliberately kept Canadians in the dark, deliberately kept the facts from Parliament, and deliberately refused to give us the parameters of the authority of the negotiating team. That has been the Government's strategy from the beginning and continues to be its strategy. It is a cynical, manipulative and misleading tactic. There is one thing wrong with it; Canadians are not stupid, Canadians will not be fooled, and Canadians will not buy this trade deal.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Mr. Speaker, the Government of Canada went into this trade negotiation under three naive assumptions. The first was that obtaining an agreement with the United States would somehow magically exempt Canada from protectionist sentiment in the United States, particularly in the U.S. Congress. That was naive from the outset.

Leading members of the Congress, the U.S. Senate, and the House of Representatives told us publicly and privately on trips to Ottawa that there was no way Canada would gain an exemption from U.S. trade remedy law as set forth in the 1974 trade law of the United States or, indeed, in the Omnibus Bill currently before the Senate and House of Representatives. We were warned that there was no way that would happen. Yet the Government laboured under the naive assumption that a signed agreement would somehow exempt us from that.

We can see from the agreement that we have not been exempted. American trade law and practice, present and future, will continue to apply to Canadian exports. We have not gained secure access to the American market.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): The second naive assumption was that we could get a quick fix. Instead of dealing multilaterally and internationally through the General Agreement on Tariffs and Trade, as we did so successfully during the Kennedy Round and the Tokyo Round, the Government tried to get a quick fix to our trade problems by dealing bilaterally and directly with the United States. Going head-to-head, face-to-face, one-on-one with the strongest economic power in the world, which is ten times stronger than we are, when our Government wanted to deal politically more than their Congress wanted to, we were bound to get a lousy deal. That is what happened. We got a lousy deal.

• (1130)

Of course, the third naive assumption was that the United States really wanted free trade with Canada. The United States does not want free trade. It is clear now that they have always wanted fair trade according to their definition as it is set out in the 1974 congressional law and as it is set out in the Omnibus bill.

Fair trade means trade in reciprocal terms, trade on their terms. They used the level playing field but it is their playing field, with their rules, their linesmen, their goalposts, their ball and their uniforms. That is what the United States always wanted in a trade agreement and that is what they have received in this particular deal.

The timing could not be worse for Canada. The United States and the Reagan administration has been pulling world demand into their market. The American market has kept the world economy going, but it became evident over the last number of months that a trade deficit of the proportions being run by the United States and the extent of the budgetary deficit, financed by Japan and Germany, could not continue forever and that the United States could no longer fuel world demand.

It has become evident that it will have to convert itself into a neutral and surplus position, which will be at the expense of every other country in the world. There is no way that the United States Congress and the United States administration, particularly in light of last week's events on the stock market, can afford not to take control of their trading position. Therefore, nothing could be worse in terms of timing and nothing will reflect congressional sentiment more acutely.

[*Translation*]

But the Government was naive. They presumed that by simply sitting down with the United States and negotiating a trade deal we would, as if by magic, be exempted from the American protectionist legislation and guaranteed free access to the U.S. market. But there is no magic in international trade. There is no miracle and no ready-made solution either, and it is clear that the results are not there for Canada.

To achieve his objectives, the Prime Minister (Mr. Mulroney) needed to convince the Americans of two things: first, to write down specifically in the agreement that Canada would no longer be subjected to any American protectionist legislation and, second, to set in place a binding dispute settlement mechanism to settle any dispute between the two countries. These conditions were essential. Well, the Mulroney Accord does not meet either of these conditions. The Accord does not guarantee free access to the American market. It does not protect us from protectionist legislation.

[*English*]

What does the dispute mechanism say? It is still to be determined whether it is constitutional under American law. The dispute mechanism is only a review panel. It applies American law and American practice to our exports. Nothing is changed. Its only leverage under the American administrative tribunal is to analyse whether those tribunals have applied correctly American law and American rules according to their practice. It does not change the law to which Canada is subject regarding the American market. It changes a judge and prolongs the process.

When we consider the softwood lumber case, it prolongs the process probably by another litigious year. That softwood lumber case would have been decided under the same law and rules. Furthermore, that 15 per cent tax for our softwood lumber going into the American market has been grandfathered and made part of the treaty.

In March, the Minister for International Trade (Miss Carney) said that the objective of any trade agreement would be the elimination of countervail in both countries. In April, the Prime Minister said that the U.S. trade remedy law cannot apply to Canada. That seemed quite clear and sensible. The only reason to attempt to seek an agreement would be to get an exemption from U.S. trade law. The Minister for International Trade and the Prime Minister understood it then, but last week the chief negotiator for Canada, Simon Reisman, said that it is "just plain dumb" to think "that this agreement should provide us with an exemption from American trade remedy laws, is just the silliest proposition I have ever heard."

That flies right in the face of the Prime Minister's remarks, and right in the face of the instructions obviously given to him by the Minister for International Trade when she went public on that very important issue. She was right then and the Prime Minister was right then; without an exemption of U.S. trade law an agreement is not worth the paper it is written on. That is the reason we oppose it.

Why does the Prime Minister continue to tell us that that is what he achieved in this agreement, when his chief negotiator says that it is just not so. In his revised summary of the agreement, Mr. Yeutter says:

> The U.S. countervailing duty and anti-dumping laws—defined as U.S. statutes, legislative history, regulations, administrative practice, and court decisions—will remain intact and unchanged. Hence, U.S. petitioners will retain all their rights under existing U.S. law, just as Canadian industries will keep their rights under Canadian law.

We are back to where we started. We do not have that secure access to the American market that the Prime Minister promised and which he himself recognized as essential for any deal.

Let us also get rid of some of the philosophical baggage. This is not a free trade arrangement. This is a selective trade arrangement and Members of Parliament and Canadians are entitled to look at this deal on its merits. Some industries are in; some industries are out. The British Columbia wine industry and the Ontario wine industry are in; the breweries are somehow out. Apparently communications are out while textiles are in.

[*Translation*]

How does one explain that to textile workers who are vulnerable, while brewery workers are protected? How does one explain that to the footwear and clothing industry workers who are vulnerable, while the television community is protected? How does one explain that to the electronic industry workers in Quebec and Ontario who are vulnerable, while the Dow, Labatt, and Molson brewery workers are protected? We must therefore scrutinize the agreement and realize that we have gained very little while giving up a lot.

[*English*]

We did not get that secure access to the American market. Yet we have opened our investment to the Americans, opened our culture, opened our capital markets, and our agriculture. We changed the Auto Pact and have become a storehouse in a continental energy policy.

We have lost control over investment because the thresholds have risen dramatically. I said in the House some three weeks ago that takeovers will be unlimited and it will be open season for the Americans.

Our service sectors, particularly our financial markets, are now open and we will have lost control over those markets as an element in determining Canadian economic policy.

No one could have predicted that a continental energy policy would be in this agreement. There was never any sense that we were not only negotiating a trade agreement but that we were selling the resource base of this country or, to put it in more realistic terms, giving away the resource base of this country.

Since Confederation we have always resisted American pressure by building a country east and west and north. We built a railway, we built an airline, we built a broadcasting system and we built a pipeline. We moved against those natural forces that would have brought us into the American orbit. Yet the Government, in one fell swoop, and with one signature, has thrown that away. Our oil, gas and coal are now directed into a continental resource basket and we have become a resource storehouse for the United States. We no longer control our own energy policy.

How many times were we told that our cultural industries were not on the table? Yet Clayton Yeutter, the U.S. Trade Representative, told us in his summary: "Canada has agreed that cultural measures it takes will not impair the benefits the U.S. would otherwise expect from the provisions of the agreement". Just to make sure that we got the point, he revised his summary and stated:

> The U.S. retains the right to redress any adverse commercial effects of any future cultural measures enacted by Canada.

The Minister of Communications (Miss MacDonald) is here and she may want to speak about that.

The warning is clear. If a future government of Canada decides to support Canadian art and culture in a way that the Americans consider has an adverse commercial effect on them, then they will retaliate. That is the interpretation the U.S. puts on this agreement. So much for culture not being included.

• (1140)

How many times did the Prime Minister and his Ministers tell us that agriculture was not on the table? We do not have much time to go into that this morning but I will say that the

whole supply management structure of this country is vulnerable because the seasonal import protection is lifted.

[*Translation*]

U.S. multinational corporations now will be able to make an onslaught on our markets with their fruits, vegetables, dairy products and even their TV-dinners. In that area, Canadians cannot compete with the Americans, for no fault of their own. Our season is too short. Our winters are cold here in Canada. There is no way farmers here with a three-month growing season can compete with farmers down South who enjoy a twelve-month growing season. If in order to please the Americans we sacrifice our farmers, and our fishermen, we will end up depending on them, even for the food we eat.

[*English*]

How many times did the Prime Minister tell us that the Auto Pact was not on the table? But there it is in the agreement, changed, perhaps gutted, and we will have to wait for the final print to see exactly how much it has been gutted. Our auto parts manufacturers, Frank Stronach in the lead, the largest in the country, and the second largest, from Belleville, Ontario, have said that as a result of this agreement they are going to move their plants into the United States. That is what they said.

How many times did the Prime Minister tell us that the agreement would create thousands and thousands of jobs? Yet after the deal was signed, on his first pronouncement, the Minister of Employment and Immigration (Mr. Bouchard) announced that up to 500,000 jobs could be lost.

I might say, and not in any way peripherally, that two-thirds of the jobs which are vulnerable under this trade agreement with the United States are filled by women, jobs in the textile industry and in the service industries, and I will tell you, Mr. Speaker, we will have more to say on that particular subject as this debate proceeds.

The whole history of these negotiations before, during and now that we see the principles of agreement, has been that the Government has thrown away our cards, our sovereignty and the tools we need for political and economic independence. Even before the Government sat down at the bargaining table the Foreign Investment Review Act had been changed and the National Energy Program had been scuttled. During the course of the negotiations it was book publishing, then during the course of the negotiations, it was our drug manufacturing situation; then potash; and then softwood lumber. Now we have added to that list the auto pact, agriculture, energy, financial institutions, the wine industry, textiles, and capital markets. It amounts to the most massive sell-out in Canadian history, and I and my Party will never accept it. Neither, we believe, will the vast majority of Canadians.

[*Translation*]

Mr. Speaker, the Prime Minister's trade agreement will mean deep changes for this country. Never was that option discussed during the last election campaign. The Prime Minister has no mandate to trade away our sovereignty. I will fight that agreement. I will fight it to the point of running the next election on it. You have my word for it. That is a promise.

And if Canadians give us their confidence, if they make us their government, never will I feel bound politically by that agreement signed by the Minister of Finance and the Minister of Trade, under orders from this Prime Minister. We never signed that Agreement. We will not live with it.

[*English*]

We did not negotiate the deal, we are not bound by the deal, we will not live with this deal, and if the deal and the final contract reflects the principles and the general terms of agreement we have seen, we are going to tear the deal up.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I happen to believe that Canadians can compete with anyone, including the Americans. I believe we can compete without sacrificing our sovereignty and political independence. The exclusive focus on the American market, our most vital market and one that is absolutely essential for us, has cost us markets in the Pacific Rim and markets in Europe, and I went into those figures the last time I had the honour to stand in the House on this issue.

We need a global multilateral approach. We have always had greater leverage with the United States using the international negotiations to cut the deals we have cut from the Tokyo Round to the Kennedy Round. Using those international negotiations we have achieved our present situation where 85 per cent of everything we move across the border already goes in free of duty. The mistake the Government made was to go head-to-head with the United States for political purposes when it was drooling for a deal, sacrificing our principles, our citizens, our businesses and control over our economy.

It comes down to a simple question. Do we have faith enough in our fellow citizens and in ourselves to compete with the world and win? Or do we need an exclusive deal with the United States and hope it will do it for us? That is a prospect, by the way, which looks less and less likely as the United States finally has to come to terms with its own trade deficit and its own economy as a result of the cataclysm of last week. Are we willing to yield to the Americans that style of control over our economic and political decision-making process? I do not believe we are and I do not believe we should.

I have faith in this country. I have faith in Canadians and I have faith that we are mature enough, talented enough, confident enough and tough enough to make our own choices in our own way for our own future.

Some Hon. Members: Hear, hear!

Mr. St. Germain: Mr. Speaker, after having listened to the Right Hon. Leader of the Opposition (Mr. Turner), I believe it is a real sad day for British Columbians, that he would reject an agreement supported by British Columbians.

Some Hon. Members: Oh, oh!

Mr. St. Germain: On Saturday, in a forum—

Mr. Speaker: Order, please. Hon. Members will have noticed that during the right hon. gentleman's lead-off speech he was extended every courtesy by all Members of the House. I think we would want to have the same courtesies extended to other Members.

Mr. St. Germain: I would like to ask the Right Hon. Leader of the Opposition a question. The entire lumber industry has taken a position in favour of this agreement. It has said that had a dispute settling mechanism been in place, as proposed in the agreement, it would have been able to deal successfully with the softwood lumber issue and the shakes and shingles issue would not have surfaced as it has. We also look today at the potash industry in Saskatchewan. But let us stick to British Columbia because the Right Hon. Leader of the Opposition represents a riding in British Columbia.

How about the Bentleys, the Bensons, the Clarkes and all the people in these industries who are advocating that we support this initiative. How can the Right Hon. Leader of the Opposition, in the face of this support, oppose something that would benefit western Canadians so vastly and so greatly, especially our province, the Province of British Columbia? I ask him to respond to that question because he cited in his delivery the adjustment factor.

I would like to tell the Right Hon. Leader of the Opposition, if he does not know, that with respect to shakes and shingles, on Friday, October 23 last, the federal Government lived up to its promise. It made a promise to assist and adjust for the unfair tariff imposed on shakes and shingles and delivered a $9.4 million program to the areas most affected by shakes and shingles. I ask the Right Hon. Leader of the Opposition how in the face of this support he can stand here and oppose such a positive initiative?

• (1150)

Mr. Turner (Vancouver Quadra): Mr. Speaker, the first public meeting I held after this agreement was announced happened to be in my own riding of Vancouver Quadra. There were about 800 or so people there at Point Grey Secondary School where the support and the questions reflected a deep concern on behalf of the citizens of my riding, that in exchange for precious little their Government had given away a good deal. On the hot-line show Jack Webster came out of retirement. We had the hot-line all over the Province of British Columbia. The first 14 out of 15 questions were to this effect, "John, hang in there. Do not let Brian sell us out".

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): The Chairman of the Canadian Council of Forest Industries, Adam Zimmerman, has so far refused to take a position on the agreement until he sees the final document. So what the hon. gentleman says does not reflect the official view of the forest industry.

I say to the forest industry of British Columbia what has happened is that the 15 per cent export tax forced on us by the Americans because our Government did not have the guts to take it through the courts and on to the American system—

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): —that 15 per cent tax has now been grandfathered. If it is moved into stumpage, as the Province of British Columbia is negotiating to do, that moves the threshold of tax against our industry from $600 million up to $1 billion at the stumpage level. That would affect not only our ability to penetrate the American market but the Japanese market and the world market.

I am saying also that in terms of the forest industry it ought to be recognized that that type of penalty made permanent and grandfathered under this agreement penalizes into perpetuity the industry unless the Canadian people wake up and this Government yields to the opposition I believe will be mounted.

Let me state one further thing. In terms of whether the softwood lumber issue would have been decided any differently, the same law would apply. The same regulations would apply. We have no new definition of subsidy that might relieve stumpage from under that classification. The same law would apply. The same regulations would apply. All we have now is a new review tribunal which is bound to apply that law and whose only jurisdiction is to see whether American law and American trade practice has been fairly administered and applied by American tribunals—a very narrow jurisdiction.

I am saying to the hon. gentleman that the forestry industry in British Columbia, indeed in the country, is no better off. Indeed, it is worse off because that 15 per cent tax has now been grandfathered and made permanent under the agreement.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Charles Hamelin (Charlevoix): Mr. Speaker, I have been listening to the Leader of the Opposition (Mr. Turner) and came to the conclusion that in politics—

[*English*]

It is easier to sell fear than hope.

[*Translation*]

—it is easier to sell fear than hope, it is easier to resort to scare tactics than to do anything else. And at long last, after three and a half years, the Leader of the Opposition has found a cause.

Mr. Speaker, what I fail to understand is to see someone who was once the staunch defender of Quebec interests—I am referring to the Hon. Member for Laval-des-Rapides (Mr. Garneau)—be party to this.

An Hon. Member: You do not know anything!

Mr. Hamelin: Mr. Speaker, keeping in mind that Premier Robert Bourassa is also a Liberal at the provincial level, I wonder how any Quebecer can stand still when hearing arguments which fly in the face of those made by our new federal scarecrow. Mr. Speaker, I should like to recall that in outlying regions such as mine which heavily depend on better trade with the United States with respect to pulp and paper industries, forestry and lumber, we who inhabit these outlying regions have had to live with unemployment rates ranging from 20 per cent all the way to 90 per cent, the so-called Canadian nationalism notwithstanding. You never did find other solutions. We have taken a fresh approach towards the United States and the rest of the world, and we hope that this new historic accord will benefit all regions of Canada, not only Toronto and Bay Street—

Ms. Copps: Sept-Îles is doing fine!

Mr. Hamelin: Precisely, the situation on the north shore might even be better if we had an opportunity to expand our trading horizons, if we were protected from the vagaries of the marketplace. Mr. Speaker, why should all our resources, all our markets and all our opportunities always invariably benefit the select few in certain regions of Canada?

I should like to ask the Leader of the Opposition how he can explain to Quebec Hydro management that his position does not jibe at all with that of his close friend Robert Bourassa, who happens to be a strong supporter of free trade. That is my question to the Leader of the Official Opposition.

Mr. Turner (Vancouver Quadra): Mr. Speaker, we have a hope in this country, but it is a Canadian hope, not an American hope, not a hope—

When he goes back to the Province of Quebec I suggest he should discuss the matter with labour unions, workers and agricultural producers. Saturday afternoon I met a few UPA representatives—that is the Union des producteurs agricoles—who are against the agreement with the United States. He ought to debate the issue with textile workers, footwear and clothing workers, and I believe he will be much wiser next time, if he rises in the House, Mr. Speaker.

[*English*]

Mr. Speaker: I must advise Hon. Members that the 10 minute question and comment period has expired.

Mr. Charest: I rise on a point of order, Mr. Speaker.

Mr. Gauthier: It better be a point of order because I know he can bootleg anything in. Watch him.

Mr. Charest: I believe they are nervous today, Mr. Speaker.

Some Hon. Members: Oh, oh!

Mr. Charest: They have reason to be. My point of order, Mr. Speaker, is that I would seek unanimous consent of the House so that I may ask a question of the Right Hon.—

Some Hon. Members: No!

Mr. Gauthier: Go get Mulroney and we will answer questions.

Mr. Speaker: The Hon. Member for Oshawa (Mr. Broadbent).

Mr. Axworthy: Mr. Speaker—

• (1200)

Mr. Cassidy: Mr. Speaker, I rise on a point of order. In the absence of our House Leader and Deputy House Leader, I do understand that it was agreed in discussions between the Parties today that after the initial speech by the Leader of the Opposition (Mr. Turner) the next speech would be by the Minister for International Trade (Miss Carney) on behalf of the Government, and following that the Leader of the New Democratic Party would speak.

I assume that the Government members intend to stick by the agreement that they made in private this morning.

Miss Carney: Mr. Speaker, I was advised by the Deputy House Leader that because this is an Opposition Day, I speak for the Government of Canada third in this debate.

Mr. Speaker: The Chair is in some difficulty here. There may or may not have been an arrangement among the Parties. I should advise Hon. Members that the Chair was under the impression that there had been some arrangement. But, if there has not been, then the Chair is in the position of recognizing the next Member who rises.

The Hon. Member for Oshawa (Mr. Broadbent).

Hon. Edward Broadbent (Oshawa): Mr. Speaker, as was stated a moment ago by the Hon. Member for Ottawa Centre (Mr. Cassidy), we had clearly been told that the Government had decided to speak second. It has this right in this type of procedure as the governing Party. But if the Minister for International Trade (Miss Carney) is unprepared to defend the indefensible, we on this side of the House can well understand that. I will willingly speak at this point to add to what has been said on behalf of my Party.

The people of Canada at no point since the Second World War have had the occasion to witness such an incredible sell-out of Canadian interests as we have seen presented by the Government of Canada in the last two weeks to the people of Canada on this subject.

I wish to begin my comments with a quote from an early speech made in the House by the Prime Minister (Mr. Mulroney) after he formed the Government. The Prime Minister stated on November 7, 1984, and I quote:

—we have only been in power for two months, but I can tell you this: Give us 20 years, and it is coming, and you will not recognize this country.

This was stated by the Prime Minister in the House of Commons two months into office.

I have a quote from Ambassador Yeutter, the principal person involved in these negotiations from the American side. Ambassador Yeutter stated last week, with the same 20-year time span in mind, "The Canadians don't understand what they have signed. In 20 years, they will be sucked into the U.S. economy".

I can only say, Mr. Speaker, that I wish the Prime Minister, when he made his comments, had told the people then that he had this 20-year scenario in mind. I can tell the Prime Minister that the New Democratic Party and Canadians from coast to coast do not accept the premise of Mr. Yeutter's conclusion. They do not accept these trade talks. They do not accept the Tory view of Canada that the only way of becoming a confident Canadian is to become an American. We believe that confident Canadians will stand up in this historic debate to fight to preserve an independent Canada, whatever the Tories may wish to do.

[*Translation*]

Mr. Speaker, we have reached a turning point in our history. As an independent country, we must answer the most important question we ever had to deal with in the latter half of the twentieth century. The Trade Agreement has raised a profound concern from coast to coast about the future of our country.

As a Canadian, I firmly believe that our country's survival is at stake. Canada's survival as a sovereign and independent nation is threatened. It is as serious as that. The Mulroney Government has made all the concessions in its negotiations with the Americans: concessions in the service sector, in the agricultural sector, in the cultural sector, in the energy sector, and even concessions on investment control and regional development.

Mr. Speaker, the purpose of the Government's negotiations is clear. Mr. Mulroney and the Conservatives want to give Canada away piecemeal. However, Mr. Mulroney may be the Prime Minister but he does not own Canada. It is our Canada, it belongs to all Canadians and he has no right to give it away.

Mr. Speaker, during the last election campaign, the Prime Minister promised more equity and honesty. He has done the exact opposite since that time, and I am referring to pensioners and tax reforms and especially the various regions in our country. We keep hearing the same thing, time and time again. The Prime Minister says one thing and does the exact opposite. Instead of honesty, openness and equity, Canadians have had broken promises, deceit and no equity. Once again, what the Prime Minister promised and what he did were two different things.

Before the election, the Prime Minister said that free trade would have an impact on our sovereignty and that he was opposed to it for that reason.

[*English*]

This was not only stated by the Prime Minister before the election, but by other present Ministers of the Crown who, when asked to give their opinion of the impact of this type of deal on the future of Canada, had extremely serious and negative things to say.

The present Secretary of State for External Affairs (Mr. Clark), a former Prime Minister, stated that he opposed this type of agreement because jobs would be lost in critical sectors of the Canadian economy. He was correct in 1983 when he stated that, and it is correct today when he is the Secretary of State for External Affairs. He should be standing by that opinion today when he said it in 1983.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Before the last election, the present Secretary of State stated that such an agreement would make Canada the weak sister of the United States. He opposed it at that time, and I say to him that if he had integrity and if his Government had integrity, instead of bringing this preposterous proposal before the people of Canada, he should be standing up and saying in 1987 what he said in 1983.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Finally, Mr. Speaker, in this regard I add the words of the Minister of Finance (Mr. Wilson) who rises in a rather condescending way from time to time and likes to lecture members of the Opposition on the so-called real world out there in the economy. We think that we have an understanding of the real world, particularly in North America, and particularly in terms of our relationship with the United States. Before he became Minister of Finance, in 1983 he stated that such an arrangement with the United States, and these are his words, "would be simplistic and naive".

The words uttered by the Prime Minister before this agreement came into place in 1983, the words of the Right Hon. Secretary of State for External Affairs, and the words of the Minister of Finance, all of whom stated that we would lose critical jobs, we would lose our sovereignty, we would become a weak sister, that such an agreement was naive and simplistic, were correct, and Canadians believe that they are correct now.

Canadians are sick and tired of the Government which is now in control with its large majority that has systematically stated one thing and done the opposite, whether it is about pensioners, tax reform, or commitments to the region, and now about the very fate of our nation being in doubt. We are fed up with this duplicity, Mr. Speaker, and so are the people of Canada.

Some Hon. Members: Hear, hear!

Mr. Broadbent: We have had occasion in the House and outside the House to call into question a number of the important details of this agreement. I wish to add to that, what I say with care, the duplicity in the whole process that the Government has involved us in. Let us look at some key elements. What the Government has been telling us here in the House is one thing, and what we find in the documents, and what the Americans themselves say are in the documents time after time turns out to be something different.

• (1210)

For example, the U.S. version says that the matter of Bill C-22 was in fact part of the deal. It is in the Yeutter briefing documents. It has been said publicly in statements outside of Washington in the United States. We have read it. The Americans have read it. However, once again the Government denies it. It signs one document on October 4, thinks about its implications, and then takes steps to get another document arranged for October 5 for release to the people of Canada.

We opposed that drug legislation before it was associated with this deal, and we oppose it now. We say that the Government is wrong to sell out our interests in general in this deal and in particular in the drug industry. We also say that the right to make laws in the pharmaceutical field, which would bring low prices and good benefits to the people of Canada, and sovereignty in this field should reside in Canada for Canadians, not be shifted to the United States of America.

The Government has insisted that Canadian culture is not a hostage in this deal. It has said that before the deal, and it has said it since. If we read the briefing documents prepared for Mr. Yeutter—and again we see statements made by American officials since then—another picture emerges.

In the document prepared for the American ambassador it was said categorically that the Government of Canada within a matter of weeks would give Americans in this industry exactly what they wanted. A film mogul in Hollywood yells, "pay attention to us" and the Prime Minister and the Conservative Government say, "right; how soon can we do it?". We believe that the film industry has been dominated too long in terms of its distribution by an American set of companies serving their interests. We believe that the cultural interests of Canadians should be served by making changes which are long overdue. Again we criticize the Government not only for the bad deal in general but for selling out that cultural interest in particular.

Let me refer to another example. The Prime Minister says that we now have secure access to the American market—he has said this since the deal—and that we have protection from unfair and punitive U.S. action with the so-called wonderful dispute settlement mechanism which has been put in place.

While the Government is saying that, what do the Americans say? They are saying quite the opposite. If we look at the briefing notes prepared for Mr. Yeutter we see that he was asked to deal with the specific question and we see the proposed answer from the highest U.S. officials. The question was this. "If these provisions had been in effect when we took our actions on shakes and shingles and on specialty steel, what would the outcome have been?" It was a hypothetical question for Mr. Yeutter to respond to after the so-called fair dispute settlement mechanism had been put in place. What was he told to reply? It was: "We believe there would be no major difference whatsoever".

The Canadian Government has boasted that it has something wonderful. The Americans who are more direct and honest have described the dispute settlement mechanism for the phoney thing that it is. I say to the Minister that it is time the Government was frank with the people of Canada. I also say to the Minister that she may think a deal is acceptable which will not change circumstances for the workers in her province in the shakes and shingles industry, but we say that it is much more important that Canadians, whether they be in shakes and shingles or tubular steel, who are affected get something fair instead of the hypocrisy which the Government is trying to pass off on them.

Not only has there been hypocrisy and misleading information given at different times about what they got in this deal, having listened to government spokespersons, I ask the House to consider how even their language has begun to shift since the deal has come down. I quote what the Prime Minister said on April 2 of this year before the deal was announced. With reference to the unfair remedy laws so frequently passed in the United States, he said, "The trade remedy laws cannot apply to Canada, period". That is what the Prime Minister said. He said that what the Government was after was getting exemption from these unfair laws. They are his words; not mine.

Now that we have the sham before us, about which the whole country knows, how is Mr. Reisman describing the same situation? The other day he was quoted in *The Ottawa Citizen* as saying, "That this agreement should provide us with an exemption from American trade remedy laws is just the silliest proposition I ever heard". He should have told that to the Prime Minister last April when he said that that is what he would get for us.

I have a couple of gems from the Minister herself upon which I hope she will comment when she gets to her feet. With reference to U.S. trade laws, she said the following before the deal came down: "They are not fair. If things were working smoothly, neither side would need a change. The simple fact is that the present laws are not working".

Mr. Turner (Vancouver Quadra): Who said that?

Mr. Broadbent: The Hon. Minister for International Trade said that on March 16. Those were her words; not mine.

The next example upon which I hope she will comment is even better. She said: "That is why we are seeking to negotiate a new trade treaty with the U.S.—to change these rules so that we avoid these kinds of border disputes".

Mr. Turner (Vancouver Quadra): Who said that?

Mr. Broadbent: The Minister for International Trade said that. Now, after they have negotiated something which does not change the law one bit and which still leaves the American Government with all the authority to impose unfair trade remedy legislation, what does the Minister say? She seems to have changed her tune, because she no longer says that these laws were wicked or bad or had to be done away with. What she says is: "Our problem is not the law". Suddenly it is not the law. In fact, she goes on to say—and I hope she says this all over British Columbia as well as elsewhere in Canada "the Americans have good laws in this area". She also said that our problem is that we believe they are unfairly applied. They are not bad laws; they are just being applied badly.

Our problem is that we have a Government of Canada which does not understand what the real interests of Canada are all about. That is our problem.

Some Hon. Members: Hear, hear!

Some Hon. Members: That's enough.

Mr. Broadbent: Conservatives on the other side are saying "That's enough". I can understand why they are saying "That's enough". If there is anything a Conservative Cabinet Minister cannot stand it is the truth. Since there will be a Cabinet Minister speaking, he will not have that inflicted upon him, I am sure, in the next 20 minutes or so.

Before I conclude I want to say that there are many other aspects of this deal. Whether we talk about the betrayal in the automotive sector where they said that the Auto Pact was not affected, whether we look at the results for the Big Three or the automotive parts sector which are profoundly affected, whether we consider our agricultural interests in western Canada who thought that they were to be protected from unfair subsidies—again if we read the document the wording on the surface looks good—however, we learn that the Government is prepared to accept subsidies in the agricultural sector continuing from the United States as long as they were put in place before the agreement came into force.

We thought and western farmers thought that the whole point of the agreement was to get rid of such subsidies. Once again the Government has let down western Canadians, I say to the Minister.

I think my time has nearly expired, but perhaps I could ask for permission to continue for a few more minutes. I would like to ask for the permission of the House to do that.

• (1220)

Mr. Speaker: The Hon. Leader of the New Democratic Party (Mr. Broadbent) has asked for permission to continue his comments for a few minutes. Is there such permission?

Some Hon. Members: Agreed.

Mr. Broadbent: Mr. Speaker, I express my appreciation to Hon. Members from both sides for that consideration. I want to conclude by doing two things, first by speaking very briefly about what we are trying to defend in this debate and then by moving a short amendment to the motion which we will be strongly supporting.

I think it is worth remembering that when we on this side of the House say that the future of Canada is at stake, we believe that very much and we hope that the Government will use the occasion to take on our arguments. If they are wrong, we hope they will show us where they are wrong, though we think the Government is seriously mistaken.

I want to say in this context that we in this Party are seeking to protect the continuation in the future of a certain kind of Canada, a Canada that is very important to us. We in this Party do not believe that the Canadian dream is now or has ever been simply a variant of the American dream. We believe that we have, particularly in the Canada of 1987, a different kind of nation, a qualitatively, significantly different nation from the United States, and one that every Canadian should be doing everything he or she can to preserve.

It is for that reason that I want to talk about two or three key elements of that difference and maybe the Minister would deal with those. She is showing a little concern. If she disagrees with these, I hope she will speak to them. We have a whole day's debate before us.

First, it is my view as a Canadian that in this country of ours we have a very different commitment to a particularly different mix of the values of liberty and equality. We have added to that in the history of our country a sense of community that is very important, indeed. Therefore, we have in this country, as they do not have in the United States, a unique fusion of a very good Charter of Rights, constitutionally entrenched, and a parliamentary democracy. That has made for a different kind of Canada and will continue to make for a different kind of Canada.

Second, we in this Party believe that most Canadians now accept that this nation of ours, unlike the United States, has a strong commitment to a private sector in the economy, but we also have and have had for decades a strong commitment to a good public sector in the economy. That is not part of the American dream. That is why we have created and kept in place institutions like the CBC, Petro-Canada and Air Canada. Whatever the Tories or their provincial equivalents may want to do elsewhere, we in this Party intend to maintain this strong balance of public sector and private sector as part of our history.

Third, we have as part of the Canadian ethos something that is not a part of the American ethos, a belief that certain values should not have a price tag. That is why we have medicare and pension systems that provide a particular set of rights for Canadians which do not exist in the United States. The United States has a certain safety net beyond which it hopes the American poor will not be allowed to fall, but they have been

allowed to fall and they are persistently allowed to fall beyond it. We say, and I repeat, that there are certain values beyond the market and that is why we have made a commitment to medicare as a part of our notion of citizenship, and we believe in that profoundly.

I could go on to indicate three or four other distinctly important values, and on another occasion I would like to do that, but I do not want to abuse the time that has been given to me by other Hon. Members. I simply want to say that the Canada we are now defending is a different Canada from the Canada of 1911 when we last had this great national debate. We have improved qualitatively. We have matured. We have a great nation from coast to coast made up of many different kinds of people, a nation different from that of 1911. We have traditions that have grown and are different from those of that period. We in this Party are saying that we are not prepared to sacrifice these traditions, this Canadian heritage, to become part of one simple, global North America. That is our commitment. We want to remain an independent Canada within North America.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, I therefore move:

That the motion be amended by changing the period at the end of the paragraph to a comma, and adding the following:

"And for these reasons, this House urges the Canadian Government to abrogate the trade agreement with the United States at the earliest possible opportunity".

Some Hon. Members: Hear, hear!

Mr. St. Germain: Mr. Speaker, my question to the Leader of the NDP is very simple. He represents the riding of Oshawa which has virtually zero unemployment. That is good for the people of Oshawa and we are pleased about that too. The entire corridor from Windsor right through to the Quebec border also has virtually zero unemployment.

Given that this situation does exist, and this is good for this area, and the reason that this is in place is because of the auto pact that exists for this particular area, why is it that the vice-president of the Canadian Auto Workers, Mr. Bob White, and the Leader of the NDP are so opposed to this free trade agreement? It is synonymous with the free trade that exists in the Auto Pact. Why is it that he preaches fear of foreign investment while his own riding is controlled by General Motors, a foreign company? The entire Auto Pact is made up of foreign companies including Chrysler, Ford, American Motors, Honda and the rest of them.

Why is it okay for that area to have a free trade arrangement and zero unemployment but it is not right for the rest of the country to enjoy the prosperity that the people of that area are enjoying? Why can Newfoundlanders, British Columbians and those in the rest of the country not enjoy the same prosperity as that which free trade and foreign investment has brought to the riding of Oshawa and other parts of Ontario?

Mr. Broadbent: Mr. Speaker, I want to thank the Hon. Member for the question and I want to assure all Hon. Members that I did not pay him to ask me that question. In answering the question I will put a challenge to the Hon. Member. If he will agree to pay half, I will pay the other half of the cost of a full page advertisement, say, in the Vancouver *Province* that will put his question *in toto* and my answer *in toto*.

• (1230)

The Hon. Member asked a serious question and I want to give a serious answer. He said that unemployment in the Windsor-Oshawa belt is zero. It is not quite zero but I will accept the essential argument that unemployment, compared with many other parts of the country, is indeed low. However, the key point he makes is just false. He says this happened because of a free trade agreement in automotive trade. With respect, that is not so. The Americans wanted completely free trade in 1965. The Government of the day said no, we cannot have free trade. The industry is overwhelmingly owned in the U.S. and they would simply sell all their cars and parts in Canada and keep the plants in Michigan or, subsequently, Georgia, California and other states. The Government then negotiated the Auto Pact which had a requirement for a certain level of investment in Canada.

Mr. Hopkins: A Liberal Government.

Mr. Broadbent: A Liberal Government. The NDP Leader of the day, unlike what the Conservatives have been saying, was not opposed to the principle of the deal, if you read his speeches. Quite the contrary. Our Party asked that it be improved, that we take steps to provide supplementary unemployment benefits for workers displaced when the industry was rationalized. We suggested steps to be taken to increase benefits for Canadian consumers. I am pleased to say the Government responded with a special supplementary unemployment benefit program for those workers. I hope the Government learns from that if it should ever be able to go ahead with this deal, which I hope it is not.

The key point I want to make is that the Auto Pact required the Americans to make investment in Canada on a continuing basis roughly in proportion to their sales in Canada. That is not free trade but it gave employment opportunities to Canadian workers. If they did not make that investment, there was a mechanism which would come into effect and force the Americans to pay thousands of dollars in tariffs to get their cars in here. That was put in place to encourage them to make investment in Canada. It is the Conservative Government today, in this free trade pact, that wants to remove that mechanism, and we are opposed to that proposal for that reason.

Mr. Stewart: That is balderdash.

Mr. Broadbent: We in this Party have said that wherever we can duplicate this arrangement with foreign investment in

Canada, we favour it. If we can bring American investment into British Columbia, Alberta or other parts of Canada with a net benefit to Canada, not just profit maximization for the U.S., we want that kind of arrangement.

If the Hon. Member can say his Government is prepared to leave the Auto Pact alone and it will pursue for all of Canada, not just Oshawa (Mr. Broadbent) or Windsor, the kind of framework which exists in the Auto Pact, he will have the support of every New Democrat from coast to coast.

Mr. Foster: Mr. Speaker, I enjoyed the speech by the Hon. Member for Oshawa and was struck by his comments regarding the duplicity of the Government with respect to what it was saying before the free trade deal became public and what it is saying now. Time and time again the Government said agriculture was not on the table. The Secretary of State for External Affairs (Mr. Clark) said that. Yet it is clear that most areas of agriculture are in the agreement. What we have been trying to pin down is the actual impact of the agreement on, for example, the two-price system for wheat.

I asked the Minister responsible for grains and oilseeds on October 5 about what impact the removal of the licensing power of the Canadian Wheat Board over wheat, oats and barley would have. This will occur as soon as the support levels in both countries are equal. This will apparently occur for oats and barley by January 1, 1989, and for wheat perhaps in the next year or so when the current U.S. program runs out of funds. The Minister said absolutely nothing of the sort would occur.

Two days later, in the Saskatchewan Legislature, we had a comment by the provincial Premier, who also happens to be the provincial Minister of Agriculture, saying that the two-price wheat system would have to go under the free trade agreement. He went on to say that the federal Government had promised to provide compensation of $280 million.

When I asked the Minister last week if the two-price system would be destroyed she gave a kind of gobbledygook answer. Her response was that she would prefer to deal with the substance of the issue, which is that the two-price treatment of wheat will be assessed in light of the free trade agreement and decisions pertaining to it will be taken at the appropriate time.

We have the Premier of Saskatchewan saying one thing. We have the Minister responsible for the Wheat Board saying something else. We have the Minister for International Trade (Miss Carney) saying something else again. People just do not know—

Mr. Speaker: I very much regret that the question and comment period has expired.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, Canadians have just heard from the 19th century!

Some Hon. Members: Hear, hear!

Miss MacDonald: The Luddites.

Miss Carney: It is the Conservative Government which seeks to lead Canadians through the end of the 20th century and into the 21st. It is the Opposition which is leading Canadians backward into the future. That is the only alternative they offer Canadians. That is no alternative at all. They offer myths and misleading statements, that is all. However, Canadians will not be conned by cowards in this debate. That is what the Opposition is doing in this case. Canadians have confidence in themselves, their country and their ability to compete. That is why a majority of Canadians favour a free trade agreement.

When I say the Opposition has no alternative, I want you to look at what they said. The Right Hon. Leader of the Opposition (Mr. Turner), who is not here—I suppose it is time for tennis—is not giving me the courtesy of listening to my speech as I listened to him.

Some Hon. Members: Where is the Prime Minister (Mr. Mulroney)?

Miss Carney: Tennis is a sensitive subject for them. The Right Hon. Leader of the Opposition says he will tear up the trade agreement. That is his alternative. That is no alternative. It is nothing but protectionism. He is going to tear it up! What is more likely is that the voters of Vancouver Quadra will tear up his nomination papers because being against free trade is betraying their interests.

• (1240)

Mr. Speaker: The Hon. Member for Bourassa (Mr. Rossi) on a point of order.

[*Translation*]

Mr. Rossi: Mr. Speaker, on a point of order. The Minister referred to the absence of certain Members from this House. We on this side of the House did not make any reference to all the Ministers who were not in the House this morning.

[*English*]

Mr. Speaker: There has been some mention from both sides of the House as to whether Ministers or other Members were in their places. Hon. Members know, of course, that Hon. Members have many obligations. That is, of course, why we refrain from commenting in the Chamber. I ask for the co-operation of all Hon. Members. The point raised by the Hon. Member for Bourassa (Mr. Rossi) is, of course, in accordance with the rules. The Hon. Minister has the floor.

Miss Carney: Mr. Speaker, the members of the NDP have a very simple position. They are against free trade. They do not suggest anything else. My colleague, the Member for Mission—Port Moody (Mr. St. Germain), made an interesting point. The Leader of the NDP, the Member for Oshawa (Mr. Broadbent), is against foreign investment except when it is in his riding.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Did you hear my answer two minutes ago?

Mr. Nystrom: Be honest, Pat.

Miss Carney: The Vice President of the NDP is Bob White. Bob White, head of the auto workers and Vice President of the NDP, is against free trade except when it involves his union members.

I would like to quote John Crispo, the professor at the University of Toronto who pointed out that Bob White's position represented "an indefensible double standard". Professor Crispo said:

> Here he is representing the group of Canadian workers who have had by far the most access to the American market under the Auto Pact and he's got the gall to wander around the country and lead the opposition to free trade which would give other workers—"brothers and sisters" he has the nerve to call them—something of the same degree of access.

Mr. Broadbent: That's a big lie.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Tell the truth for once, Pat.

Miss Carney: Those are the battle lines in this debate—the future versus the past.

I would like to quote a person who is not a Conservative, a well-known Liberal, Donald Macdonald of the Canadian Alliance for Trade and Job Opportunities. He said the following which is central to this debate:

> The battle will be between two different perceptions of Canada. I don't see Canada as a sort of sheltered workshop for the inefficient, the incompetent or the less than capable. I see our country as one with a very considerable capacity, a very considerable record of success, and with an agreement of this kind—and others to come—the ability to use these talents out in a broader world market.

That is our vision of Canada, that is the Conservative vision of Canada, and that is Canadians' vision of Canada.

Some Hon. Members: Hear, hear!

Miss Carney: The Opposition has ignored the agreement itself in its remarks today. I would like to refer you, Mr. Speaker, to the requirements and objectives which the Prime Minister set out to Canadians as the criteria on which this agreement should be judged.

First and foremost was the proposal to pursue a new trade agreement "involving the broadest possible package of mutually beneficial reductions in barriers to trade in goods and services". That is what the Prime Minister promised and that is what we delivered.

The Right Hon. Member who speaks for the Opposition says that that is virtually worthless, that it is virtually nothing. He cannot be thinking of his own constituents in Vancouver who, through the elimination of tariffs and non-tariff barriers under this agreement, will have at their disposal a market of about 35 million within a two-day truck haul.

Mr. Waddell: Providing the Americans don't countervail.

Miss Carney: The hypocrisy of the Opposition is worth noting.

Mr. Fulton: We tell the truth. There is a little difference.

Miss Carney: His constituents will have access to a market of 35 million within a two-day truck haul. The people from Kingston, instead of being lake-bound and forced out of the U.S. market by many tariff barriers, will now have access to it. I do not think that the elimination of tariffs is "virtually nothing" as the Opposition says.

Furthermore, we achieved our objective of a more predictable set of rules.

Mr. Speaker: The Hon. Member for Humber—Port au Port—St. Barbe (Mr. Tobin) on a point of order.

Mr. Tobin: With great respect, Mr. Speaker, the word is "hypocrisy" not "high-pocrisy". In either case, it is not allowed in this House.

Mr. Kaplan: It's unparliamentary however you pronounce it.

Mr. Speaker: I heard the word. The word was not directed at a particular Hon. Member. The Hon. Minister.

Miss Carney: Mr. Speaker, they are obviously worried about any debate on the merits of the free trade agreement.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Cassidy: Any time, any place. You name the network.

Miss Carney: We achieved our second objective of better rules and a dispute settlement mechanism. We have given ourselves five years plus two more to deal with the rules which apply to a free trade agreement. That is a major accomplishment. It has never been achieved anywhere else in the world in any kind of agreement.

Some Hon. Members: Hear, hear!

Miss Carney: We initiated these negotiations with the United States in order to enhance the largest two-way trade in the world. Canadians have always traded to prosper. We export one-third of all the goods and services we produce. We compete with the best in the world. Today three million Canadians depend on trade for their pay cheques. Like it or not, nearly 80 per cent of our exports are sold to the United States. That figure rose to that level under the previous Liberal administration.

Faced with American protectionism we had two choices; to withdraw into Canadian protectionism and isolation and watch our standard of living decline, or attempt a bold move on behalf of all Canadians.

Mr. Cassidy: A sell-out.

Miss Carney: The first was irresponsible. The second secures our future.

Mr. Broadbent: Tories can only have two thoughts at one time.

Miss Carney: We did not enter into free trade negotiations only to get the best possible economic deal. If that had been our goal, we would have joined the United States years ago. We are not interested only in the best economic deal. The Prime Minister conducted these negotiations with a strong sense of requirement for our political and economic self-determination. That is why he gave specific commitments to the Canadian people at the very outset. They were very well defined.

He promised that the agreement would maintain our political sovereignty, and it does; that it would maintain our social programs, and it does. The attempts of the Opposition to say that medicare and unemployment insurance are at risk by this agreement show how pitiful their arguments are and the depths to which they will go.

Some Hon. Members: Hear, hear!

Miss Carney: This agreement preserves our commitment to regional development, our unique cultural identity, and our agricultural marketing systems. We have delivered on each of these commitments to Canadians.

Mr. Cassidy: You have capitulated.

Miss Carney: Far from threatening our political sovereignty, this deal will strengthen it for it is far easier for an economically strong and united country to stand in dependent and sovereign than one weak and divided.

It is interesting to reflect on a comment which Premier Bourassa made to me. He said that the single most important act of a Prime Minister in achieving nationhood was the signing of an international treaty, the Treaty of Versailles, by Robert Borden on behalf of Canada. A strong Canada is enhanced by a strong economy and market opportunities abroad.

I would like to tell the House about the good luck charm that Simon Reisman carried with him during these negotiations.

Mr. Axworthy: Get serious.

Some Hon. Members: Tell us about it.

Miss Carney: The Opposition says "tell us about it".

Mr. Axworthy: A great big albatross.

Miss Carney: I am delighted to tell them about it. His good luck charm was an 1857 Prince Edward Island penny from the time when P.E.I. was still a colony. On the penny was inscribed the slogan: "Free Trade and Self-government". He carried that talisman with him because it rings as true today as it did then. Free trade and self-government are mutually reinforcing. A strong economy is the best bulwark for sovereign independence.

• (1250)

Canadians will always remain proud Canadians and with this agreement we will continue to make our own determinations on how we live, on our social policies, on medicare, unemployment insurance and pensions. Anyone who believes otherwise has not read the agreement and is irresponsible to suggest it.

Since the Opposition spends its time saying what is not in the agreement, let me tell the House what is contained in the agreement. We have agreed to phase out all tariffs between the two countries within 10 years. The only exception is a snap back for horticulture, which has an extra 10 years of protection.

We have agreed to eliminate most of the technical and health standards which have often been used as non-tariff barriers at the border. Farmers were aware that this item was keeping them out of some of their markets.

We have agreed to set rules for trade and services, an unprecedented provision in international law. Trade in services is the fastest growing sector in world trade. For the first time there will be rules between the two countries for trade in services. We have also included provisions that will allow workers to go to the United States to deal with the goods and services they sell there.

We have provided greater access to each country for investors.

We have secured markets for Canadian energy, such as British Columbia natural gas, Alberta oil, Saskatchewan uranium, and Ontario and Quebec electrical power, by enshrining this Government's energy policy.

The Opposition ignores the fact that this Government dismantled the National Energy Program. They want the freedom to put it back. We opened the borders in energy and we are saying that if the Americans do not put up barriers at the border, we will not turn off the tap. That is a fair agreement between two countries. We have secured our markets and by doing so we have secured the investment for the energy resources that Canadians need.

We have given agricultural producers new markets across the border to help cattlemen, hog producers and potato growers, among others.

We have improved the potential of the auto industry by giving Canadian parts and after-market parts makers the opportunity to compete in a much bigger market, under tougher rules of origin and by keeping in place the very safeguards to which the Member for Oshawa has alluded.

We have expanded the opportunities to compete for Government purchases in the other country. We have created effective procedures and institutions for the joint administration of the agreement and the binding resolution of disputes over the application of countervail and anti-dumping actions, and have been given time to adapt those laws to emerging market conditions. We have laid the foundation for future co-operation to expand and enhance the benefits of the agreement.

Let me explain some of the implications for Canadians. There will be lower prices for consumers as tariffs come down and there is more competition. Preliminary estimates show that it could cost $8,000 less to set up a new home in Canada by the time this agreement is in place. A Canadian earning $23,000 a year will have an extra $850 a year to spend.

Some Hon. Members: Oh, oh!

Mr. Axworthy: Where are your facts?

Miss Carney: They laugh! They do not like these facts. I will tell you where I get these facts. I am quoting Andrew Cohen, Director of The Consumers' Association of Canada, who says, "There is something in free trade for all consumers". Let me quote other Canadians. Jack Carr, Chairman of the University of Toronto's Economics Department predicts that, "There will be more employment, wages will be higher, there will be more benefits". We will be exporting goods and services to the United States, not jobs. David Culver, Chairman and Chief Executive Officer of Alcan, says: "We do not have to say to ourselves perhaps we better build the plant in the United States in order to be sure we are inside the barriers . . . We can now invest in a bigger plant in Canada, secure in the knowledge that the plant will have access to the U.S. market". Multiply that many times, and the result is more jobs in Canada, some 350,000 more jobs according to the Economic Council.

I have already indicated that Canadian professionals and service industries will have better access to the U.S. market since they will be able to travel there to work on jobs or service what they have sold. Chris Gree, President of the Canadian Association of Management Consultants, says: "I am very, very excited. With our world class expertise and our Canadian structures, I think it can have a blockbuster impact on our clients and our profession".

The Canadian auto industry will have growth potential with changes in the rules of origin and continued Auto Pact safeguards. The President of the Motor Vehicles Manufacturers Association, Norman Clark, says: "It is a reasonable basis for liberalizing trade". Larry Buganto, Chairman of the Automotive Parts Manufacturers Association calls it a step in the right direction. Dean Wilson, President of the Automotive Industries Association, describes it as: "A tremendous opportunity for the automotive after-market industry". He also said: "We know already that our workers and our plants are just as efficient as those in the United States, if not more so, so I look forward to a healthy increase in export sales". He has the kind of confidence we are looking for.

You are indicating, Mr. Speaker, that my time has almost expired. I would ask permission of the House to continue.

Mr. Speaker: I think the Hon. Minister would want a minute or two to finish her remarks.

Some Hon. Members: Agreed.

Miss Carney: I anticipate that I will take about as much time as the Leader of the New Democratic Party.

I want to deal with the Canadian agricultural producers because they will have greater access to the U.S. market, with less harassment. The President of the Canadian Pork Council and Chairman of the Alberta Hog Producers Marketing Board supports the agreement. He said: "I am extremely pleased, hogs being a commodity that was hard-hit by the American protectionist mood". Charles Gracey of the Canadian Cattlemen's Association says: "This is a great day for Canada". Don Jarvis, Vice-President of the Grocery Products Manufacturers says: "We will gain access to a huge market in the United States". Paul Sim of the Canadian Wheat Growers says that the agreement: "Removes the big club that is being held over our head as far as U.S. protectionism is concerned".

Some Hon. Members: Oh, oh!

Miss Carney: Let them laugh at the wheat growers of Canada.

Canadian fishermen and fish processors get far more access.

Secure markets for Canadian energy will attract investment. Bob Lamond, President of Czar Resources, said: "Investor confidence in the Canadian energy industry was destroyed by the NEP and we are now seeing it rebuilt".

In closing, I want to talk about the dispute settlement mechanism. It gives us an umpire which we did not have. It provides confidence in the knowledge that unfair applications of U.S. trade laws or Canadian trade laws will be less likely with an umpire. The Opposition says that we are playing with American baseball uniforms and using American bats. We would like to have an impartial umpire who can use a binding dispute settlement mechanism.

I agree with the Hon. Member for Oshawa that we have embarked upon an historic undertaking. It is understandable that there should be this kind of debate but I know that Canadians are world class traders and world class competitors. Whether they are the fishermen of Newfoundland, the potato growers of Prince Edward Island, the auto workers of Ontario, or workers in research and development in the west, I know they welcome the opportunity this Government has given them to show how good they can be.

• (1300)

It is Canadians who will make this agreement work. It is Canadians who will build a stronger and more vibrant Canada by rising to the challenge of the world competition rather than withdrawing, as the Opposition suggests, into the 19th Century. I firmly believe Canadians will choose our vision of the future. Protectionism leads to depression and liberalized trade leads to prosperity. Those are the lessons of history. That is the choice facing us all. There is no other. This Government and the people of Canada know that the Opposition offers no alternatives. We know that the free trade choice is in the best interests of us all.

Mr. Nystrom: Mr. Speaker, I have a question for the Minister for International Trade (Miss Carney). She started her speech today by saying that the Leader of the New Democratic Party (Mr. Broadbent) is opposed to foreign investment, is opposed to free trade, and has never given a single alternative to free trade. I want to deal with two points; first, the Minister saying our Leader was opposed to foreign investment and, second, that he did not give any alternatives.

I want to ask the Minister why she says this, in light of the fact that when the Hon. Member for Mission—Port Moody (Mr. St. Germain) posed a question to my Leader on that very point a few moments before she rose to speak, my Leader said very clearly that we support the principles in the Auto Pact, but they are not free trade? It is a trade agreement. He said on behalf of our Party that if we could have Auto Pact type principles, sector by sector, our Party would support that kind of approach.

Our Leader also said to the Hon. Member for Mission—Port Moody that we do not oppose foreign investment if we have an arrangement where foreign investment works for Canada, where we have guarantees, where we have an accord. He made that very, very clear. Our Leader as well as other people have also spoken many times in this House about an economic strategy, an industrial strategy, particularly where it concerns foreign investment.

I want to ask the Minister of International Trade why she cannot be more honest and truthful in this House and tell the Canadian people that the Leader of our Party, the Hon. Member for Oshawa, does propose some alternatives to this free trade negotiations, that he did point out that the Auto Pact is the kind of agreement we in this Party support, and we would support that kind of agreement, sector by sector, where there are built-in guarantees for the people of Canada?

It is the time to be honest with the people of Canada. It is the time to tell the people the truth, and I want to know why the Minister of International Trade will not be forthright rather than trying to distort the position of the New Democratic Party? Please answer that question.

Miss Carney: Mr. Speaker, let me go to my notes for what the Hon. Member for Oshawa said. He said it is a massive sell-out.

Some Hon. Members: It is.

Miss Carney: It is not a massive sell-out. We have dismantled the investment barriers that create the kind of vibrant economy the Hon. Member enjoys in Oshawa. He is the one who is suggesting that it should not be opened up to foreign investment.

He also said—and I hope he campaigns on this—that Americans are more honest than Canadians.

Mr. Broadbent: I never said they were more honest than Canadians.

Mr. Nystrom: Answer the question, Pat.

Mr. Broadbent: They are more honest than you.

Miss Carney: That is what he said, that Americans are more honest than Canadians. I hope he goes to an election on it.

Mr. Broadbent: That is not true. You are at it again.

Miss Carney: Those are exactly the words. If he is in favour of the Auto Pact, as he has not been in the past, but as he says he is now, may I point out that he should be in favour of this agreement because it protects the Auto Pact, it makes rules of origin tougher, which benefits Canadian auto makers and workers. I have already quoted the chairman of the Automotive Parts Manufacturers' Association. I have quoted the Automotive Industries Association. I have quoted other people in the industry. If the Hon. Member were being honest, and if he was putting the interests of his voters ahead of his own, he would be for the free trade agreement because it improves the Auto Pact.

Mr. Nystrom: You didn't answer the question, Pat.

Mr. Foster: Mr. Speaker, my question is directed to the Minister for International Trade (Miss Carney). In the trade agreement the Government of Canada seems to be saying "Me, too" to any international negotiations with regard to trade, that when it goes to the MTN, the Uruguay Round, Canada is going to backing up the United States in the elimination of agriculture subsidies.

I wonder if the Minister could tell us precisely whether the Government of Canada will be supporting the United States with regard to Section 11 of the GATT, which would remove the power of countries like Canada to have supply management systems and to have border controls? Clearly it is the position of the United States that that section of the GATT should be removed. It is crucial to Canada as to whether or not the United States succeeds in that regard. The United States has made it clear. It has published its position and proposals to the GATT. The Canadian Government has filed its position secretly. The Minister will not make them available to the farmers of Canada and to Canadian citizens generally.

Since this document says we are going to support the United States in the removal of all agriculture subsidy programs, I

wonder if the Minister can tell us if the Government will be maintaining, and fighting and opposing, the removal of Section 11 which provides for supply management systems such as we have in dairy and poultry products? Or will she knuckle under and agree to the United States' support for the removal of that section of the GATT?

Miss Carney: Mr. Speaker, obviously the Hon. Member was not in the House last week when I rose and in a Ministerial statement outlined our Canadian proposal for the MTN Round on agriculture.

I would first like to point out that the bilateral agreement we have signed with the United States is considered a major achievement by our international trading partners who feared that if the world's two largest trading partners could not sign an agreement, the MTN would fail. That was their concern. That is why our international trading partners are so pleased we have achieved this. That is why 49 countries of the Commonwealth last week in Vancouver signed the Vancouver Declaration on Trade, urging trade liberalization.

Mr. Foster: Will you please answer my question?

Miss Carney: It is funny, the Hon. Member takes forever to put the question but I am not allowed to answer it.

I wish to point out to the Hon. Member that in my statement in the House I pointed out that our Canadian position is that we expect to get credit, as I have said, for the fact that our programs in Canada are consistent with Article XI in the GATT. It is the programs of other countries which are inconsistent with Article 11.

Mr. Tobin: Such as?

Miss Carney: The Hon. Member does not want me to take the time to answer that. He is already urging me to adjust his question. I am pointing out very clearly that I said in this House that Canadians will be seeking credit for the fact that our programs are consistent with Article XI. I would be interested to know whether he quarrels with that. I also outlined the role we had taken in the Cairn's Group, with Australia, leading the 14 nations of the world to account for 25 per cent of agriculture trade, and the efforts we have made consistently for trade liberalization in agriculture. If he is not familiar with the position, I would be very glad to send him copies of the speeches I have given in this House on the subject.

Mr. Foster: Would the Minister table the GATT documents?

Mr. Broadbent: Mr. Speaker, I have a question for the Hon. Minister. I am not sure if it is a question or a question of privilege. First, if I can be direct, she did not have the decency to answer the question put by the Hon. Member for Yorkton—Melville (Mr. Nystrom) who pointed out that I had said something totally different to what she attributed to me. She did not deal with the question.

Beyond that, she went on to make two important misstatements of fact that I would like her now to correct. First she said I opposed the Auto Pact in the past. I have been a Member for 19 years and I challenge the Minister to produce one statement in 19 years to back up the outrageous accusation she just made. If she does not, will she have the honesty to withdraw it?

Second, she said that I said in my speech that Americans were more honest than Canadians. Again, if she can show that in a speech, then she can stand by it. Otherwise, I ask her to withdraw it. I made no such claim.

Miss Carney: You did so.

Mr. Broadbent: I may well have said, if she checks the record, that the American officials, the Americans are more honest than this Government. That I would stand by. Would she please produce the facts to support her outrageous allegations, or at least have the integrity to withdraw them immediately?

Miss Carney: Mr. Speaker, I have spoken in this House many times quoting the Hon. Member for Oshawa, quoting his own words about how the Auto Pact is to be renegotiated—

Mr. Broadbent: Improved, yes.

Miss Carney: —but changes have to be made in the Auto Pact. I will present those pages from *Hansard* shortly after today's debate, shortly after the lunch hour. I will ask my staff to get it.

• (1310)

Second, in terms of his speech about Americans being more honest than Canadians, that is my personal note of what he said. I ask you to check the "blues", Mr. Speaker.

Mr. Broadbent: Check the "blues"!

Miss Carney: If he is wrong, I expect him to apologize. If I am wrong, I will withdraw the statement.

Mr. Speaker: I have to advise the House that the 10 minute question and comment period has expired.

The Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) has the floor. I might indicate to Hon. Members that in view of Statements by Ministers there was a 14-minute extension into the noon hour. It might very well be that the Hon. Member for Winnipeg—Fort Garry would like to have the Chair call it 1.14 p.m.

Mr. Axworthy: Yes, Mr. Speaker, if you would call it 1.14.

Mr. Speaker: The Hon. Member will have the floor at 3 p.m.

The House stands adjourned until 2 p.m.

At 1.12 p.m. the House took recess.

S. O. 21

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

INDIAN AFFAIRS

EDUCATION—PROTEST AGAINST FEDERAL FUNDING FORMULA

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, last week representatives of Canada's First Nations gathered on Parliament Hill to protest cutbacks in funding for Indian education. Petitions with more than 6,000 signatures were sent to the Prime Minister's (Mr. Mulroney) office rejecting the current policies and demanding that the Government live up to, first, the spirit and intent of the 1973 policy on Indian control of Indian education; and second, its trust responsibility to provide adequate resources for an Indian education system that is of high quality, and provides for the economic and social advancement of Indian people.

If Indians, like all Canadians, are to be self-sufficient and fully productive then education is essential. I ask the Government to withdraw this shameful funding formula and to live up to its moral and political obligations.

* * *

AGRICULTURE

REQUEST THAT PROGRAMS ASSIST ALL FARMERS

Mr. Gordon Taylor (Bow River): Mr. Speaker, the programs initiated and carried out by the Progressive Conservative Government are to be commended and encouraged. They have been a tremendous help in balancing the ill effects of the EEC and U.S. Farm Bill's subsidization programs.

In spite of those excellent efforts, a number of farmers have been left out and adversely affected, even although indirectly in some cases, by the said subsidy programs and certainly by the high interest rates of the early 1980s.

For instance, the pulse farmers, who harvest very important alternate crops such as mustard, sunflower, lentils, peas, corn, buckwheat, sugar-beets, and soya beans have seen the prices decline drastically because of the subsidy wars, plus the subsidies on some of the pulse crops by other countries. Also the hay and alfalfa farmers, and irrigation farmers, were left out of the SCG programs.

Every branch of agriculture is important and no farmer should be left to carry the burden alone because of economic conditions over which he or she has no control. I urge that either new programs be introduced, or the present ones revamped to show all Canadians engaged in agriculture that this Progressive Conservative Government does care.

* * *

TRADE

WINE INDUSTRY—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Maurice Foster (Algoma): Mr. Speaker, the Canadian grape and wine industry has been sold out by the Government of Canada in its free trade agreement with the United States.

"The wine industry has bottled its last Canadian vintage if the federal government approves the proposed Canada-U.S. free-trade agreement", an industry spokesmen said Tuesday.

Without the competitive advantages the industry now enjoys, the wine industry cannot afford to purchase grapes from Canadian producers next year, said Jan Westcott, President of the Canadian Wine Institute.

He said Canadian grape growers stand to lose $20 million to $22 million in annual sales to wineries, and face the potential loss of 16,000 full and part-time jobs in Ontario and B.C.

On August 14 the Minister for International Trade (Miss Carney) stated that there would be a 10-year adjustment. Yet before the agreement even comes into effect, the Canadian grape producers will not be able to sell their grapes because of the free trade agreement.

Surely, Mr. Speaker, the destruction of the wine and grape industry will be complete and immediate within this year. It was requested by President Reagan; it was ordered by the Prime Minister (Mr. Mulroney); it was carried out in a merciless manner by the Minister for International Trade. It is one of the most shameful acts in Canadian agricultural history.

* * *

CANADIAN ARMED FORCES

DEFENCE COMMITTEE'S INSPECTION OF FORCES SERVING IN EUROPE

Mr. W. R. Bud Jardine (Northumberland—Miramichi): Mr. Speaker, "Let him who desires peace, prepare for war".

Those words, first spoken hundreds of years ago, were quoted again last week to the members of the Standing Committee on National Defence during a fact finding tour of several West European countries.

The committee met with the troops in the field during their fall exercise in north eastern Bavaria, and visited the NATO base at Geilenkirchen, Germany, home of the airborne early warning force, unique, Mr. Speaker, in that the E-3A aircraft

they fly are manned by multinational air crews from 11 of NATO's 16 nations, including Canada.

We were able to study and compare the military reserve system of Germany and Switzerland with our own. We also received briefings on defence operations at our Canadian Forces Europe headquarters in Lahr, and at our NATO and SHAPE headquarters in Belgium.

We were duly impressed with the professionalism of our men and women serving in Europe; impressed with the enthusiasm and leadership of all ranks. We departed convinced that the policy and direction of the White Paper with respect to our European commitment is valid, meaningful, and will contribute to world peace.

* * *

• (1405)

ENVIRONMENTAL AFFAIRS

ACID RAIN—UNITED STATES POSITION ON CONTROLS

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, two weeks ago, speaking on Canada-U.S. acid rain relations, Assistant Secretary of State John Negroponte told the U.S. Foreign Relations Committee that "emission reductions cannot be defined at the present time", and that the administration's analysis of the NAPAP report shows that the administration's understanding of the scientific issues continues to support its policies. "To act now", that is to impose acid rain controls, "could have serious and unnecessary socio-economic consequences".

Will the Prime Minister (Mr. Mulroney) admit now that despite all claims made so far by the Government of Canada, President Reagan will not deliver on acid rain? Will he admit now that Canadian expectations, whipped to a high last April in Ottawa by the Prime Minister on the occasion of President Reagan's visit, have been shattered?

Assistant Secretary of State Negroponte's statement reveals that the administration's position on acid rain pollution controls has not changed.

When he accepted the acid rain Envoys' Report, the Prime Minister gave the President an excuse for inaction for five years or more. Clearly and unfortunately the Government's acid rain policy with the United States is in shambles.

S. O. 21

SMALL BUSINESS WEEK

TRIBUTE TO DYNAMIC ENTREPRENEURSHIP OF SMALL BUSINESS COMMUNITY

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, the theme of Small Business Week, 1987 which runs from October 25 to October 31 is "Entrepreneurship: Creating Opportunities". It is a most appropriate theme. The men and women who own and operate small businesses in Canada create employment, investment, and economic development opportunities in every region of the country. Over the last two years they have created more than 70 per cent of the new jobs in this country and contributed 25 per cent of our Gross National Product.

The federal Government recognizes and appreciates the economic importance of small businesses in Canada. We are committed to supporting and encouraging the creation of small businesses, the development of skills to ensure their successful operation, the acquisition of technological innovation, and improved access to financing and to domestic and international market opportunities.

In addition, we want to encourage more young people to choose entrepreneurship as a viable and rewarding career option. The hard work, creativity, and dynamism of Canada's small business community should serve as an example which will encourage our young Canadians to seize the opportunities afforded them by entrepreneurship.

I invite all Canadians to join with me, the Federal Business Development Bank, and the Canadian Chamber of Commerce in saluting Canada's entrepreneurs during Small Business Week, 1987.

* * *

THE CONSTITUTION

PAMPHLET ON MEECH LAKE ACCORD—ABSENCE OF REFERENCE TO NORTHERN TERRITORIES

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I rise to express my outrage at yet another example of the Government's reprehensible attitude toward the northern Territories.

I have learned that a pamphlet put out by the Government promoting the Meech Lake Accord does not even mention our northern Territories. The pamphlet talks about how the Accord strengthens the Canadian federation as well as celebrates the diversity of Canada. Diversity, Mr. Speaker, yet the diversity of the North, a third of Canada's land mass, is not even mentioned.

On the front of the pamphlet we see the flags of all provinces and the Canadian flag. By the way, the pamphlet was paid for by Canadian taxpayers including those from the

northern Territories. Nowhere on the pamphlet do we see the flags of the Northwest Territories or the Yukon.

How can the Government put out a pamphlet saying that it strengthens the Canadian federation when two of the Territories are not even represented?

This exclusion is a complete insult to northerners. We always suspected that the Government felt that we were second- class citizens. Now we have the proof.

On this historic day when the House will vote on the Meech Lake Constitutional Accord we find that this neglect in not even mentioning the Northwest Territories and Yukon is insulting and unfair.

I received the pamphlet from a constituent who asked me to return it to the sender. I will do so with this message: We in the North are fed up with our treatment by the Government. Let me assure you, Mr. Speaker, that we will not take this lying down.

* * *

TRADE

VOLUME OF ONTARIO INDUSTRIAL EXPORTS TO UNITED STATES

Mr. Bill Attewell (Don Valley East): Mr. Speaker, in an excellent article yesterday, columnist Doug Fisher said in part:

> Ontario is producing over half our total merchandise export to both the world and the United States and almost half of the latter is in automotive products.

He went on:

> Can you see the unbelievable irony implicit in those latter totals? Tie them to the blistering attack on the free trade deal by Bob White and the automotive unions.
>
> Such high production and export is a direct consequence of the main accord we already have with the U.S., the automotive agreement negotiated two decades ago by Simon Reisman, today's villain and traitor to White and Broadbent.
>
> Want more irony? Back when this marvellous deal was made, who was dead set against it? Yes, the Canadian head of White's union, and the federal NDP.

When one analyses the historic trade trends and interdependence with the U.S., where would we replace a large loss of exports if the strong protectionist mood succeeds in the U.S.? "The Common Market? Japan? China? The U.S.S.R.?" asks Fisher. "John Diefenbaker and Pierre Trudeau failed in finding significant alternatives".

• (1410)

In closing, Fisher states:

> What do you think we will get from the Bob and Ed show and from David Peterson if, as they clamour, we reject the treaty and the Americans, as is likely, dismantle the Auto Pact?

They should stop the dishonest hype and hypocrisy. It is time the opposition Leaders were honest with Canadians about the tremendous benefits which will accrue to our citizens from this historic free trade initiative.

* * *

[*Translation*]

CANADA POST CORPORATION

RURAL POSTAL SERVICE—GOVERNMENT'S VIEW OF FUTURE

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, following many representations from individuals, organizations and municipal councils in my constituency, I would like to ask the Minister responsible for Canada Post to tell us officially what his true intentions are as concerns the rural postal service.

Rumours are going around in certain municipalities and certain businessmen having been asked, before any consultations take place, whether they would be interested in taking over services now provided by local post office.

Mr. Speaker, this climate of uncertainty is a cause of major concern among the public. It is abnormal for the municipalities involved not to be aware of the true intentions of the Minister.

Has the Minister asked the Canada Post Corporation to make changes in existing delivery services or in the location of the post office in certain municipalities? If so, what will happen to the level of service in rural regions? Will there be a service reduction in certain municipalities? Will Canada Post install collective mail boxes or superboxes?

Some municipal councils object to any change or reduction in service and to the closing of post offices in rural regions. Customers in these municipalities are worried. It is important for Canada Post and the Minister to consult the representatives of the municipalities involved and to take their views into account when developing new policies. Canadians must be better informed about the objectives and projects of Canada Post and the Minister responsible, and it is the duty of the Minister to see to it that they are.

* * *

[*English*]

FINANCE

CREDIT CARD COMPANIES—CALL FOR CUT IN INTEREST RATES

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, the credit card companies have done it again; that is, they have failed to do it.

When the Bank of Canada discount rate rose in midsummer, credit card issuers could not wait to increase their charges on unpaid balances, but last week the bank rate was cut by a record amount and all chartered banks reduced their

prime rates. Credit card rates have not come down 1/100th of 1 per cent.

Once again most credit card issuers have shown their forked-tongue policy. It is to increase rates quickly if the cost of money goes up, but to leave them at their highest when the cost of money comes down.

These companies still have a chance to keep faith with their customers by making an appropriate adjustment in the near future. If they do not do this, it will be clear to us all that they need legislation to keep them honest, and the House and the Government should support Bill C-266 with its proposal for a floating rate.

* * *

EXTERNAL AID

ETHIOPIA—THREATENED RECURRENCE OF FAMINE

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, once again African drought and famine take their tragic toll of human misery. The failure of summer rains in parts of Ethiopia resulted in a 100 per cent crop failure in some areas. The early warning system has given the world community notice so that if we take prompt action we can avoid a cataclysmic tragedy on the scale of the one of 1984.

Between five million and seven million people are at risk, and approximately one million tonnes of emergency food aid costing $200 million will be needed by December and January when the famine will be at its worst. Canada has already indicated that we will be giving an additional $10 million for Ethiopian aid, a commendable first step.

The tragedies of drought and famine are compounded by those of civil war. For 26 years Eritrea has been fighting Ethiopia for independence, and this past weekend we were shocked to hear that Eritrean guerrillas blew up a food convoy bound for starving Tigre Province. In addition to providing emergency food aid, we know that Canada will work with other nations to encourage a peaceful and just solution to the Eritrean conflict.

* * *

• (1415)

CITIZENSHIP

REQUEST FOR GRANT OF CITIZENSHIP TO FAMILY OF IRIS MASON

Hon. Bob Kaplan (York Centre): Mr. Speaker, on September 11 I rose in the House to ask the Secretary of State, the Hon. Member for Rosedale (Mr. Crombie), to exercise his statutory authority to grant citizenship to the family of Iris Mason. That family was the victim of torture in Chile.

They came to Canada as refugees and were given landed immigrant status. When they applied for Canadian citizenship an adverse security ruling was made and they were denied citizenship. They appealed to the Security Intelligence Review Committee which examined the evidence, found it to be without merit, and urged they be awarded citizenship. I asked the Minister to give them citizenship. He said he would look into it over the weekend. Weeks have gone by. Recently he told me it was before the Minister of Justice (Mr. Hnatyshyn). I checked with his office and they know nothing about it.

It is time for the Government to stop stalling with this Kafkaesque-type of excuse, take this application seriously, give them Canadian citizenship, and finally bring an end to the troubled course of the Mason family in Canada.

* * *

TRADE

AN IMAGINARY CONVERSATION

Mr. Felix Holtmann (Selkirk—Interlake): Mr. Speaker, this past weekend a discussion between Howard Pawley and Mr. Big of Oshawa was overheard by a fly on the wall. "But, but, but, Mr. Big," said Howard, "do you really think we can convince western Canada to oppose free trade?"

"Shirley says we can," said Mr. Big between puffs on his Havana cigar, "and Mr. White thinks we can, too."

"But, but, but, Mr. Big," said Howard, "they tell me that Oshawa already has free trade, and that Oshawa is doing well by it."

"You just leave Oshawa to me", said Mr. Big. "What is good for Oshawa is not necessarily good for Manitoba. Besides, Mr. White likes Oshawa just the way it is."

"But, but, but, Mr. Big, has Oshawa's free trade really resulted in billions of dollars invested in Oshawa?"

"Now, Howard," said Mr. Big, "you really would not want that kind of money in Manitoba. You westerners are rich in natural resources, why do you want manufacturing, too? Besides, Shirley will send you hundreds of campaign workers for your next election. You would not want to have to rely on your own people, would you?"

"No, no", replied Howard. "But, but, but, Mr. Big, what will I do with all of my hydro and my hogs and potash if I can't sell them to the Americans?"

"Don't worry, Howard," puffed Mr. Big. "Shirley and Mr. White have the perfect solution. They will help us run a national campaign to convince workers to eat more pork and leave their lights burning all night."

"Even in Oshawa, Mr. Big?"

"Don't be silly, in Oshawa we prefer steak and New England lobster by candle-light. And, Howard, remember to buy your Ministers a new car every year."

Some Hon. Members: Hear, hear!

ORAL QUESTION PERIOD

[*English*]

TRADE

BRITISH COLUMBIA WINE INDUSTRY—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we all know that the Prime Minister sold out Canadian interests to American interests.

Some Hon. Members: Oh, oh!

Mr. Crosbie: Oh, sit down!

Mr. Turner (Vancouver Quadra): What I want to know today is why the Minister for International Trade, who is from British Columbia, sold out British Columbia interests to California.

On August 14 the Minister wrote to the chairman of the B.C. Grape Marketing Board and these were her words:

> I am very much aware that the grape industry has some unique characteristics . . . If policy changes affecting the grape industry do result from the Canada-U.S. trade agreement, they will only occur slowly and after full consultation with all segments of the industry.

The Minister broke her word. Under this Conservative sell-out, 50 per cent of the protection accorded to the B.C. wine industry will expire within the first year. In the words of the grape growers, this will cause the premature death of a Canadian industry.

Why did the Minister break her word to the British Columbia grape growers? Why did she break her word to the British Columbia wine industry? Why did she break her word to the people of the Okanagan Valley?

• (1420)

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I deny the allegations made by the Right Hon. Member about breaking my word. If anyone has broken anything, it is he who has broken faith with the Canadian people through his tactics in opposition to free trade. What the Hon. Member is doing on this issue is scandalous.

With regard to the wine industry, several spokesmen for that industry have said that they are looking forward to an opportunity to compete in the U.S. market. They believe that they make good Canadian wine and that those good Canadian wine products will find markets in the United States.

Secondly, I wish to point out to him that our other trading partners have taken Canada to the GATT on the issue of discriminatory price mark-ups that this issue has been protected behind and the case is currently before the GATT.

Mr. Turner (Vancouver Quadra): Mr. Speaker, that reply certainly does not indicate that the Minister is any advocate of the British Columbia wine industry.

MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it is a sad day when the Minister politically responsible for British Columbia sells out British Columbia in order to keep the Prime Minister happy. The B.C. Grape Marketing Board and the Association of B.C. Grape Growers have told their members in a recent communication:

> All of our segment of the industry is now at risk of disappearing almost immediately.

What does the Minister now say to the British Columbia grape growers, the British Columbia farmers, and the British Columbia vineyard workers since she did not have the guts to stand up for their interests?

Will the Minister explain to the people of the Okanagan Valley why the wine industry was sacrificed while the beer industry was protected?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, rather than being non-supportive of this industry we used British Columbia wines at the Commonwealth Conference.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Miss Carney: I know that the Opposition objects to the practice of supporting the wine industry. People in the wine industry have said that they believe that their good wines will sell well. We have faith in the Canadian product on international markets.

The Prime Minister has said repeatedly that everything necessary will be done to assist those grape growers who cannot adjust. However, it is too early to write an obituary for that industry.

Mr. Turner (Vancouver Quadra)): Mr. Speaker, I do not know whether the British Columbia wine industry would like to be the sport for the last supper of the Conservative Party in British Columbia.

Some Hon. Members: Hear, hear!

OKANAGAN VALLEY WORKERS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, does the Minister not recognize that over 20,000 Canadians work in the grape-growing and wine industry? I have recently received submissions from and had meetings

with members of the Ontario Grape Growers Association and the Wine Institute of Ontario who feel the same way as their counterparts in British Columbia. They feel betrayed by their own Members of Parliament and by the Government.

Will the Minister from British Columbia explain why the single largest losers in this trade deal with the United States are the grape growers and the people who work in the wine industry? Why has she singled out for attack the 6,000 families in the Okanagan Valley in British Columbia who depend for their livelihood on the vineyards, fruit growing, and the wine industry of the province?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the families to which the Hon. Member refers are aware that the price discrimination practices against offshore wine, California wine, were so high that we have been taken by our trading partners to the GATT to account for them. The Member is always talking about the GATT. However, when we are called before the GATT because of extraordinary discriminatory pricing measures he does not even want to talk about it.

I repeat that we have heard from members of the wine industry that they are looking forward to an opportunity to have access to the North American wine market.

• (1425)

They believe that Canadian wines can compete.

Our best products can compete. We make good wine. We believe that that good wine will be marketed. I am sorry if the Hon. Member does not have any faith at all in the Canadian wine industry.

GATT HEARING ON WINE PRICING PROCESS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is directed to the Minister for International Trade. Considering the answer she just gave in the House, what side is she on in this dispute? If in fact there is still a case pending where the Government of Canada is supposed to be defending the interests of the grape growers and wine producers of Canada, is it not true that the statement she just made in the House is a clear concession that the Government of Canada is not supporting those producers or those grape growers, that she has already surrendered, just as she surrendered on every other trade case this country has had before us in the last three years?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the only surrender here is the failure of the Opposition to deal with the facts of the case. The facts of the case are that we have been taken to the GATT, hauled before the GATT by our trading partners on this pricing process. We are waiting for the decision. He will have to explain to Canadians how he believes that acknowledging that fact, which is well known, is somehow surrendering.

REQUEST FOR SUPPORT FOR INDUSTRY

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, it was not members of the Opposition who just stood in their places, as the Minister just did, and said that that case in the GATT is justified.

Miss Carney: I did not say that.

Mr. Axworthy: Those are exactly the words she used.

Miss Carney: I did not.

Mr. Axworthy: When will she begin standing up for this country? When will she stop giving in every time a trade case is before us? Why does she not stand up and say that the grape growers and wine producers have a legitimate right for the kind of support they have because they create in this country a valuable industry that employs 20,000 people?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member has stated something that is not the case. I did not say that the case was justified. I said that the case was before the GATT, which is a fact. The people in the industry understand and know that. I have said that we are awaiting the results of that and we will inform the House at the time.

Let me return to the facts of the matter. We believe that Canadian wineries which make good products, which people on both sides of the border would want to buy, will do well. That is an advantage to them, which some of their own spokesmen have acknowledged.

OKANAGAN VALLEY WINE INDUSTRY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the same Minister and concerns the same subject. A month ago when I met with the wine producers and other fruit growers in the Okanagan Valley, they told me that they had been assured by the Minister that their interests would be looked after in these important free trade negotiations. Coming from British Columbia and knowing the importance of this industry to the people of British Columbia, particularly in the Okanagan Valley, why did the Minister let them down completely?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have the advantage on the Hon. Member because my family comes from the Okanagan. I know it very well. I know that the advantages of this free trade agreement to the Okanagan far outweigh the kind of disaster that he is trying to point out.

May I point out again that this industry will have seven years to adjust under the free trade agreement.

Ms. Copps: No way.

Mr. Axworthy: They have one year.

Miss Carney: They have seven years to adjust because it will take that long to get rid of the discriminatory price mark-ups. Other rights that that industry enjoys, in terms of estate wineries and boutique wineries, all have been grandfathered in the agreement.

MINISTER'S POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister says that she is from the Okanagan. She knows that people in the industry, management and workers, know that they will be hit right now. She knows they will lose 50 per cent of their tariff protection not in 10 years but next year. That is the reality and the Minister should know it.

The Minister has made promises to the working people and the industrial people there. Given the impact on the Niagara Fruit Belt in the Province of Ontario as well, what does the Minister say to these workers? Is she saying to the wine producers of Canada: "Let them drink beer"? Is that her answer?

Hon. Pat Carney (Minister for International Trade): No, Mr. Speaker. I am saying to Canadians, including Hon. Members, let them continue to drink good wine and let them export it to the United States.

• (1430)

SITUATION OF WORKERS IN WINE INDUSTRY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister knows that for climatic reasons, as well as many others, the industry in Canada is not in the position to accept the onslaught it is going to get now from American imports. Just for once, instead of just taking shots, would the Minister tell us in straightforward language what the Government plans to do for the 20,000 workers and their families who are going to be affected? Give us an answer.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think by far the best job protection for people in the wine industry is to have expanded markets, not restricted markets. I think that is something which those in the industry recognize.

I would like to point out, because of the doom and gloom the Hon. Member is spreading, how often he has been incorrect in the past. You will remember, Mr. Speaker, in 1984, in response to our Budget, he said: "This will destroy thousands of jobs."

Some Hon. Members: Order.

Miss Carney: "The effect of this program will be a net increase in unemployment."

Some Hon. Members: Oh, oh!

Some Hon. Members: More!

Mr. Speaker: The Hon. Member for Shefford.

[*Translation*]

Hon. Jean Lapierre (Shefford): Mr. Speaker, we just heard the Minister for International Trade admit that she forgot to defend the interests of her constituents. I suppose she learned that from the Prime Minister.

In fact, I may remind the Prime Minister that in 1984, he ran for election—

Mr. Speaker: The question, please.

* * *

REGIONAL ECONOMIC DEVELOPMENT

INVESTMENT TAX CREDIT

Hon. Jean Lapierre (Shefford): The question is quite simple, Mr. Speaker. In 1984, when the Prime Minister ran for election in the riding of Manicouagan, his slogan was: "Hope has a name: Brian Mulroney".

In 1987, the authorities of Sept-Îles are saying, and I quote: "Sept-Îles does not have a Member in Ottawa to defend its interests, because for some reason, the Member for Manicouagan has remained silent during the last three years." This was signed by the mayor and others.

My question to the Prime Minister is as follows: Saturday, these people will have to take to the streets and organize a demonstration to make him understand that they are in need, that they are unemployed. Could the Prime Minister make it unnecessary for them to go to such lengths and give us an immediate answer on the investment tax credit?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, speaking on behalf of my constituents in the riding of Manicouagan, I deeply appreciate the Liberal Member's interest, and my constituents would have appreciated it even more if we had received the same support when the Canadian Government decided to build a penitentiary at Port Cartier. We would have appreciated that very much. That is the hypocrisy of a Liberal Party that gave us its temporary support. Something has been done. For instance, on the weekend, $10 million was invested in the fisheries sector in the riding of Manicouagan, which was greatly appreciated by the people. Thanks to a major highway project, we have been able to improve communications for many of our constituents on the middle and lower North Shore. The same applies to the 138. We have plans for an airport in the North. We have a huge riding, about 1,200 kilometres long and 900 kilometres wide, almost a country in itself, which requires a lot of action on the part of the Government. I hope I can count on the support of all Members of this House whenever I intervene in the future.

QUERY WHETHER GOVERNMENT WISHES TO SETTLE ISSUE

Hon. Jean Lapierre (Shefford): Mr. Speaker, if the Prime Minister wants to measure the impact of his last week announcement, I invite him to come with me, next Saturday, and meet his constituents so that he will realize what they think of his total disregard for their concerns. For the last 20 months, people from Sept-Îles have been asking for government action on the investment tax credit. You did absolutely nothing for them. Will you have the courage to tell your Finance Minister and his colleague the Minister for Regional Industrial Expansion, who is not looking after his responsibilities, to settle this issue once for all, instead of procrastinating as he has been doing for the last 20 months?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the constituents of Manicouagan have very sound judgment. The last time they saw a Liberal Member in my riding was in 1984, when the former Member came to welcome me at the airport. He lost his deposit, and the same thing will happen to you.

* * *

[*English*]

THE ECONOMY

INTERNATIONAL STOCK MARKETS SITUATION—REQUEST FOR MEETING OF G-7 FINANCE MINISTERS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is directed to the Minister of Finance who will know that the stock prices on the Wall Street Exchange are down by about 8 per cent so far today, and a similar drop of some 230 points, or 7.4 per cent, has taken place on the Toronto Exchange, unfortunately resuming the sharp drops that began in the beginning of last week. Can the Minister report on the situation? Can he say what actions the Government or the Bank of Canada will be taking with respect to the continuing problems on the exchanges? And in view of international concerns, is Canada now seeking a meeting of the G-7 Finance Ministers to take concerted action on a matter which clearly is not going to go away in a week?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I can confirm to the House that the stock markets are off again today. We have stability, though, in the exchange markets and bond markets. The interest rates are quite stable today which, I am pleased to say, is the result of a good degree of co-operation between the G-7 Finance Ministers and central banks. I have been in touch, as I have reported to the House, with my colleagues. I have been in touch with some of them over the weekend as well. We will continue to do this.

I think it is clear that the activity that is going on in the United States, and the conversations and discussions between the administration and Congress, are quite helpful, and we will watch the outcome of that before we take any further steps.

[*Translation*]

QUERY WHETHER MINISTER WILL ACCEPT FINANCE COMMITTEE INVITATION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I have a supplementary for the Minister of Finance. Considering that the collapse of the stock markets continues to be very serious, that the upwards move of last week did not last, that stock prices are down again today, and that the Minister promised last week to consider the possibility to meet with the Parliamentary Finance Committee in order to explain the investment and economic situation in a forum maybe quieter and wider than the House of Commons, is the Minister ready to confirm that he will accept the invitation of the Finance Committee to appear before its Members and explain them the problem and the remedy?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have discussed with the Chairman of the Committee on Finance the invitation of the committee. I have indicated to him that at an appropriate time I would be quite prepared to meet with the committee, and we will discuss it further with the chairman of the committee before making a final decision on that.

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HOUSE OF COMMONS

PRESENCE IN GALLERY OF PARLIAMENTARY DELEGATION FROM PAKISTAN

Mr. Speaker: I wish to draw Members' attention to the presence in our gallery of a parliamentary delegation from the Senate of the Islamic Republic of Pakistan, led by Lieutenant General Jamal Syed Mian.

Some Hon. Members: Hear, hear!

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CANADA POST CORPORATION

RURAL POST OFFICES—REQUEST FOR HALT TO CLOSURES

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. Since he is not here, I will ask the Prime Minister. Communities like Wilno, Glenbumie, Oakland, in Ontario; Bloomfield Station, New Brunswick; head of St. Margaret Bay, Nova Scotia; Candiac, Saskatchewan; Warspite, Alberta; St. Georges de Champlain, St. Mathieu de Parc, and St. Jean des Piles in Quebec, are living with the fear of losing their local post offices. Will the Minister, now that he is in the House, stop any closing of local post offices until

Canada Post implements a meaningful consultation with the community? Will the Government stop those closures now?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, again the Hon. Member is giving me advice contrary to that offered by his colleague, the former Postmaster General, the Hon. Member for Papineau, who says it is important that there not be political interference in the operation of the Post Office.

The intent of the passage of the Canada Post Corporations Act in 1981 was that the corporation should act free of the kind of political interference now being encouraged by the Hon. Member. Without taking the Hon. Member's list as fact at all, I will certainly pass the Hon. Member's representation on to Canada Post.

[*Translation*]

COMMITTEE RECOMMENDATIONS—GOVERNMENT POSITION

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, my supplementary question is for the same Minister. I should like to know whether he will take his responsibilities as Minister responsible for Canada Post, and I should like to know when Canada Post will implement the recommendation of the House committee which reads as follows, and I quote:

> (a) that no closure of a rural post office, or change in postal service, be undertaken without meaningful consultation and the consent of the community affected;

When will you implement this policy?

• (1440)

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not know whether the Hon. Member was out of the House at the time or perhaps he has not checked the records. That particular committee report was responded to in full. The report was tabled in the House. I suggest that the Hon. Member look it up.

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NUCLEAR ARMAMENTS

CRUISE MISSILE TESTING

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, my question is for the Right Hon. Prime Minister. The Prime Minister will know, I am sure, that many Canadians are dismayed that Canada continues to test the Cruise missile, and more dismayed at the short notice which is given of these testings. The next one is to take place tomorrow.

I want to ask the Prime Minister this. Why does Canada continue to test the Cruise missile, given that there has been progress? When will the Government return to the view that it formerly held that if there was progress in the talks with respect to disarmament that Canada would cease testing the Cruise missile?

Hon. Pat Carney (Acting Secretary of State for External Affairs): Mr. Speaker, I would like to point out to the Hon. Member that the testing of the Cruise missile has never been tied to the achievement of the INF reduction in Europe. That point has been made by the Secretary of State for External Affairs.

I also want to point out that the test that is taking place is fully in compliance with the agreement.

POSSIBLE HALT OF TESTING—GOVERNMENT POLICY

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, that is not the view that the Government once held. It is not what it led Canadians to believe.

So I have to ask the Government this, and I hope that the Prime Minister will respond. Under what conditions will the Canadian Government agree to stop the Cruise testing? Or will it be forever moving the goal post back with respect to the conditions under which Canada will stop testing the Cruise?

Hon. Pat Carney (Acting Secretary of State for External Affairs): Mr. Speaker, first, the testing that is being carried out is fully consistent and represents no change in government policy between this Government and the former one.

To respond to the Hon. Member's question I would like to repeat the remarks made by the Secretary of State for External Affairs last week when he said that one of the reasons we were able to get the Soviets to the table was that they knew it was not going to be possible to split the Alliance. It is important, in our judgment, that commitments made by the Alliance be kept by the Alliance if we want to continue to make progress on arms control. That is the Government's position.

REQUEST THAT GOVERNMENT CANCEL INVOLVEMENT IN TESTS

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, my question is for the Prime Minister. It concerns the Government's decision to allow further testing of the Cruise missile in Canada tomorrow by the U.S. Government. Yesterday, in Brussels, the U.S. Foreign Secretary said that, summit or no summit, an INF agreement will be signed by the two superpowers.

Given the fact that there was a linkage between Canada's decision in 1983 to test Cruise and our solidarity with the NATO Alliance to get the Russians to take away the SS-20s from eastern Europe, why does the Government continue to deny that linkage? Why does it not simply tell the Government of the United States that it no longer wishes to be involved in Cruise missile testing in Canada?

Hon. Pat Carney (Acting Secretary of State for External Affairs): Mr. Speaker, I think that is a strange observation

coming from that side of the House, since we are proceeding under an agreement signed by a Liberal Government.

REQUEST THAT GOVERNMENT REFUSE PERMISSION FOR FURTHER TESTS

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, clearly, when that agreement was signed by the previous Liberal Government there was a linkage between an INF agreement and Cruise missile testing in Canada. I ask the Minister again, given the fact that the U.S. Foreign Secretary said yesterday in Brussels that summit or no summit an INF agreement will be signed, why does the Government not therefore do the proper thing and refuse to allow the United States to test the Cruise missile further in Canada?

Hon. Pat Carney (Acting Secretary of State for External Affairs): Mr. Speaker, we applaud the projected signing of an INF agreement. We agree that we do not need a summit to do that.

I wish to make the point that we have never linked the two efforts. For the Hon. Member to say that the former Government took an opposing view is not substantiated by the facts.

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TRADE

UNITED STATES SUBSIDIZED GRAIN EXPORTS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is for the Minister in charge of grains. In the dying days of our trade negotiations with the Americans their trade enhancement program for grains was switched from being a temporary program to end next summer to being instead one that is an integral part of their Commodity Export Program which will have an additional four years and, apparently, no limit on financing.

Can the Minister tell us what the result was of the discussions between the Minister of Foreign Affairs and the American Secretary of State over the weekend with regard to that matter which was raised in the House several times last week? Have the Americans now agreed to abide by both the spirit and the intent of the clause on page 14 which was much discussed in the House last week?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can answer the first part of that question. The Hon. Member may wish to ask a second question of my colleague.

We have a statement from the Secretary of State for External Affairs which states, and I will quote it for the House: "I have discussed with Mr. Shultz. I have done three things: One, discussed it with him; two, handed him a letter on the matter; three, just for his absolute identification given him the transcript of answer covering the Question Period of, I believe, it was Wednesday in the House of Commons". He went on to say—

Some Hon. Members: Oh, oh!

Miss Carney: "The discussion is not over but he certainly knows our concern about the use of that program".

NEGOTIATIONS TO END GRAIN SUBSIDIES

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my supplementary question is to either Minister. If the Americans persist in treating this particular program as a permanent program, can either Minister tell us how we are going to negotiate the Americans out of it? Will this now be part of a series of programs of subsidies which the Americans have which, before this program was included, included some $50 a tonne more subsidy of grain than what we have? Will we now be negotiating these out on a prorated basis? Or will we be snookered into negotiating dollar for dollar so that when the negotiations are all over they will still have $50 more subsidy than we have?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, last week in the House I tabled the Canadian approach to the agriculture trade negotiations that are taking place in Geneva. We have followed the first player to the field, just as the Americans have done. We have made our proposal in Geneva. It will be followed shortly by members of the Cairns Group and our trading partners such as Australia. It is our firm intention to get rid of all of the elements of the subsidy wars that are taking place and which are victimizing Canadians and Canadian farmers. I am sure that the Hon. Member will receive much more information on this subject as the next few weeks progress.

Mr. Althouse: Can we have a copy of that proposal?

* * *

ENERGY

USE OF GRAIN-DERIVED ETHANOL AS GASOLINE ADDITIVE

Mr. Gordon Taylor (Bow River): Mr. Speaker, my question is for the Minister of Energy, Mines and Resources. Last May I asked the Minister of Energy about the use of grain-derived ethanol as an octane-enhancing additive for gasoline. The Minister advised that consultations were being carried out and he expected that a decision could be made about the end of May.

Will the Hon. Minister advise what progress is being made toward establishing this new vital industry in western Canada?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, the Government is very aware of the importance of ethanol, particularly in western Canada. My

Department made a study, and we are now drafting recommendations for Cabinet. In order to do that we will have meetings next week with the western provinces, Agriculture Canada, and the farmers to ensure that our recommendations to Cabinet will be in line with where the farmers want the Government to be.

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[*Translation*]

FINANCE

REQUEST FOR NEW REGULATION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is directed to the Minister of Finance. The House will remember that following the difficulties that disturbed stock exchange operations in the late 1920's, the Government stepped in to control financial institutions. In the United States, there was the Glass-Steagall Act. In Canada, several pieces of legislation were passed to identify and divide the various functions into the so-called four pillars of the financial system, namely, the banks, the insurance companies, the trust companies, and the real estate brokers. All of this was designed to control the companies and the financial industry, as well as rebuild market confidence. As we are moving into the 21st century, Mr. Speaker, we realize that financial institutions have at their disposal all sorts of sophisticated instruments, computers, etc. Would the Minister review the financial institution de-regulation policy and show international leadership in trying to develop new regulations to deal with the technological tools which are used and bring about a higher degree of confidence in the financial places which are now opened 24 hours a day?

• (1450)

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I appreciate the question of the Hon. Member.

I do not think, at this stage in any event, that there is any suggestion that, because of the structure of the financial services industry, the events of last week were brought upon by any possible weaknesses, with one exception. That is the question of the so-called program trading through computerized programs.

My colleague, the Minister of State for Finance, certainly has made that observation. He has been in touch with our colleagues in the provincial Governments to raise the question. It is more within their jurisdiction to review, but we wished to raise the question with them.

In the event that we see something worth pursuing, I may well wish to raise this at the G-7 meeting. It is a little early at this stage to draw any conclusions.

REQUEST THAT MINISTER CONDUCT STUDY

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I agree with the Minister that it is not easy to link deregulation with the crash that we experienced. One thing is sure: we had the "Big Bang" in London last year, and now in Canada we are engaged in the deregulation process.

I ask the Minister if he will lead the way with the other industrialized countries to study that question, and ensure, as we did after 1929, that we have regulation to better control the system that is now open 24 hours a day and which uses very sophisticated computers. The Minister should take that opportunity to discuss that on the international scene.

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I certainly would not want to reject the suggestion of the Hon. Member. I do wish to caution him in suggesting that there is some weakness in the financial structure, or some weakness in the regulation of the financial system today that has led to the events of last week.

That certainly has not been the case in any of the discussions that I have had with participants in the industry. Further, I have had some discussions with regulators in my Department, as well as with the Bank of Canada.

The integrity and the solvency of the financial system appear to be quite strong after the events of last week. Some of the conclusions drawn by the Hon. Member I do not think are warranted.

However, his comment on reviewing the state of deregulation to see whether there are any moves that may be made is a valid one, and certainly I will take that to heart.

* * *

TRADE

FISHING INDUSTRY—EFFECT OF CANADA-UNITED STATES TRADE AGREEMENT

Mr. Jack Harris (St. John's East): Mr. Speaker, my question is directed to the Minister for International Trade. It concerns the requirements by certain provinces, including Newfoundland, for the further processing of fish landed in that province before being shipped out of the province.

In view of the concern expressed by the Premier of Newfoundland that processing jobs will be lost in the fishing industry if these regulations are eliminated, can the Minister assure the House that the agreement signed by her Government will not prevent the Government of Newfoundland, and other provinces, from insisting on further processing of fish products?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, if the Hon. Member is asking if the rights which

existed before the free trade agreement are protected in the free trade agreement, the answer is yes.

PROVISIONS OF AGREEMENT

Mr. Jack Harris (St. John's East): Mr. Speaker, the agreement states, "Both parties have agreed they will not maintain or introduce import or export restrictions except in accordance with the GATT, or as modified by the Agreement".

Can the Minister show us where in this agreement there is a modification that looks after this problem?

Hon. Pat Carney (Minister for International Trade): The situation is unchanged. If we attempted to put in the agreement all of the situations which are not changed, I would suggest that we could not accommodate the Member's request for that type of information.

The situation that existed before the agreement is the same as the situation which exists after the agreement.

UNEMPLOYMENT INSURANCE FOR FISHERMEN

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, my question is also for the Minister for International Trade on the subject of fish.

There is nothing in the trade deal to militate in any way against the omnibus Trade Bill which is now being considered in the United States. We understand that, under that omnibus Trade Bill, the definition of subsidy will be broadened to include unemployment insurance for fishermen. If that is the case, then the Government has sold out what is essential to the survival of East Coast fishermen.

I wish to ask the Minister for International Trade how she can have the face to go to the Atlantic and attempt to sell this deal which so clearly lets down a fundamental and essential interest of East Coast fishermen?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I would like to turn the tables on the Hon. Member and ask him how can he go to see the fishermen of Newfoundland, other Newfoundlanders, and other Canadians, and attempt to convince them of such an obviously phoney issue?

Medicare, social programs, and unemployment insurance are not on the table. There is nothing in the trade agreement that would lead to them being on the table.

DEFINITION OF "SUBSIDY"

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, there is no evidence whatsoever that there is any protection in this against the omnibus Trade Bill.

Mr. Mazankowski: That is nonsense.

Mr. Rompkey: It is quite clear that the definition of "subsidy" will be broad. There is no question about that.

How can the Minister give an assurance, and where is the evidence that there is unemployment insurance protection for fishermen? Where is the evidence?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the evidence is in the elements of the free trade agreement that my colleague, the Minister of Finance, and I signed in Washington. That is the evidence.

* * *

FARM CREDIT CORPORATION

LEVEL OF INTEREST RATES CHARGED TO FARMERS

Mr. Jack Scowen (Mackenzie): Mr. Speaker, my question is directed to the Minister of Finance.

I am wondering when the interest rates that farmers pay to the Farm Credit Corporation will come down.

Could the Minister explain why the bank rate dropped only 1 per cent when the Bank of Canada rate dropped 1.5 per cent? This affects the farmers' ability to pay back.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I do not think there is anyone in the House who would not agree that the events of last week were quite precipitous.

The drop in the Bank of Canada rate and the drop in the market rates were quite substantial, 1.5 percentage points. I do not think that we have seen anything like that in many, many years, if ever.

The drop in the prime rate by the chartered banks was probably more cautionary than anything else. It possibly reflects their expectations that there might have been some reversal. As time progresses and we understand where rates will stabilize, I expect that the chartered banks would reflect the prevailing market circumstances at that time.

* * *

REGIONAL DEVELOPMENT

REQUEST THAT PRIME MINISTER VISIT CENTRAL NOVA

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is directed to the Prime Minister. I have been waiting for him since Friday to come into the House, because I wish to put this question to him.

The Prime Minister came into the House in 1983 through a by-election in Central Nova. He has not been back to Central Nova since 1983, in spite of the fact that he promised to do so.

When does he intend to keep that promise and go back to visit the people of Central Nova?

• (1500)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I have been working with the Hon. Member for Central Nova, the Minister of National Revenue, on some important concerns, namely, Hawker Siddely which has now been moved into a position where it can be saved. Some 400 to 450 employees are in the process of being called back to work in Central Nova right now.

Some Hon. Members: Hear, hear!

Mr. Mulroney: The second phase of Hawker Siddely, which will guarantee long-term durable employment in the heart of Central Nova, in Pictou County, is well in train and will be resolved within the time frame set out of six months. That will guarantee the future of that industry in Central Nova.

We have brought forward a $10 million Pictou County development fund to attract smaller industry to Pictou County. A $40 million highways agreement has finally been concluded to ensure that tourism comes to Central Nova.

We have lots more that I will announce when I go down there in three weeks time on November 17.

PRIME MINISTER'S VISIT TO HALIFAX

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my supplementary question is for the Prime Minister. On Friday the Prime Minister had a choice between meeting the people of Central Nova, the unemployed of Central Nova, and the well-heeled Tories of the 500 Club. You had an option, Mr. Prime Minister; the Prime Minister had an option—

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member for Nickel Belt will put his question.

Mr. Rodriguez: Why did the Prime Minister pick the option of meeting with the well-heeled 500 Club Tory aristocrats rather than the unemployed workers of Central Nova who were there demonstrating?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, indeed my hon. friend is quite wrong. There were some protestors outside the hotel and I went to meet them. I did not shy away from them. I went to meet with them.

Anybody with a brain in his head knows that this is not representative of Pictou County or of Central Nova but I went to see them anyway. I also went in to see ordinary Canadians who support the Progressive Conservative Party.

Mr. Broadbent: Ordinary Canadians!

Mr. Mulroney: Yes, most of whom have not given, as has the Canadian Autoworkers Education Centre, $26,000 to the NDP. These are small Canadians.

Let me tell him that I will never apologize for meeting with ordinary Canadians who want to support democratically a Canadian political Party.

Mr. Speaker: I wish to bring to the attention of the House that the Hon. Member for Terrebonne wishes to rise on a question of personal privilege.

* * *

[*Translation*]

PRIVILEGE

DECISION OF MEMBER FOR TERREBONNE TO SIT AS AN INDEPENDENT MEMBER

Mr. Robert Toupin (Terrebonne): Mr. Speaker, I came to politics with a great deal of idealism and a concern for justice and the common good. I admit that my way is not an easy one. I am a progressive social democrat who will fight for his principles to the very end and who will feel indebted only to his fellow citizens. When I see that injustice, inequity or danger of any kind threatens my fellow citizens or the democracy and freedom we have in this country, no political party is going to make me remain silent, under threat of expulsion from the party.

I have been publicly and privately repudiated by my Leader for having criticized an ultra leftist group that is a threat to the democratic values of this country, and for having said out loud that the group uses undemocratic methods and is, in fact, opposed to the recognition of Quebec's distinct character and to Bill 101. I shall go on saying this as loud as I can, and I want to warn the citizens of Quebec and Canada. My repudiation leaves me no choice. I must draw my own conclusions and accept the consequences of my actions.

However, I have two questions for my Leader. Why did he let me become a member of his Party? Did he think I was too naïve to notice what was going on in his Party?

Mr. Speaker, it is with feelings of profound relief that I announce here in the House that I am leaving the ranks of the New Democratic Party.

As an Independent Member, I shall go on fighting for social and fiscal justice, in accordance with the principles of social democracy and political humanism. I shall continue to tell my fellow citizens the facts. And finally, I want to make it clear here in the House that I am and always will be a Quebecer first and a Canadian second.

[*English*]

PRIVILEGE

ALLEGED INTERCEPTION OF TELEPHONE CONVERSATION

Mr. John Nunziata (York South—Weston): Mr. Speaker, I rise on a question of privilege. No, I do not intend to resign.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. Speaker: I do not know what else the Hon. Member has to say, but I would be pleased to hear him.

Mr. Nunziata: My question of privilege relates to a conversation which my office had with an inmate at Joyceville medium penitentiary last Tuesday. I would submit that my privileges as a Member of Parliament have been breached in that the Correctional Service of Canada intercepted a telephone conversation last Tuesday between my office and an inmate who happens to be a constituent as well.

Mr. David Pratt, my executive assistant, happened to receive a call in my office from the wife of an inmate who is also the head of the inmates committee at Joyceville. She indicated that her husband wanted to speak to me, and my assistant, Mr. Pratt, proceeded to contact the inmate in question at 4.10 p.m. on Tuesday.

My assistant relayed the contents of that conversation to me. I asked him to call the inmate again and to advise him to meet with the warden to express and indicate what were his concerns.

At 4.10 p.m. on Wednesday my office contacted the inmate, and the inmate relayed a list of concerns with regard to the situation at Joyceville. You will recall, Mr. Speaker, that there was a riot there a short time ago, and these concerns related to the riot and other matters.

As a result of this conversation the inmate was transferred to the maximum security penitentiary at Millhaven and put in segregation.

I tried to make contact with the warden late Friday. I have yet to receive a call from the warden. I indicated my concerns to the Solicitor General (Mr. Kelleher) after Question Period on Thursday. My office also contacted the office of the Solicitor General on Thursday and, to date, we have not received a reply.

This morning there was a general lock-up at Joyceville. The situation at Joyceville penitentiary is serious. As a result of the actions of the warden there is extreme concern. The inmates have been locked up.

One of the reasons for the inmates taking the action they took this morning was because the head of the inmates committee, my constituent, was fired and transferred to a maximum security penitentiary.

I would submit that my privileges as a Member of Parliament have been breached on two fronts. First, with regard to my ability to deal with my constituents in an unfettered fashion, my privileges were breached in that the conversation was intercepted or listened to. Second, in my role as the opposition critic for the Solicitor General I would submit that I ought to have unfettered access to inmates and to have conversations with them in privacy, without having the Correctional Service of Canada, which is responsible to the Solicitor General, listening in on the conversations.

• (1510)

I would ask that you investigate the circumstances of this particular matter, Mr. Speaker. If you find that there is a prima facie case of breach of privilege, I would be prepared to move the necessary motion.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I have listened with interest to my colleague's comments and his question of privilege. I am not sure if he is suggesting that it was a wiretap or that there was a guard listening to the conversation on the other end. In any event, my colleague indicates that he has contacted the Solicitor General (Mr. Kelleher) who unfortunately is not here today. I will undertake to contact the Solicitor General and endeavour to discover exactly what the situation is. I think we would be in a position to report to the House some time in the very near future.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, the issue here is not whether the Solicitor General (Mr. Kelleher) can or should offer an explanation for the intervention. The issue, in my opinion, is that this House has been held in contempt by someone who has attempted to interfere with a communication of a Member of Parliament.

Just as it would be contemptuous for anyone to prevent a Member of Parliament from having access to the precincts of this House, similarly in modern terms, for a Member of Parliament, from his office on Parliament Hill or from elsewhere, to be impeded or listened to while attempting to speak to a constituent is in my view an offence, not only against the Hon. Member for York South—Weston (Mr. Nunziata) but indeed against all Hon. Members of the House and the House itself.

Beauchesne's definition of parliamentary privilege clearly states that parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament by Members of each House individually. The next part is very important; it states that without this privilege they could not discharge their functions, and it exceeds those possessed by other bodies of individuals.

I submit that a Member of Parliament cannot exercise his or her functions as a Member of the House if there are any attempts to interfere with a communication to or from a Member of Parliament.

I want to refer you further, Mr. Speaker, to *Erskine May's Parliamentary Practice*. In the definition in Chapter 5, page 70 of Volume 20 of Erskine May, it gives the following definition of what constitutes privilege:

> Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament—
>
> The particular privileges of the Commons have been defined as: 'The sum of the fundamental rights of the House and of its individual Members as against the prerogatives of the Crown—

Let us not forget that the person about whom we are talking in terms of interfering with a Member of Parliament is not just a citizen attempting to interfere with Parliament. That of course would be an offence in itself, but the fact that an employee representing the Crown, the Solicitor General of Canada (Mr. Kelleher), has made this attempt creates a further offence, according to the definition in Erskine May.

I would submit further that in other definitions of what constitutes contempt against this House, contempt has been defined as an offence against the House or an insult or injury against the House, which is, indeed, or can be constituted as contempt. It further says in Maingot for instance, that contempt is whatever the House deems to be contempt.

I would submit that any kind of interference or attempted interference with a Member of Parliament attempting to have access to a constituent is indeed an action that I believe would warrant your very thorough investigation. I know the Hon. Member has indicated that he feels that this affects his privileges in this House, but I would submit that it indeed affects the privileges or could affect the privileges of all Hon. Members and of Parliament itself.

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, speaking on behalf of the New Democratic Party, I think this is a very serious allegation that has been made by the Hon. Member for York South—Weston (Mr. Nunziata) who is the Solicitor General critic for his Party. Like any critic, indeed any Member, he should have untrammelled access to his constituents, and especially in the role of Solicitor General's critic to people who are imprisoned, without anybody listening in. He claims in the House today that indeed people did listen in, one way or the other.

I think this is a matter, therefore, that should be referred to the committee because that is what the committee is for. Rather than waiting for the Solicitor General (Mr. Kelleher) to reply, or waiting for further explanations, surely we could refer these matters to the committee and let the committee look into them. That seems to me to be what the committee is for. It is a serious allegation and it should be referred to the committee as a prima facie case of privilege.

Hon. Herb Gray (Windsor West): Mr. Speaker, I rise to support the request made by the Hon. Member for York South—Weston (Mr. Nunziata). If you find that there is a prima facie case of breach of privilege on the grounds that he has stated, he has made it very clear that he will be prepared to move the appropriate and required motion referring the matter to the Standing Committee on Elections and Privileges.

I have not had the opportunity to research all possible precedents in this regard but I do notice that on page 22 of Beauchesne's Fifth Edition, Citation No. 69 reads:

> A question of alleged wiretapping of telephones was referred to the Standing Committee on Privileges and Elections in 1972, but the Member making the allegation refused to appear before the Committee and therefore no evidence of wrongdoing was discovered.

The citation is based on *Journals*, May 24, 1972, pages 321 to 326.

I would say that what we have here may well be very similar to what led the Speaker of the day to refer the question of alleged wiretapping of telephones to the Committee on Elections and Privileges. We have here what I submit is an improper interception of a telephone conversation between a Member of Parliament and a constituent. I do not think it really matters whether the interception of the conversation was by what would amount to wiretapping or simple listening in by a guard or other official. In either case, I would say that there was an improper interference with the rights of communication between a Member of Parliament and a constituent, a right which I think is reinforced by the fact that the Hon. Member is the Official Opposition critic for the Department of the Solicitor General and in that capacity, his executive assistant was talking to the constituent in question.

It would seem to me that there are actually two likely breaches of privilege here. One arises out of the interception of the telephone conversation, but I would submit that there is a second one and that is the alleged and apparent retribution by officials against the Hon. Member's constituent for raising the concerns and question with the Hon. Member. The Hon. Member for York South—Weston has reported to the House and to you, Sir, that after the conversation in question the constituent was removed as head of the prisoners' committee at Joyceville, was sent to a maximum security prison and was put into what used to be called solitary confinement. If this is the case, I suggest that it is a breach of an Hon. Member's privileges to take action against a citizen who was using the rights of access to an Hon. Member, which every citizen including someone incarcerated in a penal institution ought to have. I submit we have two breaches of privilege. One is the improper interception of a telephone conversation. The other is the retribution by officials of the Solicitor General's department against the Member's constituent for raising the concerns in question.

• (1520)

Therefore I submit, not only because of the comments I have made but because of the other worthy comments of the Hon. Member for York South—Weston and the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria), that it is well open to you, Sir, to find a prima facie case of breach of privilege.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I will be brief because I appreciate that this is an opposition day and I do not want to impinge on their time.

I have listened to the comments of my friends across the way and I must admit that I appreciate there is no question, there must be free and unfettered access by a constituent to his or her Member of Parliament. I do not think that is in issue.

The issue here is complicated somewhat by the fact that my hon. friend's constituent is incarcerated and there are preventive measures normally taken in institutions with respect to communications with those incarcerated. I suggest that we will be further enlightened on this matter by the Solicitor General (Mr. Kelleher).

However, it might be instructive if I were to advise the House that the chairman of the Standing Committee on Justice and Solicitor General has advised me that his committee will be touring penitentiaries in the very near future. I think the subject matter of what communication can take place between an incarcerated constituent and his or her Member of Parliament would be a subject matter worthy of some further investigation on a general basis. In any event, I will take it up with the Solicitor General and get back to the House.

Mr. Speaker: The House has heard an intervention by way of an application concerning a question of privilege by the Hon. Member for York South—Weston (Mr. Nunziata). Other Members have contributed to the debate. I accept with some thanks the Hon. Minister's indication that he will be taking this matter up with the Solicitor General (Mr. Kelleher) and reporting back. In view of what the Chair sees as the serious nature of this case, perhaps the Hon. Member could discuss the matter further with the Hon. Minister of State (Mr. Lewis) to see when the Solicitor General might be able to make a comment which might be helpful to the Chair.

I see the Hon. Member for York South—Weston nodding in agreement, and I take it he will speak with the Minister and between the two of them get back to the Chair to indicate when I could hear the Solicitor General on this matter.

Mr. Nunziata: If I may, Mr. Speaker, I take it that you simply wish to solicit some information from the Solicitor General. However, if the facts as I have alleged them are accurate, my question of privilege remains and I would still request that the matter be referred to committee for investigation.

Mr. Speaker: The Chair understands completely the position of the Hon. Member. It would be helpful to the Chair if I could hear from the Solicitor General, and I am indebted to the Hon. Member for co-operating in that regard.

I want to say something else, especially to the Hon. Member for Nickel Belt (Mr. Rodriguez) and the Hon. Member for LaSalle (Mr. Lanthier) with regard to a matter raised a few days ago. There has been some effort to try and get all the parties back in the Chamber to address the matter further. It had been my hope that that might be done this afternoon. However, in view of the fact that it is an Opposition Day the Chair is reluctant to use more time this afternoon so I again ask the co-operation of all Members and I will try and get the matter back on the floor of the House as soon as possible.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S. O. 82—CANADA-UNITED STATES TRADE AGREEMENT

The House resumed consideration of the motion of Mr. Turner (Vancouver Quadra):

> That this House condemns the Government for its inept negotiations of a trade agreement with the United States that undermines Canadian sovereignty and requires excessive and unacceptable concessions by Canada but gains virtually nothing in return, that still fails to provide protection for Canadian industries from restrictive United States trade laws and that caves in to all United States demands in key sectors, especially agriculture, energy, automobiles, financial services and investment while threatening hundreds of thousands of Canadian jobs without the Canadian Government's providing any adjustment assistance for Canadian workers.

And the amendment of Mr. Broadbent (p. 10365).

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to begin my remarks by reporting to the House on two very comparable experiences. Last Thursday, when I was in Alberta, I participated in a province-wide hotline show. We took some 15 or 20 calls on the question of free trade, about 80 per cent of which were either totally opposed to free trade or questioned the validity of the proposal. Last night in Toronto I was on a television hotline show which lasted for about two hours. We had over 6,000 responses, of which 76 per cent were against and 24 per cent for.

I am not saying those figures are definitive. I simply want to point out that Canadians view this matter as one of the most serious, indeed crucial decisions that they and this Parliament will have taken in our generation. No one should be under any illusion that this is simply another ordinary Government initiative such as putting a tax on dog food or something like that. This goes to the very heart, soul and mind of this country. Canadians are deeply concerned and they want to comprehend what it is all about.

It was in that spirit that we presented this resolution today. I want to note that this is the first time we have had the opportunity for any kind of extensive debate on this issue since the initiative was announced. I appreciate the initiative taken by the Right Hon. Leader of the Opposition (Mr. Turner) and

the Leader of the NDP (Mr. Broadbent) to present their positions on behalf of their Parties. I can only regret that the Leader of the Government was not in the House to present the Government's position. Obviously he was not meeting with his constituents in Sept-Îles; that is quite clear from his answers in Question Period.

The Acting Speaker (Mr. Paproski): The Hon. Member has been here long enough to know that he should not reflect upon the presence or absence of any Member in the House.

Mr. Caccia: Oh, come on.

The Acting Speaker (Mr. Paproski): That is fine. I do not intend to argue with any of his colleagues either. I just want to bring that to his attention.

Mr. Axworthy: Mr. Speaker, I assume that you will not deduct the intervention from the time allotted for my speech.

Mr. Wilson (Etobicoke Centre): You are stooping awfully low now, Lloyd.

Mr. Axworthy: Mr. Speaker, Canadians will be looking to the political Parties to put forward their case, even though it is very clear, and has been right from the day this announcement was made over two years ago, that the Government does not want to put its case in front of the Canadian people. It may want to put propaganda in front of them but it is not prepared to put forward its argument justifying such a major uprooting of the entire Canadian system at this time.

The point of this debate should be to get down to the essentials. Let us ask why the Government undertook this incredibly momentous decision to fundamentally alter the entire fabric of Canada from an east-west relationship to a north-south relationship. I want to quote the advocates of the free trade proposal. These are not the people who oppose it, they are those who have been in favour. The Prime Minister (Mr. Mulroney) loves to point to the Economic Council of Canada. They said that any agreement should clearly define those subsidies which can be attacked with countervailing actions because they do not fit current definitions.

Tom D'Aquino, President of the Business Council on National Issues, the corporate spokesman for Canada, said that remedies must be based on a commonly established set of principles and mutually acceptable definitions of behaviour, a remedy process where both Americans and Canadians have equal access, and a dispute mechanism with teeth.

The Macdonald Royal Commission said there must be new rules applied to countervailing duties and subsidies.

The Minister for International Trade (Miss Carney) said we must sign a deal that ensures there will no longer be countervailing duty powers. The result would be the elimination of countervailing duties by both countries, she said.

• (1530)

I could go on. The fact is that the bottom line, the unquestionable goal, the unalterable objective of the Government was to secure an exemption from U.S. trade law, to eliminate the use of countervail and anti-dumping, to find ways to move Canadians away from the harassment based upon those trade remedies. Has that been achieved through this agreement? Would anyone even try to suggest that U.S. trade law no longer applies, that there will not be countervail powers attached, that we have somehow been exempted from those trade laws?

We got a meaningless, Mickey Mouse mechanism which simply provides a review procedure to determine whether U.S. law has been applied. We already had that. We could already go to the International Court of Trade. We could already go to the GATT for such definitions.

I suggest further, Mr. Speaker, that not only did the Government not achieve anything of significance, it has taken a major step backward. The small print of the agreement says that if this country chooses to use the binational mechanism we forfeit our right to go to GATT. At least we could challenge the law under GATT. At least we can say that the definition of "subsidy" used in U.S. trade law is unfair. We could say, as we have in many previous cases, that the American attempts to dictate to this and other countries what their domestic programs should be is completely beyond the definition of what is fair or unfair in trade. Under this agreement the Government has abdicated our right to use GATT in order to challenge that law.

We saw the signs in the softwood lumber case. The Government refused to challenge that case under GATT and, therefore, set in train the precedent which we now see entrenched in the principles of the agreement.

I assert that not only did the Government not achieve that which it said it was going to achieve, but it has in fact retreated substantially from the defences that Canadian industry had against unfair trading practices applied by the Americans. Not only is it not an achievement, it is an absolute deficit. It is a withdrawal, a backward step. As soon as Canadians find out that the Government has achieved surrender, not victory, they will turn rapidly on this document.

By the very standards set by the Government itself and its allies the prime purpose was to get secure, guaranteed access. The Government has failed totally. It has achieved nothing close to that objective. In fact, the Government is an accomplice in further reducing the right of Canadians to try to achieve proper protection against unfair trade actions by the United States. That is very clear in this agreement.

The other side of the equation is also important, that being what we give up. I was in the riding of the Deputy Prime Minister (Mr. Mazankowski), Vegreville, Alberta, and after looking at the agreement someone commented that this deal was similar to the Edmonton Oilers trading Wayne Gretzky

and Mark Messier to the Los Angeles Kings for future consideration and a free trip to Disneyland. That about described the equation of this deal.

Not only did we not get what the Government said we would get, but what we put on the bargaining table and negotiated away for time immemorial is breathtaking. It is far beyond anything that one could have imagined when this began. I believe that we still do not know the half of it. I believe that we still do not know of all the secret nooks and crannies in this agreement. However, we know enough to know that the price we paid for this agreement far exceeds any benefit that we could achieve.

The agreement totally enfeebles the powers of the Canadian Government and the provincial Governments to pursue the public interest of Canada, to bring forward policies and initiatives to respond to the various interests of Canadians.

The Government talks about its new vision. I think we know what the new vision is. In his first public address on this agreement, which took place in New York of course, the Minister of Finance (Mr. Wilson) said that we are opening "a brave new world". We know what the brave new world of the Tories is. It is a world which uses jackboots on refugees because the Government does not want to defend their rights. The brave new world will increase drug prices by $200 million or $300 million. The brave new world of the Tories includes tax increases of $2,000 for average Canadian families.

However, that is simply a prelude to what we see in this agreement. This agreement is a total open sesame on foreign investment. According to this agreement, the Canadian Government will no longer have the right to require foreigners who invest in this country to produce jobs, to do research and development, or to produce export performance. We can no longer apply to them a test to learn whether their foreign investment is producing anything of economic value.

We need that test because we know that from 1984 until January of last year, $22 billion of foreign investment came into Canada, 95 per cent of which went for takeovers and acquisitions rather than new jobs or new enterprises. We know that those foreign-owned corporations do not produce jobs in this country. The jobs are produced by Canadian companies. Those are not Grit figures. They are Statistics Canada figures which show that for $5 billion worth of investment by a foreign company something like 17 new jobs are created.

It is ludicrous that we would surrender the right to require a foreign owner taking over a Canadian company to produce an equivalent number of jobs in Canada. The Government will wipe that right off the books.

Another example is procurement, and it is an interesting one. According to the statement made by Mr. Baker and Mr. Yeutter in the briefing to their own congressmen, under the procurement arrangement U.S. businesses will have exactly the same right to compete for government contracts worth over $25,000 as have Canadian companies. Furthermore, we cannot impose upon them any requirement to invest in this country, to establish a factory in this country, or to provide jobs in this country.

Our good friends in Montreal stole the CF-18 contract from us in Manitoba, but they may not even be able to get that any more. It could go to someone in Hartford, Connecticut, and we would not see even a nickel's worth of production from it.

When I was Minister of Transport we initiated a major modernization of the radar systems in Canadian airports at a cost of $900 million. Several firms put forward bids, two of which were American and which we accepted. However, we set a standard. We said that if they wanted to do business with the Government of Canada they had to establish a factory here. They built one in Kitchener-Waterloo which now employs several hundred people. They had to provide subsidiaries in Halifax, Winnipeg and Saskatoon. They had to create thousands of jobs in this country because we were spending $900 million of taxpayers' money. Under this agreement they do not have to do that any more. It is incredible that we would give that away. It is absolutely beyond belief.

With regard to agriculture in the West, farmers have told me that we are surrendering the Canadian capacity for self-sufficiency in food. That will be eroded. The Canadian Wheat Board no longer has the right to provide licensing for the import of wheat, barley and oats. That breaks the generations-long tradition of a two-price wheat system which provided close to $300 million to the farmers of western Canada when they desperately needed it.

The Western Grain Transportation Act is now an unfair trade practice. We have always used freight rates as a way of compensating for our geography. We have always compensated producers for the necessity to transport their wheat, potash, minerals and forestry products over long distances by rail. We do not have a Mississippi water system. Most of our commodities are far from port. We have always had a subsidized freight rate system. For the first time, a government of Canada has acceded to another country's demands that those freight rates be considered an unfair trade practice.

• (1540)

Under this agreement, we acknowledge that anything moving to the United States is no longer eligible for freight assistance under the WGTA because it is an unfair trade practice. When all our competitors in the grain business and those others who enjoy subsidized freight rates see that precedent, they will hammer us with trade action cases until we go dizzy.

Today we saw the complete wipe-out of an industry in the area of tender fruits and vegetables and wine. No matter how the Minister tries to evade the issue, the fact is that removing the seasonal tariffs, even by some snap-back retaliation which will never work, we are putting the people in our fruit and vegetable industry in jeopardy.

I talked to the potato producers in Manitoba. They know full well that it is their marketing system that is under attack. I suggest that we are seeing duplicity in this House. Every time the Minister of Finance or the Minister for International Trade (Miss Carney) says that the supply management system has not been touched, I suggest that they do not know much about supply management. One of the essential ingredients is the use of tariffs to ensure that cheaper goods cannot be imported to undermine the supply of that product. It is nonsense for Members of the Government to say that supply management or marketing boards will not be touched. If they knew anything about it, they would at least admit that. They should at least have the honesty of their convictions, rather than trying to hide behind the foolish nonsense we hear every day.

Let us consider another so-called commitment the Government has made. The Government says that it will not touch regional development and that it is not in the agreement. Indeed, it is in the agreement in some very substantial ways.

As I said at the outset, the only thing that was not touched by this agreement was preventing the United States from taking countervail actions against Canadian goods, services or products. Let me refer to a recent decision by the ITC, to see what it considers is countervailable. According to this agreement, that so-called binational panel must take into account American precedents and American law. Let me read the American law and American precedents in the ITC decision, 1986. What is countervailable? Investment tax credits to industries, programs for export market development, regional development incentive programs, industrial and regional development programs, community-based industrial adjustment programs, agricultural rural development agreements, general development agreements and economic regional development agreements are all countervailable. All those regional programs that we have used in Canada to try to ensure a fair sharing of goods and services in this country are now subject to trade law and are being entrenched in this agreement.

It is no wonder that the Deputy Minister of Finance, who I presume advises his Minister from time to time, said to a committee that in fact we will have to do regional development very differently because this agreement no longer allows for those kinds of grants to Michelin or other companies as was possible under IRDA agreements or general development agreements.

Who is the Government trying to fool? What is its real agenda? Canadians know that this is simply a cosmetic agreement to cover up something else. I believe the cover-up is part of the Government's ideology, shared by the Reagan Administration, that they do not believe there should be regional development programs like these. They do not believe that there should be freight rates or that Governments can be used in a constructive, positive way to apply goals and standards for a market economy. They do not believe in a political economy, but have idolized the market economy. They believe that a market economy will make the proper allocation of programs.

I suggest that the Government talk to the starving people in the inner cities of Canada and the people in the hinterlands of Canada who are without jobs because their research programs and regional development programs are being cut back. They know that they require government participation.

The most important fact to remember is that this country has been built into a distinctive society because we have been able to use Government in an effective way, by building proper transportation systems, communications systems and regional development programs.

Successive generations of Canadians and their Governments have known that one of the reasons that we have been able to stay on this northern part of the continent and establish our own identity and do things our way is that we have the power and ability to make our own decisions. The Government is abdicating the rights of Canadians to make those decisions. It is beginning to put a fence around our political institutions and slowly eviscerate the capacity of Canadians to decide for themselves who and what they want to be.

The point is that it was not necessary because there have been alternatives. Every Member of the House knows that in the past we have succeeded in opening trade around the world through international trade rules that limit the power of big nations. That is why 80 per cent of our goods now go to the United States tariff-free.

The most ironic statement of all was made by the Minister for International Trade this morning when she said: "We want Canada to be world traders". In the last three years our trade with the Pacific Rim declined 25 per cent. Our trade with the Middle East has gone down 20 per cent. The Government has cut back export development programs, other than to the United States. It has closed embassies and trade offices.

In other words, our trade with the rest of the world has shrunk under the Tory Government. It is far less than it was three years ago because the Government does not want to trade with the rest of the world. It wants to lock itself into a North American fortress, run by the ideological right wingers in the White House. That is what this agreement is all about. It has nothing to do with opening world opportunities. Its purpose is to serve that deliberate and diabolical attempt to frustrate the decision-making ability of the Government and serve that ideological goal.

That is why the Government has a fight on its hands, one that it will lose. The sooner it calls an election so that we can prove it, the better off we will all be.

Mr. Brisco: Mr. Speaker, I listened with interest to the sentiments expressed by my hon. friend in the Liberal Party. Let me bring to his attention a statement which was made by his Leader.

First, I am sure that as a westerner he shared the agony and pain of the abandonment of businesses and the wholesale sell-out of the petroleum industry when his Liberal Government introduced the National Energy Program. He knows as well as every other Canadian that Marc Lalonde openly admitted that it was an attempt to destroy the power base of Alberta and its economic strength.

The New Democratic Party has been accused of being partners to that program. While it says it had nothing to do with it, we know better. It supported that action in other ways because it very much fits in with its philosophy as a centralist Party in Ontario.

On October 5, as reported at page 9636 of *Hansard*, the Leader of the Liberal Party said:

> We have already made a good many concessions... We have already dropped the Foreign Investment Review Agency, our national energy policy—

He went on to say:

> Before the negotiations, the Government gave away the Foreign Investment Review Act. It really did a job on that one.

He went on to talk about the National Energy Program. Is the Liberal Party still wrapped up in the National Energy Program? Will the Liberals go out in the next election and tell Alberta, British Columbia, southern Saskatchewan, southern Manitoba, Fort St. John, Fort Nelson and Dawson Creek that they support the National Energy Program? That is the first question I want to put to him.

• (1550)

My second question will be very brief. If the Hon. Member has done his homework as an energy critic at some point, he will know that British Columbia Hydro has a far greater capacity than it has customers. He will know that the blockade is from the Bonneville Power Administration. He will also know that this agreement will open up that Bonneville Power roadblock and allow B.C. Hydro to sell off power to California in order to pay off the debt to the benefit of the rate that consumers are paying today for their power. Let him answer that.

Mr. Axworthy: Mr. Speaker, once again I thank the Hon. Member for his question. I assume it was not a set-up and I will take it at value because it gives me the opportunity to talk about something I did not have time to talk about in my remarks.

First, let us talk about the Hon. Member's own riding of Kootenay West. What we have experienced there in the past year is that for the first time this country has allowed the sale of a public utility, an electrical power company. Investment Canada, in the dark of night last year, on December 22, at midnight, without any reliance upon documentation or evidence, allowed the sale of the Kootenay West Power and Light Company. We have never done that before. It is symbolic and indicative of exactly what I pointed out, that there is no understanding or comprehension on the part of Conservative Members that Canada must maintain the right to manage its own resources, especially its important energy resources.

Of course, we support the sale of power, natural gas and oil, because under previous administrations that was permitted. However, we always wanted to ensure there were certain tests applied; first, its availability to Canadians, and, second, a fair return to Canadians. That is what we have given away. We have obliterated the right of a national energy board to set any standards whatsoever for the sale of our energy. What we have is the federal United States Regulatory Commission being able to set regulations on its side of the border, which it had retained the right to do under this agreement, but we have given up our right.

I guess that is what a Tory calls a good deal. If we give up something and they keep what they have, I suppose, under the Prime Minister's definition, that is a good deal. Somehow or other, the Prime Minister (Mr. Mulroney) is going to write a new text book which will say: "We give up. We surrender. You keep yours and we all go home happy". That is a kind of perversity of logic, and it is the reason there is such distrust of this agreement. That is why there is such distrust of the Prime Minister. Canadians realize he does not have the capacity to defend effectively Canadian economic interests and that includes our energy resources and our resources, generally.

Mr. Caccia: Mr. Speaker, the Hon. Member for Winnipeg Fort—Garry (Mr. Axworthy) said something interesting, something I have heard for the first time, in a speech that was extremely effective and informative. I heard for the first time the observation that if we as Canadians choose the binational mechanism to resolve a dispute, we would then abdicate our right to choose GATT as a mechanism for resolving that very same dispute. That comes as news to me. I would like to know whether I understood the Hon. Member correctly and, if so, whether he could elaborate on that point.

Mr. Axworthy: Mr. Speaker, the fact is that this has been a part of the deal about which the Government does not talk. Somehow it has forgotten to inform Canadians. I read its little colouring book it is sending around to the supermarkets, somewhere tucked between the *National Enquirer* and *People* magazine, explaining the trade deal. However, what the Government does not say is that we have given up a right we negotiated back in 1946-47 at Bretton Woods, under the GATT, which gives any country the right to request a panel of impartial people, drawn not from the two parties in the dispute, but from outside that dispute. We have surrendered on that point.

What does that mean? In the last 10 years we have taken about nine different cases to the GATT. We have been successful in seven of them. Back in 1972, when the Americans imposed a major duty on East Coast tuna fish, we challenged it in front of a GATT panel. The Americans settled even before the panel reached a decision because they knew they had a bad case. When the Americans challenged us on FIRA,

we took it to GATT and we won there as well. In other words, we had an impartial group, and we know full well that the Americans, or most other countries, take their decisions seriously because once they begin to run with impudence to those decisions, they know the international trade system breaks down. The Americans right now say their number one trade priority is improving the rules of GATT.

We had an opportunity. We saw it most clearly. What an opportunity we had in the softwood lumber case! That was a test case for Canada. The Americans were claiming that by their definition of a subsidy, our stumpage fees and other forms of support programs for our resource industries, were an unfair trade practice. That is a challenge not only to Canada but to every other country around the world which exports commodities.

If we had taken the case to GATT and won, we could have put to rest the American claim that its definition of "subsidy" must predominate. The Americans would have had to force back into their own administration and Congress the fact they had been ruled against. But what did she do, that wonderful Minister for International Trade (Miss Carney), who fights on the beaches against all these trade practices? She decided not to go to GATT. Now we have compounded the problem. It is within the agreement that if one chooses to use the binational panel for review, one forgoes the right to go to GATT. We forgo the right to challenge the law itself, or the premise of the law. So what we have limited ourselves to is a panel that will review someone else's law, someone else's precedence and decisions, and we have given up the right to challenge the very premise and basis of those decisions. That is a definition of a retreat.

The Acting Speaker (Mr. Paproski): I regret but the time for questions and comments is now terminated. Debate.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am very pleased to have this opportunity to participate in the debate on free trade. We all know that this type of debate is going to give rise to a good deal of partisan rhetoric and a good deal of emotion as well. However, I think it is too important a debate to have the type of excesses, the type of rhetoric and the type of distortions we heard from the previous speaker, be it on investment, be it on the effects on the wine industry, on grain transportation, or you name it. Those are excesses which should not be a part of this debate. We should be dealing in facts and in the precise nature of the agreement, and from there, draw the conclusions that will allow Canadians to judge the effectiveness and impact of this agreement on our future as a country.

This agreement is of vital concern to all Canadians. What I want to do in my time is to deal with some of these specifics of the agreement and then draw some conclusions from that.

Let me start, if I can, with the financial sector. This is the area of the agreement with which I have had the most involvement. There are two basic questions. What does the agreement do for our financial sector? And what does it do for Canadians who make use of the services from the financial sector, be they regular customers of the banks and trust companies or investors or Canadian business?

Let us take a look at it. The agreement preserves the access of our banks, our trust companies and insurance companies in the very, very important United States market. It preserves the current status of Canadian institutions in the United States and, in some ways, that is actually better than the treatment of domestic United States banks. It addresses some of the problems that the American laws are beginning to cause for Canadian banks which want to take advantage of the substantial elements of financial reform that we brought in almost a year ago. It ensures that Canadian institutions will benefit from future easing of the restrictive U.S. laws that are in place now, and I want to come back to that point.

• (1600)

It also provides a new source of capital for our banking institutions. It will enliven competition. It can only help the millions of Canadian borrowers and savers. Finally, it affirms the directions that we took. I believe that was supported in a general way by all Members of this House, in terms of financial service reform, something that we commenced last December.

In short, we have achieved an agreement that permits healthy competition, greater access to the United States market, and a more secure position in the most important financial market of the world in the United States. We know that our financial institutions are strong. They have been described by many as being world class. The reform proposals that we put forward last December are intended to bring our Canadian financial sector right into the real world in a very competitive way. We want them to be better prepared for the changing circumstances in the international markets and better equipped to meet competition both at home and abroad.

So let us look at some of the specifics of the free trade agreement as it relates to this sector. You will recall, Mr. Speaker, that our reform of the financial sector allows banks to engage in the securities industry through an affiliate. One of the specifics of the trade agreement is an undertaking by the Americans to amend the regulations of the Glass-Steagall Act which would have caused problems for Canadian banks that are taking advantage of that reform. Right now, Glass-Steagall prevents our banks, as well as American banks, from engaging in the securities business in the United States, whether it is through an affiliate or through a direct operation of its own. As presently interpreted, it would mean that a Canadian securities dealer that is taken over by a Canadian bank would have to reduce its operations sharply. That is not desirable.

[*Translation*]

The Americans have agreed to give particular consideration to the case of Canadian brokers and to broaden the scope of

securities negotiable by Canadian brokers who are affiliated with banks so as to include government securities. This would therefore include securities issued by all administration levels in Canada—federal, provincial and municipal—which amounts to a sizable sales figure.

[*English*]

It is not only only a healthy chunk of their business, it is about 80 per cent or 90 per cent of the business of some of the larger Canadian firms that are doing business in the United States. So the agreement means that Canadian securities dealers which are acquired by Canadian banks will be able to stay in business, and in most parts of its business, in all the United States.

It means that securities subsidiaries of Canadian banks can compete in the United States market in an area in which they have a clear competitive advantage. It will allow Canadian banks to take greater advantage of the increased powers that our regulatory changes of last year will bring about.

There is another important provision relating to Glass-Steagall. We have been guaranteed that any amendments to this Act in the future will apply to Canadian companies, Canadian banks, in the same way as they will apply to United States banks. This is not an idle promise. Glass-Steagall has been around for some 50 years, and there is every expectation and indication that the United States administration, many members of Congress, and certainly many members of the financial sector in the United States, want to see it changed. In fact, Senator Proxmire has started to hold hearings on the liberalization of the Glass-Steagall Act. So this assures us of the benefits of any liberalization that will come about.

Some have said we should have had a complete exemption from Glass-Steagall. I think that anybody who is following with any degree of sensitivity what is going on in the United States Congress will know that that is not realistic. In fact, it could even be described as being naive. But, needless to say, the moves that are in the free trade agreement are welcomed. They will certainly build a stronger future for our industry in that market.

The United States has also agreed to preserve existing Canadian privileges dating from the 1978 International Banking Act. These provisions ensure that Canadian banks operating in the United States can continue to provide services across state lines through their existing United States branch network. American banks, as I am sure you know, Mr. Speaker, cannot do retail banking across state lines. So, together, these provisions preserve our existing access to the United States market. They open up some new opportunities for our banks.

One final observation is this. The health of the Canadian banks, the Canadian financial sector, depends on the health of the Canadian economy. It depends on the health of their clients. I want to read from *The Toronto Star* what the Chairman of the Royal Bank had to say. He said:

> The Royal Bank is convinced that the proposed Canada-U.S. free trade agreement is a good one for Canada and Canadians; and that we could reject it only at grave peril to our future prosperity.

He goes on to state later in the article:

> The Royal Bank services, and is intimately involved with, the fortunes of clients in practically every sector of the Canadian economy.
>
> We realize full well that some of our customers will gain more, and others less from the agreement. In expressing Royal Bank support for the agreement, we have the best interests of all our customers in mind—

There is very good reason for that. It is because if the Royal Bank's customers do well, as Mr. Taylor expects from this agreement, then the Royal Bank will do well.

The second group of provisions works in the interests of our domestic rights and serves Canadian consumers and our domestic financial markets. We have agreed that the U.S. Schedule B banks will no longer be subject to the 16 per cent aggregate ceiling on foreign bank subsidiaries. Our experience has shown, since the Schedule B banks were first permitted in 1980, that Canadian banks can compete quite effectively with United States banks and other foreign banks. As a group, the Schedule B banks have not shown high levels of profitability. But they have been able to increase financial resources available in Canada to Canadians. They have brought new competition and new ideas which have clearly benefited Canadian businesses and individuals.

We have also agreed to exempt United States investors from the rule that prevents Canadian Schedule A banks from being more than 25 per cent owned by foreign interests. In practice, this rule is a redundancy. No investor or group of associated investors can own more than 10 per cent of one of our major banks. These banks are also so widely held that no one, foreign or Canadian, can even come close to controlling them.

Indeed, the agreement we signed with the Americans keeps the needs of our financial industry very much in mind. Since last December 18, when we issued the policy paper on financial institution reform, our policy has been based on the premise that large firms should not be able to acquire other large firms in the financial sector. It is also based on the premise that any financial institution with more than $750 million in capital must be publicly traded. This applies to all financial institutions in the country, whether they are Canadian, American, British, French, German, or any other nationality. In essence, we are distinguishing between two types of financial institutions, big ones and small ones. When one gets to be big two things happen. First, no single interest can buy one out; and, second, one must offer one's shares to the general public.

I would add one more point. The Government of Canada retains the power of review of the activities of all players in the financial sector that we regulate, Canadian and foreign alike. We will continue in the future, as we have in the past, to exercise our judgment about what is right for our financial system. We will continue to review each application for admission on a case-by-case basis to ensure that the best interests of Canada are served.

That brings us to the part of the agreement that relates to investment. Attracting foreign investment has been one of the goals of this Government. As one of the leading newspapers has pointed out recently, this is one of the goals of free trade. It is not one of the costs, as my colleague from Winnipeg—Fort Garry just said. Why do we say that as a Government, Mr. Speaker? Because investment creates jobs. It brings new technology, new production ideas, new management, new trade opportunities, regional development, all of which together lead to a healthier economy and an economy that will produce more job opportunities than would be the case without that investment.

• (1610)

This is one of the fundamental differences between the Progressive Conservative Government and the Liberal and the New Democratic Parties. We view investment as being positive. It is one of the key elements of our economic policy.

One of the first things that we did when we came into office was to improve Canada's chances of attracting foreign investment. We scrapped the Foreign Investment Review Agency and created Investment Canada. We told the world that Canada was open for business once again.

The world has responded. We have seen investment in Canada grow and almost double in portfolio investment, and slightly less than double in direct investment. That has been one of the principal factors that has created those 959,000 jobs that we have seen since September of 1984. That is one of the key results of our changed attitude toward foreign investment.

This free trade agreement continues that same direction. But it does not mean that foreign investors will have unbridled liberty to do whatever they wish to do. We maintain our powers to approve, to veto, or to set conditions on the acquisition by any foreign interests of any of the large companies in Canada. We have left in force the ownership restrictions in those sectors of our economy that define what we are as a nation, notably, energy, air transportation, banking, telecommunications, publishing, broadcasting, cinema, and all the cultural industries that are so important to our future as a country.

What the trade agreement does is to strengthen the policies on investment that we have in place. It has already aroused great interest among investors in Europe and Asia. They now see Canada as a very important base on which they can service the great American market. They see Canada as a stepping-stone into that North American market. The assured access that the free trade agreement gives to Canada will be a significant element in future investment decisions by both Canadian and foreign investors.

The trade deal works both ways, of course. The United States will accord Canadian investors the same rights as their own citizens. It will exempt Canadians from any legislation that puts restrictions on foreign investment. That, in an era in which the Congress is beginning to consider such restrictions, is an important element of stability for the many Canadian enterprises that wish to expand beyond their Canadian base.

There are few areas in which foreign investment is as critical to Canada as is the automotive industry. Surely, the Leader of the New Democratic Party, who represents an auto town, cannot oppose the fact that the American auto industry invests in Canada. Surely he cannot oppose the $2 billion in new investment that General Motors has recently put into his riding in Oshawa, creating jobs and ensuring that Oshawa will be a key participant in the North American auto industry for years to come. In fact, that Party does not oppose it. It has made the Auto Pact an article of faith, the same Auto Pact, I remind Hon. Members, that that Party so violently opposed when it was signed 22 years ago. Now the Auto Pact is living proof of the advantages of two of the elements of our trade agreement with the United States, investment and free trade. The question is, how can an article of faith in one industry be a threat and a sell-out in all of the rest?

The auto industry as a whole accounts for approximately one-half of Ontario's exports. It is taken very well care of by the Auto Pact. But what about the other half? Does it not deserve the same type of treatment, the same type of access to its closest and biggest market, and the same type of protection from the rampages and vicissitudes of United States protectionism?

When the NDP talks about sell-out, what in the name of sanity is it talking about anyhow? There has been no sell-out anywhere, certainly not in the Auto Pact. Let us not forget that our chief negotiator, Simon Reisman, is the same chief negotiator who negotiated the Auto Pact to the best interests of Canada some 22 years ago.

Since then our auto trade has been strengthened. It is strengthened further by this free trade agreement, not weakened. All the Auto Pact safeguards for the Canadian industry remain intact. We retained for the North American producers the right to import products duty free from third countries, and will do this only if they keep their one-to-one assembly to sales ratio.

The Auto Pact is subject to review and cancellation. By wrapping the free trade agreement around the Auto Pact we have preserved the Auto Pact. Indeed, the agreement will expand free trade to include new sectors of the industry, replacement parts and tires. Now, if this is a sell-out, why is it that American auto parts makers who sell to the Big Three are protesting that the agreement will send even more of their business to Canada?

In addition, the free trade agreement opens up the North American market to our auto parts manufacturers. This will lead to increasing business for them. Why do I feel confident of that, Mr. Speaker? Because the performance of this industry supports that fact.

Let us look at what has happened over the last four years. The percentage share of North American parts markets by the

Canadian auto parts manufacturers has gone from 7 per cent to 9 per cent. Their employment has gone from 41,000 to 63,000, up by approximately 50 per cent, while the United States has gone from 325,000 to 378,000, up by approximately 15 per cent. Total shipments by Canadian parts manufacturers has gone from $5.6 billion to $12.9 billion, again from 1982 to 1986. That is why we have confidence that this industry will be able to reap tremendous advantages from the free trade agreement.

[*Translation*]

Allow me to deal briefly with another facet of the free trade agreement, trade in services. There can be no doubt that services make up that sector of our economy which is the largest and fastest growing. Two-thirds of all Canadians are now working in the service sector, and that is where most of our future employment opportunities lie.

[*English*]

They are vital industries to Canada, and they are strong industries. They are one of the industries that we have been intent in getting on the table in the GATT round. They are an industry in which both we and the Americans have a vital stake in seeing traded freely throughout the world. We set the example by opening them up with this trade agreement in North America.

This brings us many advantages, not the least of which is easier access to some of the advance technology that our industries need. I wish to discuss one such advantage, which is a very interesting one. It deals with the provisions that cover the movement of Canadians across the border for business reasons. No longer will Canadian sales and service people be stopped at the border when they are on their way to sell new wares or service existing contracts. They will no longer have to prove that no American can do the job.

Let me move to one element of the trade agreement that bothers me in the manner that the debate has developed in the last couple of weeks. That relates to our sovereignty. The free trade agreement will do many things. But one thing it will not do is to result in any loss of our sovereignty, either political or cultural.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): As the Leader of the New Democratic Party has stated, it will not end up in the United States absorbing Canada in 25 years' time.

Let us look at the last trade debate. In 1911, Canada was only 44 years old, and searching for its identity. The United Kingdom still regarded us as a colony and not as a country. But look at what has changed in 1987. Our situation has become entirely different. We have developed as a strong country and as a world leader. We are the seventh largest industrialized country in the world. We have forged our identity over 120 years. We have distinguished ourselves in two world wars. Many Canadians died fighting for their freedom, and were known around the world as being one of the key protectors of freedom in those two world wars.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): We have a very mature economy that is specialized and at the same time quite diversified. We are able to compete with the best. We have very mature social programs in health, a pension plan, unemployment insurance, workers' compensation, just to mention four. We have our Constitution, our culture, whether it is ballet, art, or opera. We have our sports figures who are well known around the world. We have had Expo 67 and Expo 86. We have organized two Olympic Games. Why is it that opposition Members have doubts about our sovereignty or identity? Do they think that the United States will or can take this away from us? Do they not have any pride or confidence in our strength as a country?

• (1620)

Much of the development we have seen over the past 50 years has happened as we have developed closer and closer ties with the United States and away from the United Kingdom. We have been able to do this because during the whole period of time we have had a strong economy.

We have been leaders in the world in NATO, NORAD, GATT, IMF, and OECD. We are members of the G-7. We have been a leading member of the United Nations since its start. We are one of the two leading countries in the Commonwealth and the Francophonie.

We have participated in these organizations as a strong sovereign nation. We have done so, in the best interests of a more secure Canada. As we have done so we have earned greater respect from the nations of the world, and we have become more influential as a leading player in the international scene. The case is very clear to me. The free trade agreement is good for us economically. With confidence in ourselves, our abilities, and our achievements we can face the future with the conviction that the agreement can help us grow as a country and mature as an independent sovereign nation.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mr. Paproski): Before recognizing Hon. Members on questions and comments, the Hon. Minister of State (Mr. Lewis) has a point of order.

* * *

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, there have been discussions among the Parties, and I just wish to put on record that tomorrow will be an allotted day.

Supply

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S. O. 82—CANADA-UNITED STATES TRADE AGREEMENT

The House resumed consideration of the motion of Mr. Turner (Vancouver Quadra):

That this House condemns the Government for its inept negotiations of a trade agreement with the United States that undermines Canadian sovereignty and requires excessive and unacceptable concessions by Canada but gains virtually nothing in return, that still fails to provide protection for Canadian industries from restrictive United States trade laws and that caves in to all United States demands in key sectors, especially agriculture, energy, automobiles, financial services and investment while threatening hundreds of thousands of Canadian jobs without the Canadian Government's providing any adjustment assistance for Canadian workers.

And the amendment of Mr. Broadbent (p. 10365).

The Acting Speaker (Mr. Paproski): On questions or comments, the Hon. Member for Essex—Windsor (Mr. Langdon).

Mr. Langdon: Mr. Speaker, I was particularly struck with the strident and, I must say, quite sincere sounding statements of the Minister of Finance (Mr. Wilson) in his appeal to confidence and in his appeal to the sense of moving ahead which the country has experienced in recent years. Of course it is not a sense of confidence which is limited to those who want to tie us more closely to the United States as the answer to our economic problems. It is equally strongly and, perhaps one might say, more strongly felt by those who feel that they would wish the country to do its own directing of its own future.

However, I want to ask specifically whether this lack of confidence, which is supposed to characterize those who oppose free trade, was also what lay behind the statements of the Prime Minister (Mr. Mulroney) on June 2, 1983, of course before he was Prime Minister. He said that "opening the floodgates to trade with the United States would endanger Canada's economic and political sovereignty". He went on to say:

I favour making a top priority of re-establishing an excellent and productive relationship with the U.S. That does not, however, include free trade.

I would like to point out as well, quoting again from the same article, that the Secretary of State for External Affairs (Mr. Clark) made precisely the same point by indicating that he adamantly opposed free trade. He said that freer trade would be very dangerous for the economy because it would hit the industrial heartland of Ontario. "If we create havoc here", he went on to say, "we are going to be paying for it across the country".

How is it that it is possible for Conservatives to express those sentiments out of power and presumably to have confidence in the country, yet when opponents of the trade deal express sentiments of the same character, echoing precisely the same kinds of concerns and commitments to Canada's independence, that is somehow an indication of lack of confidence in the country?

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I think we have an example again of the NDP living in the past. We have to look at what is going on in the world today and to set our paths and policies in relation to what is happening in the world today.

It is very clear—and I am sure the Hon. Member for Essex—Windsor (Mr. Langdon) would be the first to agree with me—that the protectionist pressures in Washington are enormous and far different from what they were back in 1983 or before.

During the same period of time we have also seen some major achievements by the Canadian economy which tell me that we can look with confidence at our ability to compete. At that time in 1983—and the NDP will be able to check the record—Canada was right at the end in most of the records of performance of Group of Seven countries. Since then we have proven ourselves to be number one in growth, number one in employment creation, and number one in productivity improvement.

That combination of factors gives me confidence that we can move ahead and take comfort or draw strength from the achievements we have been able to put behind us during the course of the past few years. We can look forward and see much more opportunity, much more growth, and a much higher standard of living for our people by entering into the agreement.

[*Translation*]

Mr. Guilbault (Drummond): Mr. Speaker, I should like to ask the Minister of Finance what will be the consequences of the free trade agreement with respect to sale prices, and will this benefit Canadian consumers?

[*English*]

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I think this question is sometimes put aside when we look at the more precise implications of a free trade agreement.

The one person right across the country who benefits from free trade is the consumer. The consumer will get lower prices. The consumer will get a broader variety of products.

Mr. Lapierre: If he has a job.

Mr. Wilson (Etobicoke Centre): I hear the Hon. Member opposite. Any of the economic studies which have any relevance to this debate will show that there will be more jobs created as a result of a free trade agreement than without a free trade agreement. There is no reason to expect that there would not be jobs for consumers. If the Hon. Member wants to discuss that with the Premier of the Province of Quebec, a Liberal who shares the same Party background, I think he will find that the views I have expressed are shared by that

Premier. The real winner in a free trade agreement will be the consumer.

Mr. Stackhouse: Mr. Speaker, I commend the Minister of Finance (Mr. Wilson) for the very positive presentation he made, particularly in respect of the impact of free trade on financial services.

Just this past weekend I was told by a commercial realtor in Metro Toronto that one of our chartered banks is now negotiating for the rental of 75,000 square feet of space in New York City in anticipation of business growth in that area. The head of an insurance company told me within the past 10 days that he is awaiting a chance for access into the United States market. What the Minister has told the House is certainly corroborated and supported by representatives of the business community.

• (1630)

I want to put a question to the Minister. Such predictions as those I have cited have been based on the assumption that business would continue to prosper on both sides of the border. Since then, there has been a record stock market collapse and many alarms about the possibility of a recession. What impact does the Minister see the prospect for free trade having on business in light of the recent changes and upheavals in the investment industry?

Mr. Wilson (Etobicoke Centre): Mr. Speaker, this is a very pertinent question at a time like this. One of the lessons we have learned from the past is that when we have seen substantial declines in stock markets, there has been a tendency for Governments to pull in their horns, to seek protectionist solutions. I think the timing of this agreement is particularly important to Canada in light of what we have seen in the equity markets over the past week and a bit.

If we are able to find approval for this agreement within Canada and the United States, then North America might be able to avoid the problems that entered into the economy in the 1930s when there was a tremendous increase in protectionist pressures, which aggravated the difficulties caused by the recession. In fact, that protectionism came at a time when it reinforced the natural forces of contraction that were developing within the economy.

I think it is very important for Canada, in looking ahead, to approve this agreement and get on with developing access to the United States market. We should allow ourselves the opportunity to avoid the problems of the past and some of the effects caused by the stock market which we have seen in the past by moving ahead with confidence today.

The Acting Speaker (Mr. Paproski): I will allow a short supplementary question.

Mr. Langdon: Mr. Speaker, I have a very short question since the Minister has referred to these various studies. The Minister has a reputation for honesty and I want to put this question to him very directly.

I am certain that the Minister has read the Economic Council's study very carefully or he has had staff briefings on it, and I would like him to tell the House quite clearly that assumptions made within that Economic Council study are contrary to the facts of the trade agreement with the United States, particularly with respect to services. The Economic Council assumed that services would not be included, but they are included in this agreement. One could go on to mention three or four other major assumptions which the Economic Council made which are not part of this agreement. I would like the Minister to indicate that fact to the House.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I think any of the studies that have been done to date were not able to take into account the complete range of items included in the agreement itself. I would expect, though, that some of these organizations, whether they be the Economic Council or private organizations, will be revisiting the work they have done. I would expect that we will see, sometime in the fairly near future, new, updated studies based on the facts of the agreement as they came out in the final negotiations.

Having said that, I think we will see that there will still be a positive impact on job creation in Canada after the free trade agreement as compared to what it would be without the free trade agreement.

Let me make two comments that I think are important. One is that no economic model can calculate what the *status quo* would have been. I indicated in my remarks, and I think we all would agree, that the *status quo* would have involved a good deal more protectionism than is the case today, and that is clearly prevalent in the attitudes expressed daily in congressional debates.

The second point I would make is that no economic model is able to measure the so-called animal instincts to which Lord Keynes referred in his great work. The animal instincts, the investment attentions and confidence, the things that come from a greater degree of investment and consumer confidence, are very, very important elements in the future growth of an economy. We saw that very clearly, as I recalled in this House on a number of occasions, in 1984 and 1985.

When we came into office, there was not the sense of direction in the economic policies of the Government that we were able to introduce in the November 8 agenda paper and subsequent Budgets. As that confidence developed, as people saw that we did mean business, there was an increase in investment and an increase in consumer confidence. The Hon. Member's Leader said we would lose somewhere between 100,000 and 200,000 jobs, and that was the general assessment of Members on the other side of the House. In fact, as Hon. Members know, we have created 959,000 jobs during that period of time.

I say "we" meaning Canadians, because Governments did not do it themselves. Governments provided the framework, the encouragement and the motivation for the private sector to get free from some of the shackles that existed before and get on with the job of creating opportunities in Canada. That is what brings about economic growth. It is a fundamental difference, I understand, between the Government and the opposition Parties on the other side of the House, but it has been proven time and time again in the last three years that the route we have taken works. This free trade agreement is a continuation and a reinforcement of those policies that have been so successful.

[*Translation*]

Hon. Jean Lapierre (Shefford): Mr. Speaker, I am pleased to take part in—

[*English*]

Mr. Langdon: Mr. Speaker, I think if you would check the roster, you would see that it was the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) who spoke before the Minister, and I had assumed—

The Acting Speaker (Mr. Paproski): Yes, I noticed that, but there will still be time to recognize the Hon. Member for Essex—Windsor (Mr. Langdon), and I believe the Hon. Member for Shefford (Mr. Lapierre) will have the floor.

[*Translation*]

Mr. Lapierre: Mr. Speaker, I am pleased to take part in this important debate on Canada's future and to see that once again today the House of Commons is interested in the whole question of free trade. Earlier today I heard the Minister for International Trade say that the Opposition is seeking to go back to the situation of 20 years ago. To refresh her memory about our history I would point out to her that this debate on the possibility of forging closer links with the United States has been going on in Canada since 1878, ever since the reciprocity era. And, every generation or so, Canadians ask themselves this question. Historically, on each occasion since 1878, in 1891, in 1911, in 1947-48, each time, after considering the option to get closer to the United States, to become a new State, the Canadian people rejected it. On each occasion, the sense of being Canadians prevailed over the economic theory pursued by some people and in particular by the wealthy elements in our society.

We are now discussing that issue because of a Government initiative and, Mr. Speaker, it is very strange when you read again the statements made in June 1983 by the present Prime Minister (Mr. Mulroney). He said about free trade:

• (1640)

[*English*]

It affects Canadian sovereignty and we will have none of it.

[*Translation*]

The same Prime Minister is now struggling to promote a trade agreement with the American administration which was signed in a rush, behind curtains, five minutes before midnight, which he signed on his knees; and Parliament, without any mandate from the population, is now debating a fundamental issue for our future as a country.

I suggest, Mr. Speaker, that this debate is illegitimate since it doesn't have public support. It is not good enough for the Government to make such a commitment and to make such basic changes in our society without consulting the people who will be affected. During the last election campaign, none of the Conservative Members in this House has ever spoken about free trade. It was never on their agenda. And now, led by some interests of God knows where, they decided . . .

Mrs. Bourgault: The Canadians' interests—

Mr. Lapierre: If the Hon. Member opposite could wait her turn—they tried to give Canadians the short end of the stick.

Mr. Speaker, we will fight against that agreement to make sure it will never be implemented. We will make sure that a Government who has betrayed the confidence of the canadian public—and this is what I call the tyrany of the majority—who is presently trying to push through a measure that will have tremendous consequences on our future as a country—

Mr. Speaker, we are told about the protectionist trends in the United States and this agreement has been presented to us as the answer to all our problems. However, if you look at the last statistics, we have a trade surplus with the United States and it is on the rise. At the present time, Canada has, each year, a trade surplus of almost $20 billion. If you believe that the Americans sat at the negotiation table to maintain or increase that trade surplus, you must be dreaming.

I think that Government Members, who should take advantage of the positive trade balance of Canada, have opened the door to harmonizing our trade, which means dealing on an equal basis, and under such circumstances our trade surplus would not last very long.

Mr. Speaker, we saw how this agreement was negotiated. It was negotiated secretly and there was a series of denials and refutations. From time to time, the Government has leaked some information which often was contradictory. Mr. Speaker, Canadians have a right to be fully informed of what happened around that table. They have a right of access to the studies on the impact of free trade. Presently, the Government is trying to make us bite the bullet without putting all the facts on the table.

Mr. Speaker, the Government is acting cowardly and insiduously to keep the public in the dark in order to favor a few people. Look at the main proponents of this agreement. Have you seen small businessowners among them? Do they include ordinary people? Until now, only presidents of large multinationals have applauded this deal. No one else has done

it. Look at the president of Alcan. I am not at all worried for him. He was able to arrange some cozy deals for himself. The Prime Minister and his Ministers were not embarrassed at all to rise and tell us that the Bill on pharmaceutical products had nothing to do with free trade.

A few days later, however, we discovered the document initialed by the Minister of Finance (Mr. Wilson) and the Minister for International Trade (Miss Carney) which included a paragraph on that very issue. Naturally, they did not remember what they had signed. It has been lies from the beginning.

Canadians are therefore entitled to ask certain questions. They are entitled to wonder whether their future is being compromised by a gang of amateurs, and I fear that is the case, Mr. Speaker.

As for the Americans, they have looked at all this, and from their reaction, they seem to think that they are the big winners in this deal. They are saying: "We have fooled them. In any case, the Canadien Government was determined to succeed and we had them where we wanted." They certainly had, and they obtained everything that they wanted.

The Prime Minister told us that there were two essential conditions, guaranteed access and a binding settlement mechanism. At our very great surprise and disappointment, in spite of all these nice speeches, at this very moment, all the American protectionist measures still apply to Canadian products. The protection measures provided in Section 201 of the 1974 Trade Act still apply. The anti-dumping measures still apply. The compensatory rates provided in the 1930 Tariff Act still apply. The trade reprisals still apply. We were supposed to have a special status. We had been told not to worry, that there would no longer be any problem with a free trade agreement. All the problems are still there. As recently as today, another Bill was tabled in the American Congress, this time to restrict electricity imports. I am certain that this must also be in the spirit of free trade. What is even worse, the famous tribunal will not be a real tribunal. Its only power will be to interpret the application of American and Canadian laws, but not to judge whether they are appropriate or not. The situation will remain exactly as before.

At the very moment I am speaking . . . Often did I ask questions on behalf of wood producers in my riding who were concerned about the 15 per cent tax on softwood lumber, and I was told: Wait until the free trade agreement comes out. But they had no reason to wait, for the 15 per cent tax is now a permanent feature of the free trade accord. And they call this solving the problem.

As for hog producers, they were told to wait for the free trade agreement. The accord has now been signed, but the $10 a head surtax still applies. What have you settled?

An Hon. Member: Tell him about the footwear industry. We will get out clothes from Taiwan.

Mr. Lapierre: Mr. Speaker, she is yelling that apple producers do agree. For sure she is raving, since we export hardly any.

Mr. Speaker, I can tell you one thing. This panel will change nothing in the daily application of the American protectionnist legislation. Economists like Marie-Josée Drouin, from the C.D. Howe Institute, say that this panel is actually nothing at all. People realize everywhere that setting-up the binational panel is really creating serious problems for us.

Now, Mr. Speaker, let us have a look at some of our industries. Let us consider the case of farmers. Last week-end, I visited the Agricultural Fair where I had an opportunity to meet a UPA delegation, and the Leader of the Opposition (Mr. Turner) had a long conversation with them and was made aware of their concerns, Mr. Speaker. We could easily understand their situation. People of Portneuf, can you imagine, instead of relying on the instinct and experience of farmers, the Hon. Member for Portneuf (Mr. Ferland) would rather trust a Montreal newspaperman who probably has never milked a cow in his whole life.

Mr. Speaker, I have a lot more confidence in the common sense of our farmers who can see the dangers involved. I have more confidence in Quebec producers who say they stand to lose a large share of the poultry market. When Quebec producers tell me dairy farmers will be at risk, I have a lot more confidence in them than in a bunch of Conservative ninnies. I have a lot more confidence in the membership of Agropur, Mr. Speaker, when they explain that their survival depends on being able to produce yogurt and processed cheese, than in that bunch of ignoramuses. They would have us depend on U.S. producers—for shame!

• (1650)

Mr. Speaker, I think the Conservative Members who represent rural ridings are pathetic. They should listen to their farmers. Those people in the UPA, Mr. Speaker are defending their own interests, but their interests happen to be our market basket. When a country ends up depending on another country for all its food—I don't want Canada to be another Lesotho, surrounded by South Africa. Mr. Speaker, they tell us: Don't worry, the farmers will be able to compete. Mr. Speaker, have you ever seen people with a three-month growing season for market gardening able to compete with U.S. producers in the South and Southwest who produce crops twelve months of the year? Mr. Speaker, it does not take a Grade 12 certificate to know that we have a cold climate here in Canada, and that we cannot compete because of what the energy costs would be in certain sectors. Mr. Speaker, it costs more to raise pigs in Canada. After all, we have to heat during winter. The way the Canadian Government is treating Canadian producers, however, they are starting to think what they are going to do with all those pig and chicken farms. Mr. Speaker, there won't be any left in the long run. I hope Conservative Members will wake up before it is too late. Mr. Speaker, look at the headlines in *Le Devoir*: Free trade may mean end of agricultural

industry. It's true. The wine industry in Ontario and British Columbia was sold down the river because the U.S. president had a preference for California wines. And that while 20,000 people earn a decent living in the wine industry! I fail to understand how the Government can sacrifice an entire industry just to do the U.S. president a favour. That shows the kind of negotiators we have.

And what about industrial jobs? Some Quebec Members here who blindly support their Leader will go down to defeat with him. But the fact is that in Quebec, according to studies conducted by the Department of Industry, Trade and Commerce, in the clothing, footwear and furniture industries, 50,000 jobs are threatened, and 30,000 more in the mechanical manufacturing industry.

Mr. Speaker, in Quebec only, in the printing and publishing industry, 22,000 jobs are threatened. In data processing, 17,000; in the jewelry, rubber and plastic goods industries, 13,000; in electrical manufacturing, 17,000; in metal products manufacturing, 37,500. Those studies were conducted by experts from the Quebec Department of Industry, Trade and Commerce. When I heard the Minister of Employment and Immigration suggest that up to 500,000 jobs were threatened, I can believe him because here only we have 350,000 to 400,000. Therefore, I cannot accept that no one in this Government has ever thought of having transitional measures.

Instead of helping people adjust, you did the exact opposite. You have the textile industry. For several years we have had great respect for older people leaving the textile, clothing and footwear industries. We wanted, for instance, to protect this 54-year old lady working as a seamstress on a overlock, twin-needle machine. That lady had often been suffering from arthritis because she had been working in basements, and was entitled to early retirement with a decent standard of living. Hard-nosed Conservatives cut that program but they had nothing with which to replace it. You should have your heads in shame. They said: Do not worry, we will have programs for that! You had the beginnings of programs but you cut them off. Therefore, I cannot trust that you will care for the most needy in our society. We know where the Prime Minister's priorities are. To this day, whom did he meet for a briefing on his free trade agreement? He went to Toronto to meet a group of fat cats. Then he told himself: That might be good for fund-raising!

So he went to Halifax and met the 500 Club. He did not discuss this with ordinary people. On the contrary, he has gone into hiding. This coming Saturday he might travel through his own riding and send out feelers, he would find out that his free trade story is not a magic potion by any means. He would realize that people have reasons to be concerned. I urge you to get out of Ottawa. I hope we will have a short parliamentary recess, that would enable you to meet ordinary people, to get away from your brainwashing caucus which has you convinced this is a good deal. It is good only for the big people. I happen to know they make up your traditional clientele but, let us face facts, the interests of Canada do come before those of the Conservative Party.

Mr. Speaker, I could elaborate on the energy sector. The food issue has been raised, so now let us talk about heating. For 30 years the Americans have been dreaming about getting ready access to our natural resources and now, thanks to this Government and this Prime Minister, their dreams have become reality. History tells us that Canada used to be the world's wheat basket, now we have become the American's reservoir. Even in times of crises they will feel free to siphon off our resources at any time. You should hang your heads in shame. Imagine, Mr. Speaker, these are our very own resources. But henceforth, as my leader said yesterday, what is theirs is theirs, and what is ours is theirs as well. Yet we are talking about a basic issue. We all know an energy crisis can break out from one moment to the next. We are fully aware of the very explosive situation in the Middle East, and if Canadians have to line up at service stations in times of crises, oil will flow down huge pipelines directly to the United States.

Mr. Speaker, we are not contemplating our nationalistic navel, we are simply talking plain common sense. I understand that this Government is very sensitive to foreign interests, so much so that it grovels before them. However, this is unreasonable. We shall know the whole details within a few weeks, because we have only had a preview until now and it has left a bitter taste. When we have the 2,000 page document promised by the Minister of Regional Industrial Expansion, we shall examine it carefully. I believe that Canadians will then realize that the Americans are really the winners in this deal.

Mr. Speaker, I had many other things to say. I believe that this debate will go on for a long time. One thing is certain; this will probably be the most important decision ever made as far as the future of Canadians is concerned. It will probably be the most important decision as far as the future of our children and our culture is concerned. I do not especially want my children to become like the Louisiana Cajuns.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I find it very strange to listen to the Hon. Member for Shefford (Mr. Lapierre) and to the other members of the opposition. I listened to the Leader of the Liberal Party and to the NDP Members. If I may refer to my own Bonaventure—Îles-de-la-Madeleine riding, I would like to say that my constituents supported with the previous Liberal Government for 25 years. The Liberals kept pushing the famous Canada Works Program to create jobs. I would like to remind the Hon. Member for Shefford who has just spoken and who was born, I believe, in our region, that the Canada Works Program put people to work for ten weeks at cutting branches and that this did nothing to help our development. All that changed in 1984. The Prime Minister said: You can get $1.25 for every dollar spent in this country by the federal Government, whether in Quebec, in the Magdelen Islands, in Newfoundland or in British Columbia.

That is good, Mr. Speaker. It is good because we do not give money for nothing, to private enterprise or anybody else. But speaking about free trade, I must absolutely get back to it, Mr. Speaker.

• (1700)

[*English*]

Mr. Speaker, let me quote from *Hansard* on February 24, 1972. The Leader of the Opposition, who was Minister of Finance at the time, was addressing the issue of trade with the United States. He said:

> The division of the world into large trading blocs, to which I referred a few moments ago, presents particular dangers to Canada as a major trading nation and one of the few industrialized countries without free access to a market of 100 million people or more.

Of course, we are talking about a population in Canada of 25 million. He went on to say:

> We in this country must now use what influence we can bring to bear to press for a resumption of the postwar movement toward greater liberalization of international trade. The dangerous alternative would be a move backward toward greater protectionism.

There are more than 200 protectionist Bills in the United States which are a serious threat to our economy.

The Acting Speaker (Mr. Paproski): I hope the Hon. Member will put a question, or we will have to carry on because we do not have that much time. Does the Hon. Member have a question?

[*Translation*]

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Fine, Mr. Speaker, given the opportunity, I could have spent more time on that subject.

Mr. Speaker, the only point I want to make in thirty seconds before asking my question is that for men and women of Canada, of Quebec, and even more so for us in Bonaventure—Îles-de-la-Madeleine and other eastern Quebec ridings, it was difficult because we saw development more as a matter of politics than an economic issue. We have changed all that since 1984.

Here is the question I wanted to ask: During the twenty-five years the former government was in office, for us, for our development, Mr. Speaker, I am not denying it, I did the same thing with the people of my riding, with my partisans, and I said the same thing: Give me a chance. And in three years, I put more money in my riding than it ever received before—and we cut—

The question I wish to put to the Hon. Member for Shefford (Mr. Lapierre) is the following. He said—let him answer the question . . . If during twenty-five years those people in his Party did not do anything and gave money to their friends while forgetting about regional development . . . Let him answer, if he wants to return to office, let him say how he will change their policy, because you can be sure that next time the Progressive Conservative Party—

Mr. Lapierre: Mr. Speaker, I suppose the Hon. Member was speaking for his own Party. He is a bit confused about Canada Works and U.S. Works. I imagine he wanted to do some comparisons.

What I wanted to say to the Hon. Member for Bonaventure—Îles-de-la-Madeleine (Mr. Gray) is that free trade is much more than Canada Works or basement renovations. I can tell him that for people like my parents, who live in the Magdalen Islands and fortunately did not vote for him, it is important to be from the Magdalen Islands or from the Gaspe Peninsula or from Bonaventure, but they don't want to be Americans. They believe in the value of the Canadian challenge, and traditionally, despite hardship, although the Hon. Member did not succeed in getting funds for his area under the Eastern Plan, although he did not look after his area, these people have the will to be Canadians, and values—

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): —I rise on a point of order—

Mr. Lapierre: —I think the Hon. Member is rising on a point of order—

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member for Bonaventure—Îles-de-la-Madeleine, on a very short point of order.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, it will be very short. The point I tried to make is that on Îles-de-la-Madeleine in the Gaspé we had 25 years of Liberal Government. We could not do it. The point that should be made now about what the Hon. Member for Shefford (Mr. Lapierre) said, is that the people must have value for the dollar.

The Acting Speaker (Mr. Paproski): It is a good point of debate.

[*Translation*]

Mr. Lapierre: I should like to conclude my reply, Mr. Speaker. I am afraid the Hon. Member does not know anything about free trade. I also think he is mistaking oranges for tomatoes. The fact is that a Liberal policy is a two-prong policy: developing markets abroad and developing domestic markets within a global formula. We strongly believe in GATT's international machinery, while developing a domestic policy which would enable Canada to meet the challenges of international competition. That is exactly the commitment my leader made a few weeks ago before a group in Toronto.

Mr. Speaker, what the Hon. Member should understand is that, strictly speaking, and far from solving any problem in the Magdalen Islands, the proposed free trade accord will jeopardize several programs made available to the people of these islands, whether they are the regional economic development assistance programs . . . the Prime Minister himself admitted that the unemployment insurance and social benefit

programs have been jeopardized. In a way, it is the wringer process: once the tip of the hand is caught in it, the shoulder is often pulled in.

The Acting Speaker (Mr. Paproski): The time for questions and comments has expired. Debate. The Hon. Minister of Regional Industrial Expansion and Minister of State responsible for Science and Technology (Mr. de Cotret) has the floor.

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State (Science and Technology)): Mr. Speaker, I would like to take a few minutes to follow up on my Hon. colleague's comments.

Mr. Speaker, the free-trade agreement is the outcome of a collective effort which pooled the energies of ten, hundreds, and thousands of Canadian men and women who were determined to see the fulfilment of the promises made by the Right Hon. Prime Minister (Mr. Mulroney), which promises are endorsed by all Cabinet members and all members of his Party.

Since we came to Ottawa, Mr. Speaker, we have been adressing a long term job based on the implementation of two basic goals, national reconciliation and economic renewal.

And now, Mr. Speaker, we have something tangible because the Government's direction is based on concret achievements that are bound to bring a fundamental change in the whole political and economic history of Canada.

As far as national reconciliation is concerned, the previous Government proved to be unable to come up with even the shadow of a proposal that would be satisfactory to all partners. It took this Government's own tenacity and flexibility to arrive at a new constitutional accord finally being signed, whereby the pointless confrontation of the last decades gave way to a climate conducive to dialogue and open co-operation between the central Government and the provinces.

As I said, Mr. Speaker, the Meech Lake Accord is something solid, something real that is taking us light years away from the noisy rhetoeric and far fetched policies of the Liberals, whose arrogance and carelessness led the country to the brink of breaking up.

Turning to economic renewal, that cannot be separated from the free-trade agreement. To us, freer trade is the key to Canada's continued economic, social and cultural development. The free-trade agreement will in no way hinder the economic reforms this Government is in the process of implementing. To the contrary, this progressive opening-up of the American market will increase our ability to carry on our regional development policies.

Mr. Speaker, the agreement does not force upon the Government new restrictions as to the grants it is extending to whatever type of industry.

I would like to dispel any doubts in this regard. It is very clear and obvious. We will continue to develop programs that really take regional characteristics into consideration but, from now on, we will have at our disposal more powerful tools to support the development of traditionally disadvantaged regions.

• (1710)

There will be no change either, Mr. Speaker, in the operations of subsidized businesses exporting to the United States. The free trade Agreement does not protect those businesses from countervail measures that the United States might take against them. But both countries can now rely on the action of an organization, a dispute settlement committee, precisely when anti-dumping duties and countervail duties are imposed. If a dispute occurs and the committe concludes that the laws have been incorrectly or unfairly applied, that new organisation will be able to correct the situation because its decisions will be binding. This is a protection mechanism which Canada did not enjoy until now and which will put our country on an equal footing with the United States.

Mr. Speaker, the Government will continue to take action to promote regional development, in particular in the areas of resource management, research, scientific development and policies regarding transportation, education, training, small business development and energy.

The new decentralization approach will not be questioned by the free trade Agreement. Some support or subsidy programs will obviously have to be amended within the next five years. Those adjustments would have been required anyway because of our desire to increase the efficiency of our regional development programs. An economic agreement with the Americans does not change anything in that respect. With the free trade Agreement, we are given a legal framework that will be much less arbitrary if countervailing actions were requested by the United States.

Mr. Speaker, I have summarized the expected impact of the Canada-United States trade Agreement on regional development. Why should we worry and moan when the free trade Agreement increases our opportunities to interact and negotiate with the United States?

My colleagues from the opposition do not sufficiently trust their conciliation capacities. But the old fears the Liberals and the New Democrats seem to be entertaining are not really important. The main thing is that we have been elected with the strongest majority in Canadian history and that, as such, it will rest with us to ensure that our trade agreement with the Americans will open a new era of prosperity for all Canadians.

Mr. Speaker, I find this very comforting. I think that, by rejecting the free trade Agreement, the opposition shows its total ignorance of history, its disregard for the lessons of the past and for the economic environment. The opponents of the free trade Agreement do they not realize that, outside of our borders, there is a global economy based on technology, on the free circulation of information and capital, a world which, until now, was excluding Canada from the three major trade

blocks made of Japan, the European Common Market and the United States? On last October 3rd, Canada was the only industrialized country with no access to a market of 250 million people.

We know that Canada will never be absorbed by any other country as long as Canadians want to live in a country of their own. We know also that Canada, thanks to freer trade after World War II, grew as a stronger and more independent country than ever before. There is no reason why the gradual and wise implementation of a trade deal with the United States would not be the catalyst we so desperately need to reach greater heights.

Free trade will in no way destroy the common values shared by all Canadian men and women. We took great care to exclude from the accord all factors that could affect our cultural industries, social programs and other elements considered essential to our national identity. I sincerely believe that we should not think only in terms of immediate costs and benefits and look for mere band-aid solutions to present irritants. That way of thinking has been inflicted on us only too often by previous Liberal administrations.

Mr. Speaker, I have stated a few times that this Agreement does not only recognize our economic interplay but further reflects our social and political differences. So, logically, there is something in it for every region of this country. As a minister and a member of Parliament representing a Quebec constituency, I have naturally taken a special interest in the benefits that that province will be able to derive from our deal with the United States. I can tell you right away that Quebec is one of the regions that will benefit most from the free trade Agreement.

In fact, lower tariffs will favor the processing of Canadian resources to be exported, thus creating jobs and new investments in Canada. These lower tariffs will correct a situation that has been lasting for generations and that, as a ball and chain, always slowed down the economic growth of Quebec.

Finally, all serious economist foresee a drop in consumer prices and in manufacturing costs to our industries. After complete implementation of the free trade Agreement, we expect the purchasing power of consumers, including those from Quebec, of course, will increase by 3 to 12 percent as a result of increased competition on most markets. In clear terms, this means that thousands of Canadian and Quebec families will be able to acquire more goods with their money and to have a more decent life, above poverty level.

As for Quebec itself, Mr. Speaker, the energy Agreement removes for good the threat of American embargos affecting Hydro Quebec exports. As you know, Mr. Speaker, Quebec's économic future depends largely on the development of new hydraulic resources and on the sale of hydro power to potential customers, and the New England states are the most directly concerned. The energy agreement will greatly facilitate our negotiations with states interested in securing our surplus hydro-electric power. Here again, there is great potential for employment creation in the near, medium and long term.

As promised, the Agreement does not interfere with marketing boards for agricultural products, eggs and poultry. Canada retains the right to decide what kinds of agricultural marketing programs are appropriate. This should help to reassure certain agricultural organizations in Quebec which, in our view, have been too quick to react to the intentional scare tactics of my Liberal and NDP colleagues. This type of useless rhetoric will do no good for Quebec agriculture. Certain provisions of the Agreement will, however. For example, potato growers and hog and cattle feeders who export to the United States will benefit from an absence of tariffs and a much stronger guarantee of access to the American market.

There will be a mutual exemption from legislative restrictions applying to meat imports in both countries. We should keep in mind that tariffs on fruit and vegetables will be phased out over a ten-year period. This will give Canadian farmers who must face American competition in Canada ample time to adjust. Moreover, Canadian agriculture will get more protection since the trade deal gives Canada the right to temporarily restore tariffs on fruit and vegetables, over a twenty-year period, if prices fall. Quebec farmers must be persuaded, Mr. Speaker, that their industry not only will not be negatively affected by the Canada-U.S. trade deal, but that it will finally beak out of the stagnation that it suffered because of captive markets with little if any prospect for growth.

Besides, let us not forget that two-thirds of Quebec pulp and paper exports are purchased by the U.S. Elimination of tariffs on these products will tremendously increase their competitiveness on the American market.

And what about our Montreal based engineering and consulting firms which have earned themselves a worldwide reputation, Mr. Speaker? To sell our expertise and our achievements in this area is one thing, but to provide a reliable customer service is another challenge. In the past, U.S. immigration regulations often prevented Canadians from working with their American clients in order to provide them with the after-sales services to which they are entitled. Under the new undertakings concerning temporary entry for business purposes, the people involved in our service industries, including our engineering consultants, will find it a lot easier from now on to enter the United States, to better serve their customers and therefore increase their sales volume.

Moreover, reference is also made to an increase in revenues of close to $4 billion for Canadian industries which will have better access to the United States Government procurement contracts.

Now let us move on to the automotive industry, for which NDP tenor Bob White has voice so loud a concern that we must give him the reasoned reply he deserves. No one in the Government can explain Mr. White's attacks against this trade deal, or his predictions that the Auto Pact will meet an untimely end.

I will explain to those who may not know it that the Auto Pact, which was signed in 1965, is essentially a bilateral free trade agreement involving cars and trucks.

The most unrelented Auto Pact critics have become, with the passage of time and because of the results obtained, its fiercest champions. It is a fact that, because of our competitive costs, the number of cars built in Canada greatly exceeds the minimum quotas provided for under the Pact. With the Free Trade Agreement, these protection clauses will remain intact. As a matter of fact, the Auto Pact will be further improved and completed with the October 3 agreement, especially through the elimination of tariffs on spare parts and tires, previously excluded from our agreements with the United States.

As I was saying, Mr. Speaker, the climate now is very favourable to investments in Canada and our costs are very competitive. I have every reason to believe, therefore, that Asian car manufacturers, for whom the access to the North American market is vital, will gracefully accept the terms of the agreement which will more or less directly affect their operations both in Canada and in the United States.

Within the wider context of the regulations contained in the Free Trade Agreement, I have the very steadfast conviction that the automotive industry, both in Canada and the United States, will help improve the well-being of workers and consumers alike.

• (1720)

In conclusion, Mr. Speaker, I would simply like to emphasize the fact that the setting-up of a special bi-national panel designed to solve trade disputes and the commitment by both parties to negotiate new trade legislation over the next five years will enable Canadian and American investors and business people to work in an environment that will be more in tune with the realities of today's world.

The free-trade agreement has nothing to inspire those people who fret at the mere idea that a change might affect their daily routine. I am sorry that my colleagues from the Opposition do fall in that group of passive people who would rather suffer from undue constraints than face up to the reality and do what is needed to get out of it.

This time, the moment has come for Canadians to listen not just to their hearts, but also to their reason and their intelligence. The free-trade agreement will bring dividends to those who will take the trouble to roll up their sleeves, meet the challenge, and use the boundless opportunities available to them on the American markets. We will have to be strong, we will have to have determination and use the free-trade Agreement as a springboard to other markets, as a springboard into the upcoming century.

Mr. Speaker, this is a wonderful opportunity to bequeath to our children and grandchildren a better world economically, socially, and culturally.

Mr. Speaker, in our mind, this is a cornerstone of our program of national reconciliation, economic renewal and international relations.

[*English*]

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I appreciate the gesture to give me a chance to put the position of our Party yet again, perhaps, in a slightly different way from what our Leader did in his comments earlier.

I think that the Minister of Regional and Industrial Expansion (Mr. de Cotret) has, as his colleagues have, talked a great deal about the lack of confidence of the Opposition. He is quite right. There is a tremendous lack of confidence which we feel. It is a lack of confidence in this Government and this Government's activities over the past three years in what we expect that it will bring to us with this one-sided deal which has been presented to the Canadian people. I have no apology for this lack of confidence. Nor do I think that most people in the country find anything that contradicts their feelings about this Government in that lack of confidence.

I want to do three things in the time that we have left in this debate. First, I want to give a general assessment of this pact which, in its 36 pages, threatens to do more damage to the people of Canada and to communities right across the country than has any other treaty that this country has ever entered into. It is a pact which has details within it that, frankly, I cannot believe that a sovereign Canadian Government would have been prepared to sign. It contains details that leave me with the sense that we have a deal here which has been developed by this Government, given to the people of this country, and hidden throughout the process of negotiation. This is a deal which, first, is unfair. Second, it is a deal which has in its explanations a great deal of untruths. Third, it is a deal which is tremendously destructive to the people of the country and to the communities in which we live.

• (1730)

There are so many parts to this deal to which one could refer which indicate this so clearly. We could talk about the jobs which will clearly be lost as part of this free trade agreement. For instance, we could talk about the Minister of Employment and Immigration (Mr. Bouchard) and his own statements recorded on tape that up to 500,000 jobs will be lost. He was never prepared to confirm those comments in the House, but he was prepared to go outside the House and reconfirm that up to 500,000 jobs could be lost.

We could talk about the tremendous threat to women because of the manner in which the service industries, for the first time in any trade agreement, have been completely liberalized. Of course, services employ approximately 83 per cent of the women in this country. I am convinced that the competition which will come in that service sector will destroy small scale businesses throughout the country which employ large numbers of those women.

Marjorie Cohen, one of the eminent economists, with whom presumably the Minister of Industry does not agree, and he certainly did not make reference to her in his speech, has done a very detailed study. In a book, which has recently been published, she has indicated very clearly that the service sector is very much at threat and the women within that service sector will be the victims of that threat.

We could talk about investment on the subject of which the Minister of Finance (Mr. Wilson) earlier this afternoon tried to suggest that the question in front of us with this free trade pact is whether or not we wish more investment in this country. That is not the question. The question opened up by this free trade agreement, by this trade pact, is not a question of open investment. It is a question of takeovers which will take from the total of 7,500 firms which were formerly protected by review procedures so that an American company could not come in and simply take over a firm and shut it down to get rid of the competition. It will reduce that figure from 7,500 to only 500 firms in this country which are protected.

That type of change is inexcusable. It leaves small companies, such as those whose representatives I was talking to this morning in Guelph, with a sense of tremendous vulnerability, and a reality which faces them that at any stage they can be taken over without any review whatever on the part of the Government of this country. They can be shut down, turned into warehouses or small subsidiary operations, and again and again jobs will be lost as a consequence.

We can talk about film distribution. The Government has claimed that it has done nothing with respect to film distribution. Yet, within the U.S. briefing papers from that Government, there is the following statement, "The Canadian Government has also promised to solve Jack Valenti's problem on film distribution within the next two weeks". We know quite well that there has been a commitment made which at this very moment the Department of Communications is trying hard to struggle with, because it is very difficult, I would say it is impossible, to protect a place for Canadian films in the future, and at the same time to satisfy the motion picture industry of the United States which Jack Valenti represents.

We can talk about agriculture, which indeed tomorrow on our opposition day we will focus on as one sector which has been hung out to dry by the Government.

Mr. Mayer: That is not true, and you know it.

Mr. Langdon: That is one sector which has been given a tremendous set of threats, attacks, and sabotage as far as this fundamental and basic industry in our country is concerned.

As a country, what do we get in return? We get a toothless tiger; a hopeless, ineffective, completely unacceptable system of appeals which is so far from anything the Government talked about prior to the free trade signatures on that piece of paper that it is ludicrous.

For instance, the Secretary of State for External Affairs (Mr. Clark) told the House of Commons at one stage that it would be absolutely ridiculous to accept a tribunal which did not have rules. Yet that is exactly what has been accepted, a tribunal which will make judgments, not on the basis of agreed rules, not on the basis of some type of common definition of subsidies, but instead on the basis of United States laws.

It is unbelievable that a Government of this country would sign an agreement which puts the future of this country, the future business activities of this country in the United States completely under U.S. law. With respect to the appeals mechanism, there is no capacity for it to do anything but apply U.S. law, and in the process back up what the Government itself has criticized as laws that are unfair to this country.

One could continue, but I wish to spend a few moments dealing with perhaps the most amazing attempt to sell this agreement for something that it is not that we have yet seen in this country. I am referring to the attempt to sell the provisions which deal with the auto industry as somehow something that will benefit the country. The reality is that there are three key parts of the agreement in respect of the auto industry which affect our future, especially the future of communities like mine and others right across the country that depend upon the auto industry.

• (1740)

First, there is the elimination of the stick, which has enforced the safeguards that have made the Auto Pact a successful exercise in sectoral trade between Canada and the United States. That goes. It is eliminated. It is finished.

Second, there is the elimination of the possibility of putting Japanese and Korean companies under the auspices of the Auto Pact. Again this means that we cannot ever get the 60 per cent Canadian content which we had hoped to get at some stage in the future from these Japanese and Korean companies. There will be no capacity to enforce that kind of law and get the resulting jobs, parts purchases, and prosperity that the country could have from a policy of that sort.

Finally, the duty remission provisions were something which we as an independent country had the possibility of being able to use to help our parts producers. That, too, is eliminated as a possibility in the future. Existing duty remission schemes will have to be done away with.

In respect of the hard sell about the auto industry, there has also been a tremendous lack of truth. The Minister for International Trade (Miss Carney), for instance, said to the House on June 23: "We do not intend to alter the Auto Pact". Yet, in each of the detailed ways I have indicated, that Pact has been altered. All we have to do is to look at the U.S. assessment in briefing papers on the subject. They say quite clearly that the opportunities for increased domestic sourcing of parts, that is sourcing of parts in the United States, and therefore the creation of jobs in the United States, have been increased by the changes about which I have been talking.

Perhaps there is a sense above all of sadness about the agreement because alternatives existed. Different approaches could have given us jobs, given us reasonable trade relations with the United States, and given us much more prosperity for the future. We have passed those up. We have before us an agreement which will hurt Canadians, will leave Canadians much more vulnerable than they have been, and will seriously restrict the freedom of the country in respect of all our economic policy-making in the future.

It is for that reason that we have moved the amendment, and we oppose the agreement which has been placed before the country.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mr. Paproski): It being 5.45 p.m. it is my duty, pursuant to Standing Order 82(9), to interrupt the proceedings and put forthwith every question necessary to dispose of the supply proceedings now before the House.

Accordingly, the question is on the amendment of Mr. Broadbent. All those in favour of the amendment will please say yea.

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Call in the Members.

The House divided on the amendment (Mr. Broadbent), which was negatived on the following division:

• (1750)

(Division No. 283)

YEAS

Members

Allmand
Althouse
Angus
Axworthy
Baker
Benjamin
Berger
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Jong
Dewar
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Frith
Fulton
Gagliano
Garneau
Gauthier
Gray (Windsor West)
Grondin
Guilbault (Saint-Jacques)
Harris
Heap
Henderson
Hopkins
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Langdon
Lapierre
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
McLaughlin
Mitchell
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Rodriguez
Rompkey
Rossi
Skelly
Tardif (Richmond—Wolfe)
Tobin
Turner (Vancouver Quadra)
Waddell
Young—68

NAYS

Members

Andre
Attewell
Beatty
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blais-Grenier
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Saint-Hyacinthe—Bagot)
Champagne (Champlain)
Charest
Chartrand
Clark (Yellowhead)
Clark (Brandon—Souris)
Clifford
Clinch
Cochrane
Collins
Comeau
Cook
Cooper
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crombie
Crosbie (St. John's West)
Crosby (Halifax West)
Crouse
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Desrosiers
Dick
Domm
Dorin
Duguay
Duplessis
Edwards
Ellis
Epp (Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Girard
Gormley
Gottselig
Graham
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Guilbault (Drummond)
Gurbin
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Harvey
Hees
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Howie
Hudon
Jacques
James
Jardine
Jelinek
Jepson
Johnson (Bonavista—Trinity—Conception)
Joncas
Jourdenais
Kelleher
Kempling
Kindy
King
Ladouceur
Landry
Lanthier
La Salle
Lawrence
Layton
Leblanc
Lesick
Lewis
Lopez
MacDonald (Kingston and the Islands)
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mayer
Mazankowski
McCain
McCuish
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
McLean
McMillan
Merrithew
Minaker
Moore
Mulroney
Murta
Nicholson (Niagara Falls)
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Paproski
Peterson
Plourde
Porter
Price
Ravis
Redway
Reid
Reimer
Ricard
Roman
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Victoria—Haliburton)
Scott (Hamilton—Wentworth)
Scowen
Shields
Siddon

Sparrow
Speyer
Stackhouse
Stevens
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
White
Wilson
(Swift Current
—Maple Creek)
Wilson
(Etobicoke
Centre)
Winegard
Wise
Witer—194

● (1810)

Mr. Speaker: I declare the amendment lost.

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Speaker: Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

The House divided on the motion (Mr. Turner (Vancouver Quadra)) which was negatived on the following division:

(*Division No. 284*)

YEAS

Members

Allmand
Althouse
Angus
Axworthy
Baker
Benjamin
Berger
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dewar
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Frith
Fulton
Gagliano
Garneau
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Harris
Heap
Henderson
Hopkins
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Kaplan
Keeper
Killens
Langdon
Lapierre
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Rodriguez
Rompkey
Rossi
Skelly
Tardif
(Richmond—Wolfe)
Tobin
Turner
(Vancouver Quadra)
Waddell
Young—69

NAYS

Members

Andre
Attewell
Beatty
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blais-Grenier
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Saint-Hyacinthe—
Bagot)
Champagne
(Champlain)
Charest
Chartrand
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Clifford
Clinch
Cochrane
Collins
Comeau
Cook
Cooper
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Crouse
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Desrosiers
Dick
Domm
Dorin
Duguay
Duplessis
Edwards
Ellis
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Girard
Gormley
Gottselig
Graham
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Guilbault
(Drummond)
Gurbin
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Harvey
Hees
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Howie
Hudon
Jacques
James
Jardine
Jelinek
Jepson
Johnson
(Bonavista—Trinity—
Conception)
Joncas
Jourdenais
Kelleher
Kempling
Kindy
King
Ladouceur
Landry
Lanthier
La Salle
Lawrence
Layton
Leblanc
Lesick
Lewis
Lopez
MacDonald
(Kingston and
the Islands)
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mayer
Mazankowski
McCain
McCuish
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
McLean
McMillan
Merrithew
Minaker
Moore
Mulroney
Murta
Nicholson
(Niagara Falls)
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Paproski
Peterson
Plourde
Porter
Price
Ravis
Redway
Reid
Reimer
Ricard
Roman
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Speyer
Stackhouse
Stevens
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers

Tremblay (Québec-Est)	Vincent	Wilson (Etobicoke Centre)
Tremblay (Lotbinière)	Warner	Winegard
Tupper	Weiner	Wise
Valcourt	Wenman	Witer—194
Van De Walle	White	
Vankoughnet	Wilson (Swift Current —Maple Creek)	
Vézina		

● (1820)

Mr. Speaker: I declare the motion lost.

* * *

CONSTITUTION ACT, 1867

CONSTITUTION AMENDMENT, 1987

The House resumed from Thursday, October 22, consideration of the motion of Mr. Hnatyshyn:

WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

CONSTITUTION AMENDMENT, 1987

Constitution Act, 1867

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

"25. (1) Where a vacancy occurs in the Senate, the government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

"*Agreements on Immigration and Aliens*

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"*General*"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"*Courts Established by the Parliament of Canada*"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

"*Supreme Court of Canada*

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

"106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

"XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of the Canadian economy and such other matters as may be appropriate.

XIII—REFERENCES

149. A reference to this Act shall be deemed to include a reference to any amendments thereto."

Constitution Act, 1982

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

"40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

"47. (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

13. Part VI of the said Act is repealed and the following substituted therefor:

"PART VI

CONSTITUTIONAL CONFERENCES

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon."

14. Subsection 52(2) of the said Act is amended by striking out the word "and" at the end of paragraph (b) thereof, by adding the word "and" at the end of paragraph (c) thereof and by adding thereto the following paragraph:

"(d) any other amendment to the Constitution of Canada."

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

General

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

and on the amendment of Mr. Turner (Vancouver Quadra):

October 1, 1987—That the motion be amended

(a) in paragraph 1 of the Schedule by deleting subsection 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada;

(b) the recognition that Quebec constitutes within Canada a distinct society;

(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada;

(d) the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that helped shape Canadian society; and

(e) the recognition of the advantages of developing the Canadian economic union."

(b) in paragraph 1 of the Schedule by deleting subsection 2.(2) and substituting the following therefor:

"2(a) The role of the Parliament of Canada to preserve and promote, and the role of the provincial legislatures to preserve and, subject to subparagraph (2)(b) to promote, the fundamental characteristic of Canada referred to in paragraph 1(a) is affirmed.

(b) The role of a province in relation to promotion applies from the time it is adopted by a resolution of the legislative assembly of that province."

(c) in paragraph 2 of the Schedule by deleting section 25 and substituting the following therefor:

"25. Where a vacancy occurs in the Senate, and until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 42 of the *Constitution Act, 1982*, the government of Canada shall, within six months after the vacancy occurs, call an election in the province or territory to which the vacancy relates for the purpose of filling that vacancy, and, notwithstanding the provision of section 29 of the *Constitution Act, 1867*, for a term of nine years."

(d) in paragraph 6 of the Schedule by deleting subsections 101C.(1) and (2) and substituting the following therefor:

"101C.(1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province and the elected government of each territory may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province or territory and are qualified under section 101B. for appointment to that court.

(2) Subject to subsection (5), where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada."

(e) in paragraph 6 of the Schedule by adding immediately after subsection 101C.(4) the following:

"(5) Where an appointment is made in accordance with subsection (2) and, if within a period of three months, no name which has been submitted under subsection (1) is acceptable to the Queen's Privy Council for Canada, the Chief Justice may make an interim one-year appointment from among justices of the Federal Court of Canada or provincial Superior Courts."

(f) in paragraph 7 of the Schedule by deleting subsection 106A.(1) and substituting the following therefor:

"106A.(1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Parliament of Canada after the coming into force of this section, in an area of exclusive provincial jurisdiction, if the province carries on a compatible program which meets minimum national standards."

(g) by deleting paragraphs 9, 10, 11 and 12 of the Schedule and substituting the following therefor:

"9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the right of a province of a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(c) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(d) subject to section 43, the use of the English or the French language;

(e) the Supreme Court of Canada; and

(f) an amendment to this Part.

42.(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a) the powers of the Senate and the method of selecting Senators; and

(b) the number of members by which a province or territory is entitled to be represented in the Senate and the residence qualifications of Senators.

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

42A. Notwithstanding subsection 42(1) of the *Constitution Act, 1982*, the establishment of new provinces and the extension of existing provinces into territories shall be a matter exclusively for the Governor General in Council and the elected government of the territory affected."

(h) in paragraph 13 of the Schedule by deleting subsection 50.(2) and substituting the following therefor:

"(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) the aboriginal and treaty rights of the aboriginal peoples of Canada, including self-government;

(b) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators, representation in the Senate.

(c) roles and responsibilities in relation to fisheries at the first meeting only;

(d) such other matters as are agreed upon."

(i) by deleting paragraph 16 of the Schedule and substituting the following therefor:

"16. Nothing in the *Constitution Amendment, 1987* derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms or affects Part II of the *Constitution Act, 1982*".—The Leader of the Opposition.

and on the amendment of Mr. Broadbent:

October 1, 1987—That the motion be amended

(a) by adding in paragraph 2 subsection 25(1) the words "and the elected government of each territory" immediately after the word "province";

(b) by adding in paragraph 2 subsection 25(2) the words "or the elected government of a territory" immediately after the word "province";

(c) by adding in paragraph 6 subsection 101C.(1) the words "or the elected government of a territory" immediately after the word "province";

(d) by adding in paragraph 6 subsection 101C.(4) the words "or the elected government of a territory" immediately after the word "province";

(e) by deleting in paragraph 9, section 41 paragraph (i);

(f) by adding to paragraph 13 subsection 50(2) the following new paragraph:

"(c) aboriginal rights, in particular self-government;"

(g) by adding to paragraph 13 section 50 the following new subsection:

"(3) The Prime Minister shall invite to the Conferences designated in section 50 subsection (2)(c) representatives of the aboriginal peoples of Canada and the governments of the Northwest Territories and Yukon Territory and those groups and governments shall participate fully in all matters that affect aboriginal rights."

(h) by deleting paragraph 16 and substituting the following therefor:

"16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25, 27 or 28 of the *Canadian Charter of Rights and Freedoms*, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution.— Mr. Broadbent.

and on the amendment of Mr. Caccia:

That the motion be amended in paragraph 1 of the Schedule

(a) by deleting Section 2.(1) and substituting the following therefor:

"2.(1) The Constitution of Canada shall be interpreted in a manner consistent with the recognition that Canada constitutes aboriginal and multicultural societies, with English and French as the official languages of Canada, French-speaking Canadians being centred in Quebec but also present elsewhere in Canada and English-speaking Canadians concentrated outside Quebec but also present in Quebec".

(b) by deleting Section 2.(3).

and on the amendment of Mr. Allmand.

That the motion be amended in paragraph 1 of the Schedule by adding immediately after subsection 2.(4) the following:

"(5) Nothing in this section derogates from any of the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms."

Mr. Speaker: Pursuant to order adopted Thursday, October 1, 1987, the House will now proceed to the taking of the deferred division on the amendment of Mr. Turner (Vancouver Quadra) to the motion on the constitutional amendment, 1987.

Shall I dispense with the ringing of the bells?

Some Hon. Members: Dispense.

Mr. Speaker: The question is on the amendment.

The House divided on the motion (Mr. Turner (Vancouver Quadra)) which was negatived on the following division:

(*Division No. 285*)

YEAS

Members

Allmand
Axworthy
Baker
Boudria
Copps
de Corneille
Dingwall
Finestone
Foster
Frith
Gagliano
Garneau
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Henderson
Hopkins
Isabelle
Kaplan
Killens
Lapierre
MacLellan
Malépart
Marchi
Nicholson
(Trinity)
Nunziata
Ouellet
Penner
Pépin
Prud'homme
Robichaud
Rompkey
Rossi
Tardif
(Richmond—Wolfe)
Tobin
Turner
(Vancouver Quadra)—37

NAYS

Members

Althouse
Andre
Angus
Attewell
Beatty
Belsher
Benjamin
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blaikie
Blais
Blais-Grenier
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Broadbent
Browes
Cadieux
Caldwell
Cardiff
Carney
Cassidy
Champagne
(Saint-Hyacinthe—
Bagot)
Champagne
(Champlain)
Charest
Chartrand
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Clifford
Clinch
Cochrane
Collins
Comeau
Cook
Cooper
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Crouse
Dantzer
Darling
Daubney
de Cotret
de Jong
Della Noce
Desjardins
Desrosiers
Dewar
Dick
Domm
Dorin
Duguay
Duplessis
Edwards
Ellis
Epp
(Thunder Bay—
Nipigon)
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Fulton
Gagnon
Gass
Gérin
Girard
Gormley
Gottselig
Graham
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Guilbault
(Drummond)
Gurbin
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Harris
Harvey
Heap
Hees
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Howie
Hudon
Jacques
James
Jardine
Jelinek
Jepson
Jewett
Johnson
(Bonavista—Trinity—
Conception)
Joncas
Jourdenais
Keeper
Kelleher
Kempling
King
Ladouceur
Landry
Langdon
Lanthier
La Salle
Lawrence
Layton
Leblanc
Lesick
Lewis
Lopez
MacDonald
(Kingston and
the Islands)
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Manly
Mantha
Marin
Martin
Masse
Mayer
Mazankowski
McCuish
McCurdy
McDonald
(Broadview—
Greenwood)
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
McLaughlin
McLean
McMillan
Merrithew
Minaker
Mitchell
Moore
Mulroney
Murphy
Murta
Nicholson
(Niagara Falls)
Nystrom
Oberle
O'Neil
Oostrom
Orlikow
Paproski
Parry
Peterson
Plourde
Porter
Price
Ravis
Redway
Reid
Reimer
Ricard
Riis
Rodriguez
Roman
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Skelly
Sparrow
Speyer
Stackhouse
Stevens
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Toupin
Towers
Tremblay
(Québec-Est)

Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
White
Wilson
(Swift Current
—Maple Creek)
Wilson
(Etobicoke
Centre)
Winegard
Wise
Witer
Young—219

● (1830)

Mr. Speaker: I declare the amendment lost.

The next question is on the amendment of Mr. Broadbent. Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the amendment will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the yeas have it.

And more than five members having risen:

Mr. Speaker: Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

The House divided on the amendment (Mr. Broadbent) which was negatived on the following division:

(*Division No. 286*)

YEAS

Members

Allmand
Althouse
Angus
Axworthy
Baker
Benjamin
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dewar
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Frith
Fulton
Gagliano
Garneau
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Harris
Heap
Henderson
Hopkins
Isabelle
Jewett
Kaplan
Keeper
Killens
Kindy
Langdon
Lapierre
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Murphy
Nicholson
(Trinity)
Nickerson
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Rodriguez
Rompkey
Rossi
Skelly
Tardif
(Richmond—Wolfe)
Tobin
Toupin
Turner
(Vancouver Quadra)
Waddell
Young—70

NAYS

Members

Andre
Attewell
Beatty
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blais-Grenier
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Saint-Hyacinthe—
Bagot)
Champagne
(Champlain)
Charest
Chartrand
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Clifford
Clinch
Cochrane
Collins
Comeau
Cook
Cooper
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Crouse
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Desrosiers
Dick
Domm
Dorin
Duguay
Duplessis
Edwards
Ellis
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Girard
Gormley
Gottselig
Graham
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Guilbault
(Drummond)
Gurbin
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Harvey
Hees
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Howie
Hudon
Jacques
James
Jardine
Jelinek
Jepson
Johnson
(Bonavista—Trinity—
Conception)
Joncas
Jourdenais
Kelleher
Kempling
King
Ladouceur
Landry
Lanthier
La Salle
Lawrence
Layton
Leblanc
Lesick
Lewis
Lopez
MacDonald
(Kingston and
the Islands)
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mayer
Mazankowski
McCuish
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
McLean
McMillan
Merrithew
Minaker
Moore
Mulroney
Murta
Nicholson
(Niagara Falls)
Oberle
O'Neil
Oostrom
Paproski
Peterson
Plourde
Porter
Price
Ravis
Redway
Reid
Reimer
Ricard
Roman
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Speyer
Stackhouse
Stevens
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
White
Wilson
(Swift Current
—Maple Creek)
Wilson
(Etobicoke
Centre)
Winegard
Wise
Witer—190

• (1840)

Mr. Speaker: I declare the amendment lost.

[*Translation*]

Mr. Speaker: The question is on Mr. Caccia's motion:

[*English*]

Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the amendment will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the nays have it.

Amendment (Mr. Caccia) negatived.

• (1850)

Mr. Speaker: The next question is on the amendment of Mr. Allmand.

Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the amendment will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Speaker: Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Mr. Speaker: I declare the amendment lost on division.

Amendment (Mr. Allmand) negatived.

Mr. Speaker: The next question is on the main motion in the name of Mr. Hnatyshyn.

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Speaker: Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

The House divided on the motion (Mr. Hnatyshyn) which was agreed to on the following division:

(*Division No. 287*)

YEAS

Members

Allmand
Althouse
Andre
Angus
Attewell
Axworthy
Baker
Beatty
Belsher
Benjamin
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blaikie
Blais
Blais-Grenier
Blenkarn
Blouin
Bosley
Bouchard
Boudria
Bourgault
Boyer
Brightwell
Brisco
Broadbent
Browes
Cadieux
Caldwell
Cardiff
Carney
Cassidy
Champagne
(Saint-Hyacinthe—
Bagot)
Champagne
(Champlain)
Charest
Chartrand
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Clifford
Clinch
Cochrane
Collins
Comeau
Cook
Cooper
Copps
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Crouse
Dantzer
Darling
Daubney
de Corneille
de Cotret
de Jong
Della Noce
Desjardins
Desrosiers
Dewar
Dick
Domm
Dorin
Duguay
Duplessis
Edwards
Ellis
Epp
(Thunder Bay—
Nipigon)
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Foster
Fraleigh
Fretz
Friesen
Frith
Fulton
Gagliano
Gagnon
Garneau
Gass
Gauthier
Gérin
Girard
Gormley
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Gray
(Windsor West)
Greenaway
Grisé
Grondin
Guilbault
(Saint-Jacques)
Guilbault
(Drummond)
Gurbin
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Harris
Harvey
Heap
Hees
Hicks
Hnatyshyn
Hockin
Holtmann
Hopkins
Horner
Howie

Hudon
Isabelle
Jacques
James
Jardine
Jelinek
Jepson
Jewett
Johnson
(Bonavista—Trinity—
Conception)
Joncas
Jourdenais
Kaplan
Keeper
Kelleher
Kempling
Killens
King
Ladouceur
Landry
Langdon
Lanthier
Lapierre
La Salle
Lawrence
Layton
Leblanc
Lesick
Lewis
Lopez
MacDonald
(Kingston and
the Islands)
MacDougall
(Timiskaming)
MacKay
Mailly
Malépart
Malone
Mantha
Marin
Martin
Masse
Mayer
Mazankowski
McCuish
McCurdy
McDonald
(Broadview—
Greenwood)
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
McLean
McMillan
Merrithew
Minaker
Mitchell
Moore
Mulroney
Murphy
Murta
Nicholson
(Trinity)
Nicholson
(Niagara Falls)
Nystrom
Oberle
O'Neil
Oostrom
Orlikow
Ouellet
Paproski
Parry
Pépin
Peterson
Plourde
Porter
Price
Prud'homme
Ravis
Redway
Reid
Reimer
Ricard
Riis
Rodriguez
Rompkey
Rossi
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Skelly
Sparrow
Speyer
Stackhouse
Stevens
Stewart
Suluk
Tardif
(Richmond—Wolfe)
Tardif
(Charlesbourg)
Taylor
Thacker
Tobin
Toupin
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Turner
(Vancouver Quadra)
Valcourt
Van De Walle
Vézina
Vincent
Warner
Weiner
Wenman
White
Wilson
(Swift Current
—Maple Creek)
Wilson
(Etobicoke
Centre)
Winegard
Wise
Witer
Young—242

NAYS

Members

Berger
Caccia
Dingwall
Finestone
Henderson
Johnston
(Saint-Henri—
Westmount)
MacLellan
Marchi
McLaughlin
Nickerson
Nowlan
Nunziata
Penner
Robichaud
Roman
Waddell—16

• (1900)

Mr. Speaker: I declare the motion carried.

Mr. Kindy: Mr. Speaker, I rise on a point of order. I would like to register my abstention from the last vote.

Mr. Speaker: Order. I draw to the attention of Hon. Members the fact that the Hon. Member for Calgary East (Mr. Kindy) has the floor on a point of order, and I would ask that courtesy be extended to him.

Mr. Kindy: Mr. Speaker, I would like to register my abstention from the last vote. I was present—

Mr. Speaker: Order. The Hon. Member for Calgary East has the floor.

Mr. Kindy: Mr. Speaker, I abstained from the last vote, but I would like my constituents to know that I was present in the House and that my abstention was for a good reason which I will explain to them.

Mr. Speaker: It being 7 p.m. the House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

At 7.05 the House adjourned.